

**Transcription ICANN Dublin  
Tuesday 20 October 2015  
Joint Registry and Registrar Contracted Party  
House Session**

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Keith Drazek: All right, we're just waiting for the recording to be prepared and then we'll get started.

So just before we get started, I'll note that we have approximately an hour for this next session of the Joint Registry and Registrar Contracted Party House session.

If you look, please look at the agenda. And if there are any additional items that you'd like to discuss in the joint session be prepared to raise them.  
Thanks.

Cherie Stubbs: This is Cherie, the RySG Secretariat. We are going to start the recording now. And again just a reminder, if you do make any comments for the record please announce your name and affiliation. Thank you.

Keith Drazek: Okay, thanks everybody. This is Keith Drazek. Welcome back to the Joint Session of Registries and Registrars here in Dublin.

The Contracted Party House the first item that we're going to address together are GNSO council issues and motions. Then we'll discuss the GNSO council chair election, next up topics for planning 2016.

And there's a sub bullet here that's focused on looking ahead to, you know, commercial or industry focused summits with a couple of different groups.

Then we'll talk a little bit about the Competition Consumer Trust and Consumer Choice Review Team volunteers best practices for new gTLDs and the SSAC advisory regarding recommendations for registries and registrars on registrant protection and credential management.

Would anybody like to add anything to the agenda at this time so we can manage our time properly?

Anything else that we'd like to discuss together?

Okay, Kristina. Thank you.

Kristina Rosette: I'm Kristina Rosette, Amazon. I don't know whether there's going to be a better time to discuss this but it's my understanding there's been a lot of discussion lately about content regulation. And I think that's probably an issue that this house as a house should discuss. And I don't know if we've got another timeslot for it or not.

Keith Drazek: Okay, very good, thank you, Kristina. I'll add that and I agree. I think that is something that we should talk about together.

Okay. So let's with that let's go ahead and move to discussing the GNSO council issues and motions for the meeting tomorrow. And if I could ask Jonathan to perhaps take the lead on this one or would somebody else like to volunteer while Jonathan's getting his laptop out? Is Volker in the room?

Yes hi Volker, sorry. You're getting ready too, all right. All right sounds good.

Well why don't we reorder the agenda then and talk about council chair election? And we teed this up.

Susan Payne: I'm sorry. I thought we had agreed that we would discuss this as separate SGs.

Keith Drazek: And that is part of the plan.

Susan Payne: Okay, right.

Keith Drazek: So I mean I think we're here as contracted party house. It's something that we need to, you know, have a conversation about.

And certainly we as individual stakeholder groups will make our own decisions about how to proceed. And we have not made that decision yet.

So we teed this up earlier briefly and went through a review of the process. But we have many more people in the room right now. Paul Diaz do you think it makes sense to review briefly the procedures again or do you think we've covered that?

Paul Diaz: I think we've covered that.

Keith Drazek: Okay.

Paul Diaz: (Unintelligible).

Keith Drazek: Okay. So let me just open this up to the - for discussion, for open discussion. The registries and registrars had an opportunity for interviews with both of the candidates for council chair.

And let me just open this up for discussion. Would anybody like to discuss the council chair election process?

And if not we can move on.

Bret Fausett: (Unintelligible).

Keith Drazek: Yes, Bret, thank you.

Bret Fausett: The only discussion that I heard I think if (James) stands he wins. He's got - he's going to have the registry support I expect. He'll have the registrar support I expect. And I think he'll have support from the nominating committee representatives and probably noncommercial.

So the only thought that I've - the only thing that I've heard and I haven't advocate it but that is in the best interests of the GNSO as a whole that we have a non-contracted party

And I would probably require (James) to stand down, not for us to vote for someone else.

I think if (James) runs we should support him. I think he's the better candidate. And there's just this question that I've heard people raise as to whether we're better off letting them win this time.

Okay thanks Bret, Susan?

Susan Payne: Susan Payne for the record. I think the comment that just - Bret just made explains exactly why we should have been having this conversation as a Registry Stakeholder Group conversation rather than a general one.

We should've had our conversations in the Registry Stakeholder group first. We shouldn't be having people making statements about what the Registry Stakeholder Group will be doing when we haven't had a discussion about how we should be voting.

Keith Drazek: Okay, thanks, Susan. Stephane, and then Volker, and then perhaps I'll recant my position and we'll stop talking about this.

Stephane Van Gelder: Thanks Keith, Stephane Van Gelder. Although we have had some registry discussion but not - perhaps not enough I - but somewhere been called upon to have this discussion now. I just wanted to certainly air my views.

I mean I've been pretty open about in the registries about the fact that I feel we should consider the option that Bret has just mentioned of wanting to be - shall we say sensitive to the NCPH's constant moaning that they never have the chair and perhaps try and consider that because we feels that Heather

might be also might be a good chair that this might be a time to look at that avenue.

Now to be fully transparent I have actually had this discussion with (James). And he's done a very good job of convincing me that that's probably not what we should be doing.

And the reason - the way he's done that is that he's very strongly made the point that someone like him with the experience of the working group with the experience of the council and a desire to in the times ahead -- and these are difficult times that we're getting into with the transition new CEOs second round, et cetera, someone that's willing to take a very firm hand at leading the council whilst having a very, very good deep understanding of how the PDP working group model works would be an asset.

So I think at this stage I've been convinced that, you know, we should probably look at what's best in terms of the candidate for the council rather than the politics.

Keith Drazek: Okay. Thanks, Stephane.

So I do have a queue here, so I've got Volker, Elliot, Jennifer, and Ken. So, Volker?

Volker Greimann: Yes, my first argument has almost completely been covered by Stephane. I think we have trying times ahead of us. We have very substantial pieces of work for the entire GNSO coming up that will require a lot of resources.

And I think having someone on the chair that has the experience of a lot of working groups and has been shown as a partial - impartial (unintelligible) for the work that's been going on in the GNSO is beneficial to us.

The second part of my argument would be that I have never heard any one comment to me directly that main problem with the GNSO counsel it was the GNSO set up as it is is who controls the chair.

The problem goes deeper than that when it comes to the complaints about the GNSO structure.

The chair position is not what will gain us anything in the long run if we give that away.

Keith Drazek: Okay thanks Volker. Elliott, then Jennifer, then Ken.

Elliot Noss: Yes, I was also trying to separate between contracted party and non-contracted party house and the individuals.

I want to start by saying, you know, I think we all need to understand today that those terms contracted and non-contracted party are - were convenient

labels that have now become something of an anachronism. And I'd like to point out one example there.

We are talking about in privacy and proxy accrediting parties through ICANN. Those will be parties that are not part of the ICANN world today and who will become contracted parties.

Putting them in the contracted party's house as an example would be inappropriate.

The distinction -- and I think it's important for everybody in this room -- the distinction we should start to draw is parties responsible for delivering domain names to customers -- hopefully somebody will come up with a pithier label than that -- and others. And I think that's very important.

If we allow ourselves in this room -- and this is true for both registries and registrars -- to get sucked into this label it was a convenience at the time it came up. It wasn't - it didn't have many substantive significance -- contracted parties -- than we do that to our detriment. And I really do think there's long-term risk there.

Keith Drazek: Okay, thanks, Elliot. Jennifer, then Ken.

Jennifer Standiford: Jennifer Standiford Web.com.

I don't think the GNSO chair election is the time and the place to discuss whether or not there should be a NonCom or commercial rep. I think it's the best man for the job. And I think James is the best man for this position.

Keith Drazek: Okay. Thanks, Jennifer. Ken, then Jeff?

Ken Stubbs: Yes, thank you Keith. I've been on four different nominating committees and the velocity that I've always taken into the Nominating Committee is I want the most competent person for the job.

This is not a point where politics is the critical factor in making decisions. We have a lot of hard work again - of forward - moving forward in the next 12 to 18 months.

The council's principal responsibility is management. We need to ensure that the person who is at the head of the council has that skill set is used to working in the dynamic environment with varied opinions, is used to be able to step in at the appropriate time and say like you do Keith, "We're going to have to draw a line under that," has to be willing to accept frustration from all of the parties of the council because unfortunately you can't be a nice guy or nice girl all the time. It just doesn't work that way.

So I can tell you that if - that we will be voting for the most competent person for that position.

Keith Drazek: Okay, thanks, Ken. And obviously we'll as discussed earlier the registries will be discussing that further in a follow-on session. Jeff, then Reg. Would anybody else like to get in the queue? Michele? Thank you.

