Revision A

ICANN Transcription - Marrakech
RySG Session 2

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Paul Diaz: Okay folks. Sue or Cherie, the recording's still going, the Adobe line is active? Thumbs up from the back. Thank you (tech staff). Okay. Then welcome back everybody. Let's get right into our stakeholder group business session.

We're going to put the GNSO Council motions and updates and input or guidance as is requested - put it at the front of the list. And so (Keith), Rubens, Donna, whomever, quick updates where we stand with transition for those who haven't been here through the weekend sessions and what not. Just high level and importantly what you may need from us for anything on the table right now. Flip a coin.

Keith Drazek: Thanks Paul. Donna, for the GNSO Council updates I'm happy to take the update on the accountability CCWG report and then maybe hand it off to you.

Donna Austin: Sure.

Keith Drazek: Okay. Thanks. So hi everybody. Keith Drazek. So as we all know, there's been quite a bit of attention and focus recently on the IANA transition and more specifically on the CCWG Accountability final report that has been delivered to the chartering organizations for final approval this week. So the

GNSO Council on - during its public meeting tomorrow will be voting to approve or not approve the CCWG Accountability final report.

The GNSO Council has this week been having discussions on process in terms of how we actually finalize the GNSO's position and how we communicate that to the CCWG co-Chairs.

There's actually a planning session - a typical planning session that takes place this evening; the GNSO Council getting together where we will further discuss this at a high level. I can tell you that the expectation is the CCWG report will be - has been considered and will be voted on, as I said, during the public session tomorrow.

The process is going to be a little bit unique. One, the NCSG and specifically the NCUC has requested the opportunity to vote on each of the 12 recommendations individually.

The - generally speaking I think across the GNSO the NCUC is the least supportive of all of the recommendations. And specifically their concerns are around the empowerment of the GAC or I would say the perceived empowerment of the GAC through this process.

And they've made it clear that they would like the opportunity to submit minority statements to in essence send it a message or a signal that they're unhappy with certain elements of the proposal.

But I think based on, you know, certain head counts and a vote tally the expectation is that there would likely not be enough votes opposed to any single recommendation to not meet the minimum threshold of simple majority of each House. That's obviously not 100%. Can't predict the future. But I think that's the expectation right now.

So we're going to end up having this 12 separate - likely 12 separate votes. And if it's necessary, if for some reason based on that individual or that itemized vote tally, if it's necessary to then have a second vote on the package - up or down on the package, then that is in the process. We have allowed for that in the process.

If there's a simple majority on each of the 12 recommendations, then obviously the up or down on the package won't be necessary. But we're concerned that if there's enough opposition we don't reach the simple majority on the itemized vote that people want to send the message, they want to send a signal but they may also be willing to accept the package as a whole as the compromise package.

And we wanted to make sure that that was, you know, at least a possibility. So okay. I see a hand. Kristina, go right ahead and then Chuck and then Stephane.

Kristina Rosette: I'm confused. How does that work? In other words, let's assume for purposes of discussion that there's a simple majority for everything except Rec 11. Right. And so then there's a move to vote on the whole package and that passes with a simple majority, what does that mean and what is that going to mean for purposes of communicating to the CCWG?

Keith Drazek: Yes. So I think the expectation there Kristina is that the - there's a recognition in the Council that this is a package. And if it is not approved as a package, then it doesn't pass. And that we - in other words, it can't be split up at this stage. It's either - it's an up or down vote on the package. That will be the defining vote.

So if (unintelligible) the itemization because that was requested by the NCUC. So they can signal their displeasure for any one of maybe three recommendations out of the 12 is my guess.

And but I think while they are able to signal that displeasure, it's not clear that the same people who are voting opposing those individual recommendations would in fact want to blow up the entire transition and to send the message that they don't support the package.

So it's a bit awkward. I recognize that. But - or maybe more than a bit awkward. But the final and determining vote will be the up or down vote on the entire package.

It is a challenge in terms of communication. It's a challenge in terms of the message that it might send to, you know, opponents or critics and, you know, it might provide some political fodder during the next phase. But the intent for the GNSO Council is to send a clear up or down message on the whole package at the end of this process.

Kristina Rosette: Will there be any kind of introductory discussion leading up to the motion that says that? That basically it's the position of the GNSO Council that we are treating this as a package, blah, blah, blah so that in the event that you do get that disconnect that you don't have to go back afterwards and try and clarify what the message is.

Keith Drazek: Great follow up. The answer is yes. There's actually written documents that has been circulated laying all of this out. It's been the subject of our discussions in the weekend GNSO Council planning session both days and on the list - the Council list. So I think there's a clear understanding and it has been documented.

And I'm more than happy to send that once it's final, which I expect it will be by the planning session this evening. Once it's been approved by everybody I'm happy to forward that to the list. So I saw a couple of other hands. Chuck and then Stephane. And then we probably should move on.