Jeff Neuman: Yes, actually I'll pass. I think everything has been said.

Keith Drazek: Right, thanks very much Jeff.

Reg, then Michele.

Reg Levy: I just want to stick to Jennifer and Ken's point that this isn't - that this is about the best person for the job and not politics. I think we do need to look at both of them.

That said, it needs to be weighed. And the best person still needs to be good in order to justify that for political reasons. And I'm fully behind the position that James is the best on both of this.

Keith Drazek: Michele?

Michele Neylon: Michele. And for the record one of those rare instances where Reg and I are completely aligned. I'm joking. Reg and I do actually see eye to eye on more than one thing.

Again reiterating what a lot of other said, I mean taking the chair position in any part of ICANN be that a constituency, a stakeholder group or anything else it is a - it's a very awkward position to be in at the best of times. I mean you are in many respects the punch bag for everybody -- all the different interests.

I think able to work in the fashion with all the interested parties in a fair and equitable manner is something that requires a certain skill set.

And having worked with James over the last, I don't know, several years -- I won't even try to think how many -- I think he is probably the best man for that job.

And the political aspects of this particular round of elections is something that as Reg and others have commented on is something we cannot ignore.

And personally if the - if James was up against somebody of equal standing or caliber without denigrating and who he is up against then it would take the discussions we would have had internally with our stakeholder group would probably have been quite different.

But that isn't the case. We really need to be sure that at this critical time that whoever is manning and managing that the GNSO Council is the best person for the job. You know, whoever's going in and is going to be filling Jonathan's

shoes -- and I think Jonathan has done a fantastic job over the last couple of years -- and, you know, James had - should be the one to be supported by us.

Keith Drazek: Thanks, Michele.

All right, I think we've talked to this through. I appreciate everybody's patience and understanding in having this conversation.

Frankly I thought it was very important because this decision has to be made today, tomorrow that we the registries who as we said at the outset have not made a decision had the benefit of the input from registrars, our customers, our partners in the contracted party house. And I really value your input and I know we all do.

So thank you very much for this conversation.

Let's move on now. I'm going to hand it over to Jonathan for the GNSO council motions and issues. Thank you.

Jonathan Robinson: Thanks, Keith. And I hope I didn't bounce you into that discussion early but I agree with you it was useful to at least have the preliminary discussion.

There are three motions on the council agenda and four items for discussion. I think it's worth touching on each of them some much more briefly than the others.

The first is a motion on the adoption of the final report from data metrics group. This group worked to prepare the data metrics work for underlying the management and policy work in the working groups.

Volker's presented the motion. Are you still here Volker? Would anyone be prepared to talk to that? Volker would you be prepared to talk to that motions very briefly and then indicate whether or not there any concerns in the substance of the work at least? It's the motion on the data metrics for policy making Working Group.

Volker Greimann: No. I think the Working Group has done an excellent job of putting together suggestions of how the success of Working Group can be measured afterwards as the policy and have some form of analysis going on that existing policies or new policies will be subjected to or some form of review.

I think we've asked for that for a long time because once the new policy has been established there has been no form of review in the past. And sometimes we're stuck with policies that don't really achieve what it's supposed to do but still require a lot of work.

So I welcome the effort that we will be subjecting are planning policy implementations and policy recommendations to some form of review that

may lead to a change or even removal of policy if it's shown that it hasn't resulted in the desired effect.

Keith Drazek: Thanks very much, Volker. I saw a hand go up. Is that Pam?

Pam Little: Thanks, Keith. Yes, I fully endorse what Volker has just said.

I indeed have participated in the non-PDP Working Group myself as registry stakeholder group's representative initially personally then I (earlier) joined the RSG so I became RSG (unintelligible).

So I just want to say two things about this non-PDP. One is policymaking needs to be donor driven facts based.

There other thing is there has to be metrics sort of built-in in the policy when the policy's made to measure the effect - effectiveness or success of a policy outcome.

So I think these are all positive things and as Volker said we have been looking for a long time or asking for a long time. So I fully support that RSG's support both for the - this motion.

So that's all I had to say.

Keith Drazek: Thank you. Jonathan, back to you.

Jonathan Robinson: So thanks Volker and Pam. That helps put things in a little more context.

So my sense is that therefore we vote to support this motion. As certainly from a Registry Stakeholder Group point of view I won't presume where the registrars going to go but that - and so if anyone feels differently we should (tier) and registrars want to speak to it by all means.

Keith Drazek: Okay Graeme, go ahead?

Graeme Bunton: Hey, this is Graeme from Tucows and Vice Chair of the Register.

I worked on that working group with Pam. And I think a lot of the value that's going to come out of that is even before the process really begins to get underway is that when an issue is brought before us we did gather data and see if it's real because we do a lot of anecdotal problem-solving and this should hopefully get in front of that and help make that whole process much better.

It's also important to note for contracted parties that there is so, you know, it's a framework for requesting data from people within the ICANN community perhaps obviously I think it's obvious that's going to rely heavily on contracted parties to participate.

And there's also a carve out inside the policy that's been developed for contracted parties to have a unilateral opt out if for whatever reason providing data is problematic for their business.

So I think there's pretty good safeguards in there and I think it solves some pretty serious problems within the policy development process.

Jonathan Robinson: Great thanks. And thanks to Pam for highlighting that particular point earlier about the fact that this is a non-PDP Working Group. The sub team might be lost at first sight but that's important to capture that. So that's useful.

All right I'll move is on in the interest of keeping this going. The next motion is deals with the final issue report on a board initiated PDP.

So those of you familiar with the nuances of all of this will know that a PDP can be originated in more than one way. And in this case it's rare to have but not unprecedented to have a PDP initiated by the board.

This relates to - it's got a very worthy title, adoption of next-generation TLD registry data services. But essentially it's what we know as Whois and it's a whole it's the genesis of a policy development process to ultimately fundamentally replace Whois.

At this point we're at the dealing with the final issue report. And it presents a number of issues and challenges. At a very basic and process level there's some discussion and the council will have some discussion about the charter because one of the ways the council has assisted in expediting policy development in the recent past is to potentially include the charter in the final issue report.

This does include a draft charter. And I should say that the preparation of the sort of pre-preparation of all of this was a board GNSO group that got together and did some work.

So it's - this is the start of a long journey. In the previous session there was discussion of the integration of the various pieces of work on Whois.

I suspect not wanting to preempt the discussion that we will - well let me not preempt the discussion. Let's hear what if anything anyone wants to say about this and those - anyone who has spent time in either the board GNSO group that did the prep work, anyone who's been through the report how do we deal with this - the fact that this is a final issue report put forward for vote by the council at this stage? Any thoughts or comments welcome.

Keith Drazek: Okay anyone want to get in queue? Okay Jonathan I don't see any discussion.

Jonathan Robinson: Well look I mean I think there's the critical point here is there's been quite a lot of care and detail gone into it in the first instance.

We don't tie our hands unreasonably by dealing by accepting the final issue report. I mean I think the real issue here is that we will need to pay attention to the work of the Working Group.

The one other thing I suppose one other context point here was that we did raise this with the board that what was - what was the sense of urgency on this?

And it's pretty clear that the board recognizes that whilst this is in their view very important and necessary to get on with they are not absolutely pushing us on time.

So the one thing we could do as counselors is make a statement in support of this but make sure that it's recognized that we would want to see the work of this Working Group commence too soon. and we could encourage that the counselor at least made the call for Working Group members say early in the new year so that this didn't go at a time when we're otherwise distracted.

So that may be something that - so I guess if no one else is going to speak that that would probably be my recommendation that we vote to support the adoption of the final issue report but recommend that the call for the Working Group participation that the work doesn't commence until early in the forthcoming calendar year.

Keith Drazek: Okay. Thanks very much Jonathan. Would anybody like to weigh in on this or shall we as I expect support Jonathan's recommendation?

Thank you Jonathan.

Okay. Any comments from the registrars or we...

James?

James Bladel: Hi. Is this on? Thanks. So I support that approach and I think it's something that we discuss extensively over the weekend.

I would just be perhaps a little less confident about putting any kind of date certain attachment on we'll pick this up in the first part of the calendar year, we'll pick it up, you know, in early 2017 or anything like that.

I think that instead we should have some sort of deterministic trigger that when something happens either the - either we have some resolution on (syndic sic) or one of the existing Whois PDPs moves off the table that we then take a look at initiating this PDP because it's going to use and consume the same the same set of volunteers that are currently engaged in other projects.

And so if we can instead tie this to the completion of another project versus kicking it off on a certain date I think that might even be more helpful or even leave it completely open-ended.

Jonathan Robinson: Yes. And we could use a no sooner than language. That would be a starting point that we may be able to refine it more than that.

So if you'll give us some discretion on the commentary around it I mean we can work together as registries and registrars to figure that one out.

Keith Drazek: Okay. Volker go ahead.

Volker Greimann: I should mention - Volker Greimann speaking for the record. I should mention that as Registrar Stakeholder Group we have not had sufficient time to discuss the final report and the changes that have been made in response to our comments to the prior report at length.

So while I expect that there will be some discussion going on today, later on today I have grant given the extensive subject matters at hand and the length of the report I have my doubts that we will be able to complete that deliberation.

And if so we will likely ask for a deferral for that motion just to be able to digest the content and see if the final report as it stands and the motion as it stands is acceptable to us.

Keith Drazek: Very good yes. Thank you Volker. Thank you Jonathan. Anything else on the council issues agenda?

Jonathan Robinson: Yes it's - I mean technically there is another motion. It's kind of a no-brainer if you'll forgive me describing that. I think you'll - it's a late motion that essentially asks to acknowledge let me just make sure I get it clear, the work of the CCWG chair.

So is really a kind of thanking motion and it says acknowledging the superb and continuing leadership of CCWG accountability by the team which includes the GNSO appointed co-chair Thomas Rickert who - to whom we're grateful for his time and consistent effort to redirect our support for the process, that is the CCWG on accountability and our commitment to participating in continued discussions in the goal of finding a solution with broad agreement of ICANN accountability and preparation for IANA transition.

So it's got some substance to it. It's not without substance and probably has good symbolic value.

And there are two requirements technically that are required. One is that the council support this is a submission of a late motion so we need to agree that

we support because it came in late past the ten day deadline but within the - not within the 24 hour prohibited window.

But in order to be considered it needs to be accepted as a late motion and then considered. I suggest to shortcut it that we accept the late motion and we vote it in support of the motion.

Keith Drazek: Okay thanks Jonathan. Jeff I saw your hand. Go ahead.

Jeff Neuman: Yes, thanks, Jeff Neuman. Is there any other way to get that statement out without accepting a late motion?

I just don't want to set a precedent and I know we've avoided it. When I was on the council we avoided at all cost to accept late motions because of the precedents it sets for future.

And I know this is really benign but is there just any other way for the council to make that statement without a motion?

Keith Drazek: I'm going to put myself in the queue here. And Jonathan while you think about that response a couple of things, one I'm amazed that we made it to 11:25 AM without a reference to accountability is the first thing.

That said while you might describe this as benign in terms of a resolution I think it's far more than benign. I think it's actually rather important.

I think it's important number one, and I know the Thomas is here as the GNSO Council co-Chair to the CCWG Accountability is that Thomas I can say has done an amazing job, a remarkable job as co-chair of that group on our behalf and he deserves our thanks for that.

And there's actually a little bit more to this. And so while that is absolutely an important statement to make I think this is actually a demonstration at the GNSO level of our support for the co-chairs and for the work of the CCWG accountability in the face of what has been some fairly strong pushback from the board and, you know, in terms of the work that's been ongoing.

So I think it actually would send a strong message and a strong signal that the community is united around and particularly the GNSO is united around making sure that this is and remains a community driven bottom-up consensus process.

I think it's also an important note that there are other groups in the community. ALAC in particular just recently withdrew its support by passing a resolution for the reference model that had been poured out for public comment. They did it on Sunday I think. It was like at the beginning of the week.

And I think there's some views that by doing so they undermined or weakened the position of the community and the rough consensus that had been reached going into the public comment period.

So I think this motion as proposed reinforces our commitment to bottom-up consensus decision-making. It supports our co-chair and the co-chairs and the difficult job they've been facing.

And it demonstrates that we are going to, you know, continue to work in this process for the commitment to consider everything before making any rash decisions. So I would support Jonathan's suggestion that we support this.

I see some hands Jordyn and then (Elliot) and Jeff and Kristina.

Jordyn Buchanan: I think Jonathan may have been before me. Jonathan did you want to speak?

Jonathan Robinson: Just a response, thank you, Jordan. And to say, you know, I apologize I didn't give it the substance that it deserves, and Keith's done that adequately so it's fine.

Second, just in terms of a process point we have a waiver in place that I think this came - this may postdate your time on the council Jeff, I'm not sure but the council has to unanimously support and accept the late motion.

So I'm less concerned about that problem because if any single counselor wasn't happy with the late motion they could easily in that sense block it by refusing to support submission. So there is plenty of protection against this becoming a problematic habit.

So those are just the two points before the discussion continues. Thanks, Jordan, thanks, Keith.

Jordyn Buchanan: Yes I mean I was just going to address Jeff's point on that whether or not to accept the late motion.

I think in my mind the concern around late motions would largely be around sort of more what - where the council doesn't and the stakeholder groups don't have adequate time to consider the issue at hand.

And I don't - I think that's clearly not the case here. I think the resolution's quite short. It doesn't refer out to, you know, long text that anyone else has to read in order to understand what the motion is.

There's been a huge amount of discussion in the community on the topic and in particular it's happening in the context of an ICANN meeting where each of the stakeholder groups has an opportunity to convene and discuss prior to the motion being considered by the council.

So I just I think under this particular set of circumstances that the council ought to have the flexibility to be able to act on motions in a short time period in some cases and this seems like one where were they should.

Keith Drazek: Okay. Thanks, Jordan. I have Elliot, and Kristina, and then we need to move on.

Elliot Noss: So that's all troublesome for me there in the form. I'm wondering if we as domain providers group -- and you'll notice the non-use of contracted party as a term - and once again we are going to have a naming committee and anybody interested please join. That's talking about the form.

In substance are we not planning to - I mean I've seen nowhere on the agenda that we're planning to discuss the CCWG issues. Is that the case? If so why? We've got a lot of discussion on the Registrar Stakeholder Group list.

Certainly as you know now many members of the Registrar Stakeholder Group are also registries, and integrated providers.

And so, you know, as we understand it some of that is brought back into your discussion. But we have had a chance to do that, you know, face to face or list to list together. Yes.

Keith Drazek: Yes. Thanks, Elliot. I think you're absolutely right this is an important and critical issue. It's obviously dominating, you know, the time here taking the oxygen out of every room the accountability discussions.

I think it is important for us to talk about within our respective groups. It's important for us to talk about together but there's no decision point this week in terms of having to sort of authorize something or take a, you know, take a decision about something.

There is a tremendous amount of work going on this week in, you know, actual working sessions in the accountability CCWG.

There are ongoing discussions. I would hope that, you know, that you - you're getting regular updates. We try to provide regular updates to the registry group and keep people informed about, you know, sort of the moving target that it is.

I don't know that we have enough time on our agenda today. If people would like to talk about the accountability process I'm happy to do that but we've got some other things that we need to get to first. Do you want to respond?

Elliot Noss: Yes. Just briefly I mean, you know, I feel that one of the frustrations for me is, you know, somebody who both, you know, thinks people are doing yeoman work on the CCWG and did on the CWG, you know, so I think it's great and,

you know, been inside as opposed to outside. I know how difficult that is to, you know, have people Monday morning quarterbacking from the outside.

You know, there are but, you know, what I don't see is nice, pithy summary points of disagreement other than the boards slide decks that come out.

And then what I'll hear and it'll literally be in, you know, just - well that was non-descriptive or that's not the real case. But what we're not getting is that internally. And I mean the two big substantive issues as I understand them are, you know, member versus designator and, you know, recourse of the course versus arbitration.

And every time I try and create a dialogue on our list about it, you know, people defer to others in, you know, they - well, you know, I don't really understand it either but, you know, we think that that's right or and too often as well Keith it gets cloaked in for my purposes the positions get cloaked in who do you trust?

And so I feel like there's a lot of ad hominem going on and not a lot of digging into the meat of those two what I think are both arcane legal issues.

Keith Drazek: Elliot I agree with you 100%. And that conversation needs to happen. We had a dedicated session in the Registry Stakeholder Group just on this topic a week and a half ago by, you know, it was a teleconference.