Chuck Gomes: Thanks Keith. It's my understanding -- correct me if I'm wrong -- that they don't necessarily have to do a specific vote on all 12. That they will identify - they will ask people to identify there are any that they object to and they'll only do it a specific vote on those. And then the others will all just be done by a simple procedure. And then - you want to comment on that before I continue?

Keith Drazek: You're right Chuck. And that's - I guess the additional nuance is that...

Chuck Gomes: Yes. Yes.

Keith Drazek: ...there is a possibility that we could have an individual vote on all 12.

Chuck Gomes: If there were objections on (unintelligible).

Keith Drazek: If there are - if those were highlighted as...

Chuck Gomes: Yes. That's correct.

Keith Drazek: ...problem cases. Yes.

Chuck Gomes: So and then next point is that if all of the 12 are approved, simple majority of both Houses, there's no need for an up or down vote. It's approved. So that...

Keith Drazek: That's correct.

Chuck Gomes: ...up or down vote only occurs if there's a - if there's one of them that does - at least one of them that does not get approved.

Keith Drazek: Correct.

Chuck Gomes: Yes.

Keith Drazek: Thanks Chuck. Sure.

Kristina Rosette: So if there's like six that get highlighted to be discussed and all six get approved, is it understood that the remaining six are also approved and so a vote is unnecessary?

Keith Drazek: Yes. Stephane.

Stephane Van Gelder: Thanks Keith. Stephane. So I'm as flummoxed as Kristina to be honest. But I'm going to come at it from a different point of view, which is so the threshold for the step-by-step approval is 50%. So that's the simplest threshold that can get.

Keith Drazek: Just to be clear. Step-by-step and the whole package the threshold for approval is a simple majority of both Houses. Right. Thanks.

Stephane Van Gelder: So as - it seems pretty clear from what we can read in the press that the NCSG will at least oppose one or two - at least one that I...

Keith Drazek: To be clear, some NCSG NCUC Councilors individually may oppose. It may not be the entire stakeholder group or constituency because they aren't directing their votes. Those Councilors are allowed to vote their conscious.

Stephane Van Gelder: Okay.

Keith Drazek: It's unpredictable. We don't know how they're going to vote. We hope to have better insight into that this evening. But that's one of the reasons they asked for the opportunity to, you know, basically vote.

And they may choose to split their (nose) in such a way that it sends the message or they have the opportunity to submit a minority statement without necessarily impacting the approval up or down. It's just unclear at this point.

Stephane Van Gelder: Right. Thanks. That's helpful. So does that mean going forward disaster strikes, the whole package is not approved. What does that do to the transition?

Keith Drazek: It probably kills it. Because in effect what that would be saying is that the GNSO possibly alone of all of the chartering organizations rejects the package - the consensus compromised package that has been in the works for 15 months and sends it back and forces a restart of not just the work to develop the consensus - a new consensus package. But it tells all of the other chartering organizations that approved that that doesn't matter to the GNSO.

And, you know, one of the points that I made in the Council discussions over the weekend is that the GNSO really led the charge in the community with the Board to demand that we have a CCWG.

And Kristina was there when we talked about this and actually I think to give her credit it was your idea that maybe the GNSO come together in London in 2014 and make a statement at the public microphone saying that we the community demand - the GNSO demand that we have this CCWG and that it not be a staff led or staff controlled process on the accountability component of the transition.

So the GNSO led on this. And I think it would be really damaging and really unfortunate if the GNSO didn't sort of respect the process that we followed to develop consensus and to reach a compromised proposal that did in fact - you know, it was a consensus compromise within the CCWG.

Rob Hall: Sorry Keith. Can I try and cut through some of the clutter here? It sounds to me like the votes really don't matter. They're just trying to get on the record that they may not like something or not. The only vote that matters is the whole package.

And is it fair to say that your feeling is they asked for the individual votes because they're feeling they have to vote for the whole package so it's probably going to pass? They just want to get on the record they don't like one or two things?

Keith Drazek: Thanks Rob. That's certainly my hope. It's my expectation. But there's no guarantee. Yes.

Stephane Van Gelder: And the accountability approval (unintelligible) we should probably be aware that the GAC likely won't either approve or reject the accountability package. They are too split to go one way or the other. So that will be two chartering organizations lacking the approval for the...

Keith Drazek: (Unintelligible).

Stephane Van Gelder: No. GNSO and GAC.

Keith Drazek: Oh. Yes. So I can respond to that Stephane. So the question was what happens if the GAC is silent or is neutral; doesn't come out in favor or against because they have no consensus. They're split.

And the CCWG charter allows for the report to be approved and to be forwarded without unanimity. So it's okay if the GAC is silent. It's probably good for political reasons if the GAC is silent.