I think it would make sense coming out of this meeting, we'll have more clarity coming out of this meeting as to where the differences are right?

And like I said there's actual work going on in working groups and sub teams this week.

So I would suggest on this point that we have a joint call about this because it is important to contracted parties as a whole what are we...

((Crosstalk))

Keith Drazek: What you said. Yes. This is an important topic. And I think it does deserve a time for us to focus and dig into the details you've talked about. We simply don't have time to get to that today.

So I totally support doing that and I suggest we have a joint teleconference supported by Adobe and everything where we can have the Registry Stakeholder Group members and participants, registrar member and participants to actually come in and give a briefing to everybody, a detailed briefing.

Okay.

((Crosstalk))

Keith Drazek: Thanks. Okay, I've got Kristina then James, then we need to wrap up because we're joined by our SSAC colleagues.

Kristina Rosette: Kristina Rosette, Amazon. I definitely think that we should support both the late motion both in terms of timing and substance with one small caveat, namely the language in the very last clause could be interpreted to suggest that no stakeholder group or constituency within the GNSO could issue any kind of separate statement of support or opposition.

I suspect that's not what Avri intended but I'd like to make sure that that is in fact what she did not intend before we actually vote in support.

Keith Drazek: Yes. Thank you very much Kristina. That's a great point. Jonathan did you capture that?

Jonathan Robinson: No. I just appreciate either a note personally or to the list -- whichever is appropriate to capture that.

And when we get to the end of the list I'll make just a couple of brief closing remarks and then will go to the SSAC.

Keith Drazek: Sounds good. James, and then we need to wrap up.

James Bladel: All right thanks Keith. James speaking, and just to keep it brief I'll just go ahead and throw myself on my sword for Elliott, mea culpa after the registry Webinar well as a - as the registrar member on that group we've had some extensive email threads that have turned into kind of these dueling chapters and verse.

But I will say that about a week after or just following the Registry call on this Becky Burr reached out to me - and I don't know if Becky's in the room? I don't see Becky.

Becky Burr reached out to me and asked if it would make sense for her to come and talk as the rapporteur for the legal group to talk about the different models and all the different concerns around that.

And we just couldn't make it work before Dublin but I'll commit to you to get that on the list right after we get out of here because I agree it is important and also it has changed quite a bit in the last few days. And so, you know, that's on me.

Keith Drazek: So thanks, James. As we noted this is a moving target. I'm sure that when we schedule this teleconference, this joint teleconference that Thomas as busy as he is would, you know, prepared to come and help brief and help inform and I think we ought to do that.

So Jonathan back to you for last remarks and then we need to move on.

Jonathan Robinson: Two quick things. One I think we probably need another ten minutes or so at some point in the agenda to cover. There's three or four other items on the council agenda that we should at least just touch on briefly and make sure that everyone is aware of because they do discuss matters that will affect participants in the domain name industry.

Keith Drazek: Elliot?

Elliot Noss: They've - no they are matters that affect those entities formally known as contracted parties.

Man: Yes.

Elliot Noss: On the as a topic my sense is that is it - that it's possible that a decision will be taken on a model this week. Things may converge as soon as this week in terms of the CCWG.

Keith Drazek: So I think the - this is Keith Drazek. I think there is a hope that there will be a general agreement on, you know, something it might be called a framework or a blueprint in terms of reference, something that we show progress, actually show that there is some convergence and establish a path forward for the next month.

What form that will take is yet unclear. The hope I think is that there will be agreement on virtually all of the sticky issues but there may be some things that are not fully decided this week. And I don't know Thomas I mean did I get that right? Sorry to put you on the spot.

Thomas Rickert: I'm not sure whether the agenda for tomorrow's meeting has been circulated yet but we did prepare one. And the plan is to let the discussion on the models continue for a while and to look at the requirements whether they are being met under which model, what the concerns are, whether the concerns can be removed.

And then it is our intention to have a first reading on the enforcement model tomorrow. So no decision will be made in terms of consensus reached that we can lean on.

Our working method is that we always have two readings. So tomorrow there will - we will hopefully have the first reading on the enforcement model and confirm that outcome at the subsequent meeting.

So we do hope to be able to move forward on that during this week to get to (Laura)'s work on implementation because we're really working out against very tight timelines.

Keith Drazek: Perfect, thank you so much Thomas. Okay Jonathan do you have anything else on the council agenda? We need to get to our SSAC colleagues.

Jonathan Robinson: No I think we should defer to SSAC now and we tried to squeeze in the ten minutes...

Keith Drazek: Perfect.

Jonathan Robinson: ...the ten minutes at some point just to cover the discussion.

Keith Drazek: Very good.

Jonathan Robinson: Thanks Keith.

Keith Drazek: All right thanks very much Jonathan. So Patrik welcome to you and your colleagues.

Patrik Falstrom: Thank you very much. So we have quite a large number of SSAC people that have arrived in the room. But let me just say thank you very much for the time.

Next slide please and next again. You have got the slides. Everyone has read all the slides so I'm just going to point out a couple of details.

Our charter top right is to advise the ICANN community and board on matters relating to the security and integrity of the Internet's naming address allocation systems.

Next slide please. When we are producing our advice - and you can specifically look at the right-hand side there which is advice to the board which from our perspective is something that when the Advisory Committee give advice the board should take it into account which includes four different parts which one of them is that the board chooses a different solution but needs to take them into account.

So this is basically where we are and where we sit which also of course matches the mission and core value of ICANN.

With that let me immediately ask you to go forward to Slide 14, sorry 12. One of the reports that we are - that we have talked a little bit with you before that we are close to finishing has to do with best practice of preserving synchronous stability and credential management lifecycle.

And I will immediately hand over to Ben that is going to present this to you.

Ben Butler: Okay, thank you very much for slotting some time for us. This work party is very near completion and we are trying to produce a document that will take into account the various landscapes that registrars and registries deal with but all have a common issue in that improperly secured credentials can lead to drastic consequences for our customers.

So what we are trying to do is publish a paper that outlines best practices from the standpoint of identifying the things that can be the easiest wins and trying to help raise the common bar in the registrar and registry community on the credential management and data protection environments.

So I would like to as this is your time I'd like to open for any questions you guys might have on the work party, what we're trying to accomplish. And I'll try to answer them as best I can.

Keith Drazek: Okay. Thanks very much. Michele.

Michele Neylon: Thanks, Ben and Keith. Just a very simple one would be on timing where we're at in the timescale and at what point do you plan to make some kind of report public?

Ben Butler: We are currently aiming to have this ready to publish somewhat optimistically next week.

Keith Drazek: Okay thanks. Any other questions? Patrik go ahead.

Patrik Falstrom: Yes. Let me add something a little bit to your explanation that one of the things that we have planned is that for about for almost a year we have been planning on having this session that SSAC is running at the Internet Governance Forum.

We decided quite some time ago that that session will be paid - will be about credential management and these kind of breaches.

That was approved by the IGF this spring and this document will be the basis for the panel discussion that we will have at the IGF.

Michele Neylon: Thanks for the further explanation. I suppose the only concern I'd have is just, you know, if you put that out in public and we haven't seen the kind of final work or I mean I think you sent us somethings very, very long time ago and just making sure that the total and the expectations that we're assessing are in tune with those of us who are going to get it in the neck from various vested interests via circle ID blog posts.

Patrik Falsrom: Yes let me answer that. It's because being the chair of SSAC I should probably be the one that you are aiming at and not Ben that has been doing quite good work here.

So we have been in touch with many of you including Michele. And unfortunately when I must say that this is one of these reports which is one of the few reports that we SSAC do not produce in silence in a closed room. We actually have asked for cooperation with you guys.

And unfortunately I think the last two meetings we either have been forced to cancel because we - there has not been time at the ICANN meeting to discuss these kinds of reports which is a lot of kind of unfortunate.

So what you can see in these slides maybe just before you see approximately what the various issues we are talking about.

But I think one lesson that we have to learn is that when we when we are working and try to get more input from the community we should probably be much, much forceful and actually request meetings with you at the ICANN meetings. Because I understand that maybe you're not aware of how sort of how much cooperation (unintelligible) on this or did I misunderstand?

Jonathan Robinson: Well the only thing I would say is that we did actually have meetings at the last couple of ICANN meetings, maybe not having a full session within the stakeholder group meeting but Ben and I and others met.

Ben Butler: As to the - your specific concerns on whether or not the recommendations in our document might wind up sneaking up behind you and throttling you in your sleep let me try to allay that fear.

What our recommendations are centered on trying to for example we all the registers in the room I'm sure are at least are familiar with Section 3.20 of the RAA breach reporting requirements.

We think that there is an opportunity there to use anonymized data from those reports to help identify common thread actors that can then be circulated to the community to help them understand what the current thread landscape looks like.

We're looking at recommendations on training for registrars who are just getting up and running or have a larger hurdle than some of the others to try and get for example two factor authentication or things like that.

We're not making specific recommendations as to things that have to be implemented but more around helping to raise the education and awareness within the communities.

Keith Drazek: Any other comments or questions? Jon?

Jon Nevett: Thanks, Keith, Jon Nevett. A real quick question, for I guess Patrik or anyone on the team: on Page 7 the first bullet where you list your current work in progress you list new gTLDs, midcourse correction, collisions, timing of next round.

So I was wondering if you could give us a little more feedback on or input into that process where it's going, what's your timing. And is this one of those work products that you're doing the closed room that you mentioned earlier or

are you going to reach out to the affected communities because some of these could have a big impact on our businesses?

Patrik Falstrom: Yes so we first of all the default is that we are producing a report sort of on our own only and then reach out for example at meetings and get input for example from you as we do now.

So this is the work item that we and SSAC do just like all stakeholder groups in ICANN have so have been requested to look at where what the implications and timing regarding potential new round of gTLDs.

What we are doing more specifically in this work party is we are looking at the advice that we have given whether it has been implemented, what kind of effect it had, whether we believe that we made the wrong advice, whether we - and specifically were trying to find whether there was any of the advice that we have already given that we still believe it must be implemented before the next round which means advice that we have given that was not implemented for the previous round that was still think needs to be written and needs to be implemented but that's what this working group did this work party's doing.

So basically going through it's an inventory of what we've said during the previous round.

Jon Nevett: And timing, when do you expect that report?

Patrik Falstrom: The timing if you go forward to slides to Slide 8 there. So as you see we hope that we can release that report in the first quarter of 2016.

Jon Nevett: Okay Patrik I'd strongly, strongly encourage you not to just go in a room and come up with a recommendation.

You know, there's when you talk about name collisions there's data that all the new gTLD registries have. There's information that we can provide you, how it went for us and giving us the opportunity to give you feedback.

And when you say midcourse correction I guess I don't understand what that means. How do you - how does SSAC in an SSAC report go correct other issues?

I guess you could recommend policy to the GNSO or are there temporary policies that you can recommend to the board?

I guess that just gives us a little discomfort when you're suggesting a midcourse correction. So maybe you could comment on that and maybe allay our fears on that. Thank you.

Patrik Falstrom: Yes regarding a midcourse correction the - where we've put the - go backwards from was that if it is the case that we explicitly must make up our minds in SSAC whether we believe that any changes from our perspective

within our charter needs to be or should be made to what was done in the previous round okay?

And regarding data we do have and we believe quite good access to both registries and registrars via SSAC members.

It's also the case that regarding reports I think all of us are waiting for the second JAS report for example which in reality is one which is very interesting for us specifically because that is one case where the board did actually take the different choice than what we suggested ourselves.

So trust me that we are not doing this work in sort of in - by random. So we will not make any kind of suggestion without really having data behind it specifically because of the JAS work that happened in parallel and that a different decision was - a different choice was made by ICANN board.

Jon Nevett: Thank you.

Keith Drazek: Okay thanks. Edmon?

Edmon Chung: Just a quick question on the number of I guess the scope of the things that are being looked at and of course my favorite topic related to IDNs including one character IDN or one word ID and TLDs and the TMCHIDN issues and IDN variance all those going to be included in the review?

Patrik Falstrom: These are specifically the kind of things that we're looking at. If we take TMCH (unintelligible) for example let me just point out that we gave - we had a finding that we published information about in June 2013 when we detected that the matching rules and otherwise rules for IDN and the TCMH what - was not the same as the rules that was used for variance and confuse ability.

And we pointed out that to have two different rules sets for matching of IDN one is in the - one in the TMCH and one otherwise for domain names in the ICANN community would not be a good thing and would produce quite high risk.

We got the written report on that input from our - on that advice from ours Saturday this week which is in October 2015.

So this is a typical example where we had to go back and check whether that delay in the response of our advice actually had an impact whether we should - whether our advice actually must be taken into account to which we do not believe that it had or otherwise.

So we're actually going to evaluate whether that is one example where maybe our advice was claimed wrong and not really needed but it was sort of triggered by the long time it took for get - to get a response.

Keith Drazek: Okay, thank you Patrik. Ken and then we probably need to start moving on Maxim. So Ken, Maxim and then we probably need the line for...

Ken Stubbs: Yes thank you Keith. Patrik we had the generic - the names division earlier in the day and they gave us a timeline for the new gTLDs which called basically for almost a two year review on the impact of security and stability on the new TLDs.

First of all I am wondering exactly what the - how SSAC is going to be involved in that. And if you're not going to be involved specifically in that why aren't you overseeing this?

Because you have the closest relationship to the process as opposed to going out and hiring an independent consulting firm to do something that almost could be duplicitous in some ways?

Patrik Falstrom: First of all we are not involved in that process. It's something that ICANN is doing.

Secondly we in SSAC are volunteers just like you and so we cannot do that kind of study. We could have requested a study or something like that.

What we certainly will do is just like with the JAS report we will probably look at the interim results from that report and from that work and also define the result and give us our comments on it.

Keith Drazek: Thank you Patrik. Maxim?

Maxim Alzoba: Maxim Alzoba from FAITID for the record. Patrik, should we expect something like advanced name collision procedures next round?

Patrik Falstrom: We don't know yet. We are looking at that. But what I think we do know from SSAC perspective -- and this is why we did start this work party really, really early -- is that the timing of our advice was not really optimal in the previous round of gTLDs.

Some are advice for example for name collision was issued so early so people including ourselves literally forgot about it when the round started. And then we had to issue the new report on name collisions and certificates which everyone knows arrived a little bit too late.

So the timing was very unfortunate there. But this is one of the things that we are looking at. And the - and the cost of the timing so this is really why we really, really want to do this early and be ready with our report which is really once again it really one of our earlier recommendations and that should be done in first quarter 2016.

Keith Drazek: Okay thank you. Patrik do you and SSAC have anything else to brief on, any other issues that we should be aware of?

Patrik Falstrom: No I don't think so but I think like Michele pointed out here I think that one of the things we should do better is to plan more time together when we need time together. So we should do more scheduling in the more cooperative fashion in the future.

Keith Drazek: Fully agreed. Thank you, Patrik, and thank you to your SSAC colleagues for joining us today -- appreciate it.

Patrik Falstrom: Thank you.

Keith Drazek: Okay if we could put the agenda, the meeting agenda back up on the screen. Thank you.

We are starting to run short on time. And we have quite a few other topics that we wanted to get to. One particular one was planning for 2016. We have a sub bullet commercially focused summit with DNA and names con. Jonathan and Richard?

Jothan Frakes: Thank you for the opportunity. You know, in respect of time my name is Jothan Frakes and this is Richard Lau. And we operate the largest commercial conference for our industry.

We do it in Las Vegas every year in January. The next one is the 10th through the 13th of January. It's in Las Vegas.

In respect of time I realize that many of the folks here are talking policy. And there was some discussions that I've had with the folks at GDD with the DNA and we all definitely want to make sure that you have the opportunity to take back to the folks in your marketing groups and sales groups and people who are having the commercial discussions that this conference is available and accessible.

And we're having good conversations with ICANN about how to align with the summit and other aspects of things that are going on with respect to commercial dialogue about our industry to replace as the schedule changed to the new format with ICANN it might allow for better opportunities for the commercial discussions that you'll have.

So if you would just take that back to perhaps the marketing and commercial portions of your groups at your company's it would be greatly appreciated. And you certainly will find very welcome grounds and fertile grounds for commercial discussions.

We expect at least 1200 people, perhaps more it might be even the size of this meeting. So it's definitely a great and wonderful place to have the commercial dialogue that you will.

We're also very willing to facilitate policy discussions and other communication of that nature.

And we really do want to let ICANN focus not on throwing conferences but rather on the important work that, you know, with respect to policy and some of the other core foundational things that they need to do.

So I thank you for your time in respect of the brief time. I'm Jonathan. This is Richard. If you have any questions we are certainly glad to answer them and we are quite friendly.