It would not be good if the GNSO were silent or if the GNSO objected because we're so much more representative of the broader community. So it's - this thing can more forward if the GAC is silent but it likely will be dead on arrival if the GNSO doesn't support.

So just to wrap this up to make it very clear, the Registry Stakeholder Group Councilors will be voting yes on all 12 of the recommendations and on the whole package. Paul, back to you.

Paul: Thank you Keith. Thank you for all the hard work you put in, all the hours. It's a huge process. And as you posted to the list, folks, this isn't over. All right. This is merely the first stage. Keep using the metaphor of it's a triathlon.

So you're climbing out of the water. Here comes the bicycle. And the bicycle's Work Stream 2. So we've identified - Keith's provided for us on the list the link all the issues we're going to need, volunteers who are going to step up and, you know, be our voices in those efforts.

And, you know, we should really start thinking hard about that and be prepared because the hope is that - the expectation is that approval here in Marrakech means that those processes will start very soon. Chuck.

Chuck Gomes: Thanks Paul. I want to add to what you just said. It's not (true either) because there's still implementation. And we can't go to sleep during implementation. We need to be alert in terms of the bylaws changes and other things that are being implemented, not only with the CCWG but with the IANA transition and the CWG as well.

Paul Diaz: Absolutely correct. And take your choice. Which one's the bike? Which one's the run? But implementation and Work Stream 2 are still the heavy lifts that are yet to come. Okay. Any other Council motions? Donna.

Donna Austin: Thanks Paul. Donna Austin from NeuStar. There is - (on the kind) of agenda that's posted there's actually two motions. The first one is the approval of the charter for the PDP Working Group to review RPMs and all TLDs. So this is the charter.

There was some concern about - the final issue report recommended that the review of the RPMs be done before the UDRP. And there was some discussion about whether that's the way that it should be handled in terms of process.

And a smaller working group was pulled together. And I think there's agreement now that it can go forward as the issues report laid it out. So we hope that charter will be approved at this on Wednesday.

There's also a second item that's on the agenda, which is approval of proposed approach to implementing recommendations to the GNSO review but I think that's been pulled off the agenda because Chuck said they're not ready yet.

Chuck Gomes: Let me correct Donna on that. Okay? This is Chuck speaking. I said the GNSO Council was not ready yet. Just to explain that and in 30 seconds. There's 36 recommendations and the Council with all that they're doing really hasn't had time to go through the recommendations of the working party thoroughly, so. I think the motion - well, it's not withdrawn yet but it'll probably be withdrawn.

Donna Austin: Yes. So I think just in terms of the GNSO review - so I think the last three or four Council meetings it's been on the agenda for an update but we've never actually had the time to get to it, so.

Chuck Gomes: You did get it over the weekend but it was...

Donna Austin: We did get it over the weekend.

Chuck Gomes: ...brief. I suspect you'll need more.

Donna Austin: We had a full day so we were able to get to it on the weekend. Yes. So that's all that's coming up on Wednesday.

Paul Diaz: Okay. Thank you both. All right. Then if we're good with GNSO Council, yes, let's move on to registry agreement amendments process. Jon.

Jon: Thanks Paul. So just to follow up on the conversation we had earlier today, we're at the point now where if we look at 7.7 of the agreement, the amendment process, the working group and ICANN have negotiated a set of amendments.

And the process from here on out is assuming we're in agreement with getting this posed for public comment, we would - ICANN would post it for public comment. We would have the ability to provide our own comments individually and collectively.

Then the negotiating team, the working group as defined in the contract gets - we get back with them - ICANN staff, see if there are any tweaks to the amendment - the set of amendments. And then if not, it goes to the ICANN Board for approval and then registry operators - applicable registry operators for approval.

So that would be the process here on out. I think if we don't reach agreement to have it posted, we could do one of two things; continue to negotiate but I think they're done. So I don't see any more amount of real changes coming from ICANN staff. Or we could go to a mediation if we wanted to under the contract, which I hopefully don't want to participate in.

So the steps are really now - I think we're in a position we'll get them posted for public comment and the public comment period we would participate. And if there are any things we don't - still don't like or love or, you know, we're concerned about one or two provisions, we could always continue to negotiate quote unquote through the public comment process.

And then, you know, it comes back to us to vote. So I guess procedurally I'm trying to get a sense of the room if folks are comfortable with this process moving forward to the public comment phase. And then we could go from there as I outlined. So Paul, I don't know how you want to...

Paul Diaz: I see the (room's full). Kristina, you're first. Go ahead.

Kristina Rosette: Jon, can you help me understand kind of assuming that everything goes
                  forward without delay, what's the effective date that we're looking at for these
                  amendments?