Keith Drazek: Okay. Thanks to you both. And if you would - if there's any information about it that you'd like us to circulate send it - we'll send something to the registry list -- happy to do that.

Jothan Frakes: And we have a URL to find out more for those, the remote participants or those of you in the room here namescom.vegas because it's in Las Vegas. We use namescom.vegas, namescom.com also works. And we look forward to seeing you there in January. Thank you.

Keith Drazek: All right, cool. Thank you. Rich?

Rich Merdinger: Thank you. Rich Merdinger, Vice Chair of the Domain Name Association. I just wanted to make the statement that what we're trying to accomplish here is nothing about usurping any sort of the content or the discussions that take place at ICANN meetings but that there are complementary discussions that take place in the commercial space that we think deserves the same type of time and attention and a venue similar to what we give policy and creation in this environment here.

So the Domain Name Association is again just - we're desiring to build out a cooperative framework of commercial meetings that go along with the ICANN meetings not so much separate from ICANN but decoupled from ICANN so that we can both have our own parallel focus. Thank you.

Keith Drazek: Okay, thanks, Rich. Michele?

Michele Neylon: Thanks, Michele quickly for the record. Just at a practical level I think it's a good idea to look at using conferences such as namescom. There's hostingcom, there's whd, there's a few other ones where a lot of us attend anyway and we are sending our sales team, our - a lot of people.

I mean we're a small company but yet we send three or four staff to whd host and hostingcom. It makes sense for us.

Namescom not so much at the moment but, you know, maybe that will change over time. So it does make sense to co-locate events when there's going to be quite a few people with a shared interest in the same city at the same time.

And if Jonathan and co are willing to facilitate that it makes perfect sense to me.

Keith Drazek: Okay. Thank you Michele. Okay Bret, and then we need to move on. We've got like three other issues and we're overtime already.

Bret Fausett: Great. Then let me just plant this is a seed then rather than an item for discussion. I think this is a great opportunity for us to get together.

I love the GDD Summit a few weeks ago I think we can duplicate that around namescom.

I also wanted to raise whether we want to have a shared idea of what we're going to do with Meeting B in Panama. Are we going to bring all our salespeople or just the policy people? It's going to be a shortened meeting.

Maybe we want to find another opportunity to meet to talk on business terms next June rather than all meeting in Panama. I just raise that as a plant a seed for future discussions.

Keith Drazek: Thank you very much, Bret, absolutely agree. Okay the three items that I think we need to talk about is the contracted party house remaining on our list there's best practices for new gTLDs. That was something I think that was suggested by the registrars.

We need to talk about the Competition Consumer Trust Consumer Choice Review Team volunteers. The Registry Stakeholder group has a volunteer Jeff Neuman. So why don't we take that one right now Jeff. I'm going to hand it over to you.

Your name was next to it. I guess that was more that you were the volunteer rather than the volunteer to speak to it.

Jeff Neuman: Exactly.

Keith Drazek: All right.

Jeff Neuman: I mean I can just, you know, as the council could probably speak to there's applications for volunteers for this Consumer Trust Working Group that are have to be submitted by October 30. And then the council will presumably meet on this and choose to endorse candidates.

Ultimately it's up to the -- and someone correct me if it's wrong -- it is the GAC chair and the CEO that ultimately choose who is on this review team.

Historically they have mostly gone with those that have been endorsed by particular stakeholder groups but they haven't gone with all of them. So in

some certain cases there have been certain people that have been endorsed but not selected.

I think from what I understand that the other groups will be asking the board to make sure that they don't pass over who they endorse.

So I volunteered I with a lot of familiarity with the registries and having worked in a registry in the past and now as a registrar as well and so I volunteered to serve on that.

I also served on the initial committee that came up with the metrics or then there was subsequently another committee that was formed.

So I'm familiar with the issues. I'd like to do the work. It's a lot of work and so I'm looking for the registry endorsement.

Keith Drazek: Thanks, Jeff. And thanks for teeing that up. So do you know when the deadline is for making this decision?

Jeff Neuman: So October 30 is the date that all of the applications are due. And then it just says the month of November is when endorsements will be submitted so it - and then they hope to make - sorry they'll post the candidates around November 2.

Then the month of November is when the endorsement process will be. And they hope to choose in December with the first meeting starting in January.

Keith Drazek: Okay, thanks a lot Jeff. So Michele I guess the registries have - oh, (James) okay, James go ahead.

James Bladel: I'll yield to my chair.

Jeff Neuman: Wow, I never thought I'd hear that but thank you, James. I will yield back to you, James.

James Bladel: Thanks. So as a veteran or victim of two previous review teams I agree with Jeff. It's a huge commitment and it's a lot of work and I think he would be a good candidate and worthy of endorsement.

I would suggest that we really could use I think some advance clarity on the selection process. The last time around particularly ATRT2 the - there were endorsed candidates I think Jeff was referring to, endorsed candidates that were not selected including one from a registrar.

I think it would be good to know that we, you know, exactly what sort of conditions or criteria would cause the selectors in this case, the GAC chair and the CEO to reject or disregard the endorsed candidate.

And then, you know, I don't believe there's any sort of composition or membership structure that will have this number of members.

I know they like to keep them around, you know, 20, not more than two dozen.

So I think it might be a good idea to consider particularly given the variety of the, you know, business models and the variety of markets served by this group that we may consider submitting more than one candidate and submitting and endorsing more than one candidate coming out of the - Elliott hates the term - but contracted party house simply just to ensure that we don't run into that situation again where we have no representation on a group that affects us all which is consumer trust.

I think that's the scenario that I'm trying to avoid. Thanks.

Keith Drazek: Yes, thanks, James. It would be ludicrous to think that a review team of that nature would not include somebody from, you know...

James Bladel: It would've been ludicrous to think that they would go forward with ATRT2...

Keith Drazek: Yes.

James Bladel: ...with a similar absence and they did.

Keith Drazek: Agreed. It would be ludicrous but entirely possible so that was the second part of my comment. Jon, Jonathan and then we need to move on.

Jon Nevett: Yes real quickly in response to James he raises a great point it would be ludicrous to only have one person. It would be ludicrous to have no people but it would be similarly beneficial to have many more right?

So on the ICG Keith and I both serve for the registries and James for the registrars so we have three from the - from this house on that one.

There should be no reason we don't have four or five of that kind of review team that show different business models, registrar, different business models registries as well.

So I would encourage us maybe to not only endorse but have a statement that we deserve and should in order to have a full and complete and accurate review to have many more than just one from each of our stakeholder groups.

Keith Drazek: Thanks, Jon. So the ICG should be wrapping up pretty soon. Are you volunteer for another one of these?

No, so I guess the point here is I have a queue. I've got Jonathan, Jordyn, and Michele, and we need to move on.

But the key here I think is if we want to pursue this I think Jeff would be a fantastic candidate that would deserve all of our support.

But if we want to populate a list and have a slate or, you know, a bigger group that can choose from then we need to start thinking about volunteers and there is that deadline at the end of October.

So you start identifying people that we can, you know, who would be good candidates. So I've got Jonathan, Jordyn and then Michele.

Jonathan Robinson: Very briefly I'm in support of a slate. I'm support of that slate potentially being put in the order of hierarchy which would be a little unusual for us but it might be if we really want to ensure that one or more specific candidates gets in.

I'm in support of raising that with the board and making sure that they're aware of it. So I think we should have that on our agenda.

And specifically I'm also in support of Jeff. I mean actually as it happens in the preparation of this work in the pre-prep I was the Registry Stakeholder group rep on that group and I was a little behind the curve. And I didn't quite see where it was all going and I had other preoccupations.

And Jeff in fact came and picked up the pieces and did a very good job of tidying it up later in the day. and, you know, the bottom line is it needs someone to be on it. And I think Jeff would be on it and anyone else who volunteers should be committed to being on it if you'll accept the phrasing. Thanks.

Keith Drazek: Yes thanks Jonathan. Jordyn, Michele, Ken and then we're done on this one.

Jordyn Buchanan: Thanks yes. So just to sort of build on the conversations that have been happening so far I think it would be helpful to (James)'s point to sort of figure out how the selection process is going to work and also if we're going to put forward a slate in order it or whatever to understand our procedures relatively quickly.

This is something I've been considering volunteering for as well. And when Jeff initially step forward I sort of thought oh, Jeff's very qualified. I don't necessarily need to do that.

But if there's a sentiment that we're looking for more than one volunteer but it would be good to understand sort of what we are looking for in putting together that slate so that that can probably help shape people's willingness to step forward.

Keith Drazek: Thanks Jordyn.

Man: Second Jordyn.

Keith Drazek: You'd obviously be, you know, another excellent candidate.

So how do we accomplish that? Is that a question that we pose to the board? Or I mean it's CEO and the chair of the GAC who are responsible as Jeff noted for making the decision or making the choices.

So I guess it's just an open question, what's the best way for us to try to find out that information?

Do we send a letter, do we ask it just to the board today? Is it a question for staff. I, you know, I don't know. I guess it's a review team as part of the affirmation of commitment so it's probably more a board level discussion so I suggest we raise that today.

Okay. Then I have Michele, Ken and then we're done. We have one more issue which is content control.

Michele Neylon: Yes I'll keep this brief. I think, you know, this - there's a lot of these reviews that are on the slate to be conducted over the next I think two or three years if I'm not losing track. But then again it is ICANN so anything that's scheduled for two years will probably take three anyway.

In terms of representation I mean we have to be conscious of the diversity of business models that we have in this space.

We have to be conscious of the diversity of businesses I mean looking across the landscape of entities that offer domain name registration services which no longer I have to say contracted parties according to (Elliott).

Being able to put forward more than one person for this kind of review I think will be beneficial for all parties involved. But we do have - need to seek clarity around the selection process that's being used for some of these review teams and some of these other kind of ad hoc cross community type groups. I'm not even sure what nomenclature even to use for them. Thanks.

Keith Drazek: Okay thanks Michele. Ken?

Ken Stubbs: Actually I was transitioning into content control so I can do that or...

Keith Drazek: Okay yes let's do that. So thank you for all of the input on that discussion around the Review Team -- very important.

The last item for our discussion today is the issue of content control. This was requested to be put on the agenda earlier in the day.

Stacy King has sent an email to the Registry Stakeholder group list. I refer people to that.

She's also typed in to the Adobe chat for this session. I'm going to forward the email to Jennifer for forwarding to the registrar list. Ken over to you.

Ken Stubbs: Yes. I reviewed Stacy's posting and I'm really in strong support of the comments she makes here. I think it's important for us to raise as a counterpoint to the board. We need to jointly urge the board to not get involved.

Keith Drazek: So Ken we need - probably need to set it up. What's the...

Ken Stubbs: Oh.

Keith Drazek: ...issue, you know...

Ken Stubbs: Go ahead Keith. I'll let you set it up.

Keith Drazek: So thanks. Hold on one second. Let me get the email. For those that have not read it let me just summarize here.

Stacy said that it's her understanding that the IPC is going to submit a strongly worded statement to the board today that states Fadi acknowledged ICANN has an important role to play in addressing systematic copyright piracy and trademark infringement.

Notes Alan Grogan's recent blog post does not propose efficient meaningful standards including steps registrar should take to investigate such conduct.

Asks ICANN to play a role in bringing contracted parties to the table to discuss voluntary standards and urges the board to rigorously enforce (pick) obligations.

Stacy went on to say I think it is important for us to raise as a counterpoint with the board we need to jointly urge the board not to get involved in this debate to remind them that the contract we have is with ICANN. And for ICANN to play a direct role in this debate does not make it voluntary.

That many of the terms requested by the IPC could in some cases remove legal protections provided to registries and registrars under national safe Harbor laws and that this would place registries and registrars in the position of potential contractual issues with their customers.

ICANN should stay out of this debate and not bend it to pressure from the IP community. They are attempting to get rights they cannot get from legislatures globally through this body.

So that Stacy's email. Let's open it up for debate, Ken, (Elliott), Kristina, go ahead.

Ken Stubbs: Yes I guess I'm sorry, I was operating under the presumption that everyone was aware of the note that Stacy sent out.

I think we need to strongly support this position. I think the information that she's provided and frankly a lot of the wording that she's provided would serve a very good basis for a statement that that could be made.

The only question I have is in what venue do we present this? Do we present this in a public comment? Do we present this as is serious enough so that we present this at the conversation with the board?

Keith Drazek: Thanks Ken. Well it just setting it up and reminding she - Stacy says she's heard that this is going to be proposed by the IPC today.

So I've got a queue. I've got (Elliott), Kristina, Stephane, Michele, (James), Jeff and (John) and Brett.

Elliott Noss): So I want to, you know, start by I think Ken's question is a great set up for what I want to say. There's two points I want to make.

First I want to make everybody in this room aware as well of our registry partners aware that since Buenos Aires the registrars have been engaged in an exercise to create what we are calling, what are we calling it Graeme, uniform abuse practices -- something like that?

The point of the document is to with some level of detail and rigor identify what registrars are doing today.

Too often the laments are put out that registrars are doing nothing when in fact registrars are overwhelmingly responding to people.

I made a point earlier this week for instance in asking for help from those on the other side of the aisle on this issue, you know, that we estimate that we employed 2-1/2 full-time equivalents doing nothing but educating lawyers and law enforcement officers as to what Whois is. And I'm not being facetious when I say that.

We are going to be distributing this document broadly through the community. It's intended to be a living document. It's intended to iterate and be open to input.

But very importantly it's intended to set out what is today. And, you know, Keith I'd ask you to, you know, basically point to or if somebody wants to put up their hand on the registry side somebody who would be interested in participating in that document going forward that would be great to have your input.

So I think that as where Bret has volunteered and he's now in, any others? And, you know, I think that adding that to the comment could be useful.

The second part which I would describe as incredibly personally frustrating to me about the statement of the IPC I think we should say something in addition like we welcome their effort to engage in meaningful dialogue.

I can tell you that I personally have stood before the mic publicly in the public forum where there are transcripts probably a half a dozen times since 2007 asking and begging and imploring and pleading for just such level of engagement both with the intellectual property community and with the law enforcement community.

I held private meetings with law enforcement in four ICANN in a row until they stopped meeting with me where every time I would simply ask them for constructive engagement.

And I think we - so I think we should call out that we have been -- and I'm part of we - we have been publicly calling for that public engagement for years and they have not shown up at the table at the table. We welcome their engagement. And, you know, I think that at the end of the day we should embrace this as an opportunity to move this all forward.

You know, I feel like they've just grab the baton and jumped in front of the parade here.

Keith Drazek: Thanks (Elliot). I've got a long list so let's try to be concise. Kristina, Stephane, Michele, (James), Jeff, (John) and Bret.

Kristina Rosette: Kristina. I'll be concise. Three things, first I think it should be to respond to Ken's point earlier I think it should be in our meeting with the board.

Second for those of you who are interested the discussion between the IPC and the board is actually happening literally right now if you want to pull up the transcript.

And third my comment on it was triggered by the fact that there's a reference in an article in this morning's POLITICO about the transition of that references the US Chamber of Commerce's efforts to use the transition to get greater, stronger tools against piracy and online infringement and in connection with Whois.

So, you know, I think this is all coming full circle and would support Stacy's statement.

Keith Drazek: Great. Thanks very much Kristina. Stephane?

Stephane Van Gelder: Thanks Keith, Stephane Van Gelder starting. So this is clearly an issue that's been around for a while. (Elliott) just described it at length.

One of the things that may be changing now I had a discussion yesterday I was approached by a big brand that was lamenting the fact that they had constantly had to deal with problems with names being used to sell illicit goods, et cetera, and that when they contacted registrars some of them acted, some of them didn't. I mean I've heard this for years so that's not different.

What is different is that the brand that contacted me is now getting into the registry business. So one of the things that we might want to look at because that's the change here is that now some of these brands that were before just constantly attacking the contracted parties now have a contract with ICANN.

And suddenly they're realizing the some of these issues may not be as simple as they thought they were and some of the things that they're asking for may actually place a burden on them that was not there before.

So I would very much like for some of the brand members of our stakeholder group to speak up and tell us or help us liaise with the IPC and the rest of the world to make sure that they understand the hard work that we're doing on this.

Keith Drazek: Thank you Stephane. Michele?

Michele Neylon: Thanks. It's interesting to actually follow this. They're discussing this very point right now with the meeting with the board. And following the transcript I think I'm beginning to lose the will to live.

I think what - this is not a new topic. I mean the fact that this is being raised in that particular venue shouldn't come as a surprise to any of us. So it's kind of a natural progression.

However unless I'm sorely mistaken I think those of us in industry have been trying very hard to constructively engage around these topics.

As (Elliott) has mentioned, you know, there's a document that we have been working on over the last couple of months that hopefully will be in a state for more widespread public dissemination within the next couple of weeks and it's something that we will be discussing with our members later today.

At this meeting here in Dublin on Sunday afternoon we had a what I would hope the people would have viewed as a constructive meeting involving operational security people and others.

Again talking about this, I mean not talking around it but talking about, you know, practical ways of dealing with this.

Also on Sunday afternoon we had a fairly calm and pleasant engagement between the registrars, some of the registries and quite a few of the law

enforcement people. But to have this kind of thing come up and in this particular fashion I think is quite offensive.

So what I would ask and as to give us I think point it is if we take the note from Stacy and we reword that into a short simple statement and we do two things with it.

One, we read that into the record in the meeting with the board today. And we needed to act on that today and not leave it longer. And that if it's a case of sending something from both the registries and the registrars to the chairman of the board and the CEO and within the next 24 or 48 hours that we do so. But it needs to - we need to draw a line in the sand.

The IPC and other vested - invested interest cannot and should not be given the right to decide what is an adequate response or what - or how our contracts should be interpreted. That is a matter for us and for ICANN.

And we've been working with ICANN compliance Alan Grogan and this team in good faith on this subject for months.

We've put things in play to improve the situation for everybody. We've also been engaged in constructive dialogue with some of the reporting agencies. And even yesterday afternoon we had involving people from (Alegiscript) and BAP and others. So this is kind of undermining everything.

Keith Drazek: Thanks Michele. I've got a few more people in queue. (James) you're standing. I want to put myself in queue as well. I'll get it. Go ahead (James).

James Bladel: I'll be brief. This is coming up everywhere and we've been talking about it since well, long as I can remember and it's coming up in a lot of different venues.

So I won't belabor what folks have already said. I just would say if we put out any kind of a statement on this even if it's a joint statement that we reemphasize the disconnection between this issue and contract enforcement and the IANA transition or accountability.

They are separate issues and any attempt to link them should be seen as I believe a fairly transparent effort to connect one interest group's agenda to a much larger transition project. And I think that we should call out on that.

And then also I would question I think it is in the text as much as I heard of it I would question the appropriateness of raising this in conversations with the board.

I mean if I were on the board I would say, you know, what do you want us to do about it? You know specifically what's our role here? Because I don't think that's clear. so and I'll drop from there thanks.

Keith Drazek: Okay, thanks (James). I have Jeff, Jon, Bret and Martin.

Jonathan Robinson: Yes thanks. Yes as Kristina said the board is or the IPC is talking to the board now. And Fadi as he does on occasion is agreeing completely with the IPC.

And he says that he agrees that the registries and registrars have a responsibility and that he agrees with the IPC that there should be voluntary action with teeth I think is the words he used meaning that he thinks that it should be a voluntary.

We all agree voluntarily to do something and then compliance forces us to do it. So I think it's extremely important we bring it up in front of the board.

Fadi is telling the IP community that he agrees with them completely. And so he said there's some session tomorrow that they keep referring to or on Wednesday. Yes tomorrow is Wednesday that they will be looking to get some commitment.

So again today we should mention it in front of the board.

Keith Drazek: Okay thanks Jeff. Jon, Bret, Martin and Ken. We really have to draw a line here.

Okay, thanks, Jon. Bret?

Bret Fausett: We obviously need to take a hard line on this but I'm not sure we're going to have to fight this battle because in spite of what we've just heard from the transcript, I think Steve Crocker, Fadi Chehade, Allen Grogan, are already well attuned to the idea that this is outside of ICANN's remit so let's actually see if they push back on it.

I think they will. I have Michele's nodding his head no angrily but I think they're going to push back on this.

Keith Drazek: Thanks Bret. I want to just hold on a second. I just want to note that I think we have to be very careful about how we address this with the board assuming we do is that we don't want to go in there and be in attack mode against the board. We don't want to be attacking the board itself.

It's more about taking the stand and saying, you know, we hope you agree with us.

Okay so I've got Jeff you wanted to respond. Go ahead.

Jeff Neuman: Yes just to that what he said yesterday it's beyond our remit but it's our responsibility. So he gave that two edged sword, nobody knows exactly what he's saying so basically he can come out on either side.

And everything that's going on right now and being said we have to make that statement. If we don't, no one's going to come to our defense.

Keith Drazek: Right so to that point if to Michele's point if somebody wants to sort of finesse some of the language and re-craft it I'm looking for a volunteer or a couple of volunteers to do that. So think about it. I need a volunteer if we're going to write something. Kristina?

Jonathan Robinson: I see James Bladel put up his hand.

Kristina Rosette: I'll draft but I think given my recent association with IPC it might be more effective to have...

Elliot Noss: I've been looking forward to working on a document with Kristina for 15 years so...

Keith Drazek: I know it's great. So Elliot and Kristina are a new...

Elliot Noss: Yes.

Keith Drazek: ...union and feel free to pull together a group and circulate. I've got Bret , Martin, Ken and then we're done.

Sorry Martin losing my mind, Martin?

Martin Sutton: Martin Sutton, HSBC. This isn't for immediate need but this is a regular theme I hear everywhere else where lots of activity's done. I know it happens and it's all good and positive stuff but the work goes on but it's not visible.

And it doesn't have to be all the detail. It needs to be what are you doing in practical terms and illustrate that regularly in terms of an audience of ICANN across all the different broad - breadth of ICANN so that they are aware of all the positive things that are being done.

That also educates your own community our own community to pick up where they may have gaps in their response. So that's something to work on, you know, over time but, you know, Michele there's good sessions, you know, with law enforcement, et cetera. We need to articulate that and make a clear what sort of activities benefit from that.

Keith Drazek: Thanks very much Martin, very constructive. Ken and that I have a comment because we need to recap and make sure we have the list for discussion with the board. Ken?

Ken Stubbs: Yes I think that we need to present it back to the board in the same basic tone that it's being presented by the IPC.

I also think that we need to make or reinforce the fact that many of the members of these organizations are working hard to prevent the kind of abuses that they're already talking about.

It's not within the remit of our contract to do a lot of things they're asking us to do. But we recognize that there are certain issues that we need to work where we need to work with law enforcement or so forth but from a practical standpoint.

You know, if we push back too hard you're right.

Keith Drazek: Thanks Ken. All right so for - this is Keith for the transcript.

There's no question in my mind that the recent - well if you looked at the opening ceremony Fadi's presentation talked about, you know, sort of the various layers of the ecosystem and where responsibilities and remit lie.

And he's - his words about, you know, that we have responsibilities is, you know, it's a potentially opening to a slippery slope.

So I think it is absolutely appropriate that we address this with the board today. I think we need to do it in a constructive way.

Don't - let's not take out our anger at the IPC on the board. But I think it is important to put a marker down here. So to me this is going to be certainly one of the key topics if not the key topic for our discussions with the board.

The other one that we talked about earlier was trying to get some clarity around the criteria for the selection for the CCTRT what else if anything do we want to talk about with the board today on our joint session?

My sense is that those two issues and certainly this content regulation issue's going to take up a lot of time because there's pretty strongly held views and it's an important topic for us. Is there anything else that we want to talk about with the board today?

Oh, (Jordan) thank you.

Jordyn Buchanan: So one thing it sounded like I heard from Akram and Fadi - not Fadi the other guy, Cyrus is that if we as a domain provider community - does that work - wanted to encourage a more rapid movement to a next round of gTLDs that that's an issue we ought to be raising with the board.

Keith Drazek: Great. Thanks for reminding me of that.

Okay we are way over time here so let me ask if there's any other comments, any other questions, any other business before we draw this part to a close? And Cherie has an announcement.

Okay Cherie over to you.

Cherie Stubbs: Thank you all. As you all - we are running a little bit behind. The registrars are adjourning to the 5th floor for their lunch and meeting.

Those of the Registry Stakeholder group who indicated they will be joining us for lunch as well as some invitees are welcome to stay. We need you to start the buffet out in the main foyer.

So anyone else you're welcome to join us later on at the board meeting or come back in.

Keith Drazek: Okay so and so we will have a 2:15 our session with the board in the main auditorium. Thanks everybody for this session. I thought there was a very, very constructive and excellent dialogue. Thanks.

END