                  And the reason I'm asking is that it really - I feel pretty strongly about not
                  having the CZDS response deadline changing until we know that the new
                  platform is up, it's running, we've tested it, we're happy with it and it's going to
                  allow us to meet that 21 day period.

                  So, you know, if we're - depending upon what the ultimate effective date
                  would be, it may be something that we would want to consider having that
                  particular provision have a future effective date. But I just - without kind of
                  knowing the timetable, it's hard to know.

Jon Nevett: Yes. Yes. We could do. We also could delay the vote - our participation in the
                  vote for approval until we see progress on that if we wanted. I think they'll run
                  in parallel though. It seems like they're moving relatively quickly on that
                  especially if they know it's (tied).

                  So it's - but to answer your specific question, 60 days from when it's approve
                  will be the effective date under 7.6c. Chuck.

Chuck Gomes: Yes. If I understand that correctly, the RySG charter is the relevant in this
                  case because it's not a Registry Stakeholder Group issue. It's those who
                  have signed contracts for new gTLDs. Correct?

                  So on what - what are the criteria for approval and where does that come
                  from? I suspect there's - it's not covered anywhere. I don't think it's in the
                  ICANN bylaws. It's not in our charter even if that was applicable. Are we
                  assuming that it's a simple majority or - and then my last question is for future
                  reference.

This is something we should document for future exercises like this going forward. Not for this exercise. I'm not trying to slow this one down. It's been slowed down enough. But you see what I'm getting at on that.

Paul Diaz: Sure. Go ahead Rob.

Rob Hall: Can I perhaps take a crack at that one because we went through it with the registrars and I was on the Registrar Accreditation Negotiating Team. The contract seemed to contemplate the SGs are the ones who negotiate. I think we're probably at this vote still in negotiation phase.

So I would think a vote of the SG to put it to public comment would probably be enough. The final vote I think you're correct on. It's individual registries that have signed contracts that likely have to vote there if that makes any sense. But ICANN has always tended to say it's the SG that they want to negotiate with and go through the process right up to the final vote.

Jon Nevett: Yes. That's absolutely right Rob. There is a specific reference to the SG in the contract Chuck. So there is a place for the SG. To kick off the process it would have to - it'd have to be a notice from the SG Chair. And Keith did that when he was Chair in 2014. And then the working group is set up of applicable registry operators that wanted to participate.

And then Rob is also correct that it's a vote. So the approval is laid out in (7.6j2). And it's a vote of I believe 2/3 of registry operators. I think there's two parts to it, you know.

Rubens Kuhl: John, may I? Rubens Kuhl here. I think it's 2/3 of the Cs.

Jon Nevett: Based on Cs, right.

Rubens Kuhl: And a majority of TLDs I think...

((Crosstalk))

Rubens Kuhl: ...condition.

Jon Nevett: Exactly. Two thirds...

Rubens Kuhl: Requires majority TLDs and 2/3 of the Cs.

Keith Drazek: Thanks. Keith Drazek. So is that - I would assume that includes all TLDs and
                   not just registries that have joined the Registry Stakeholder Group. So the
                   question then is, you know, and this is a question for later probably. But we
                   need to think about how we would manage that process. Is that a process we
                   the Registry Stakeholder Group manage, ICANN manage it...

Jon Nevett: ICANN manages.

Keith Drazek: Okay.

Jon Nevett: It'd be similar to the vote the registrars take...

Keith Drazek: Okay.

Jon Nevett: ...on the budget with...

((Crosstalk))

Keith Drazek: Okay.

Jon Nevett: So ICANN pushes that out to all registry operators through the portal -
                   presumably through the portal will do it. And we as registry operators that are
                   - that have an applicable registry agreement under...

Keith Drazek: Yes.

Jon Nevett: ...under this process, we'd get the right to vote.

Keith Drazek: Okay. That's very helpful clarification. And of course I'm asking because that will impact us too, so.

Rob Hall: Just one clarification. I don't think it's all TLDs. I think it's only signatories to the contract under negotiation. So...

Keith Drazek: Yes, sorry. That's what I meant.

Rob Hall: ...okay.

Keith Drazek: All TLDs under that agreement. Yes. Thanks Rob.

Paul Diaz: And again, just another point of clarification what you laid out Rob. Is there an expectation of a vote by the stakeholder group to move this to public comment?

Rob Hall: Again, there's no requirement that the stakeholder group approve it to go to public comment. But it probably makes sense for us to get - it doesn't have to be a formal vote. But it probably makes sense for us to get a sense of the SG and make sure that people are comfortable moving it to the next step.

Paul Diaz: Then I'd like to put that on the table right now. For the folks in the room, are there any members who feel that this is not ready to go to public comments at this time?

Stephane Van Gelder: (Unintelligible) Paul. Just a quick clarification. What's the - there's a Spec 11 meeting tomorrow. How does that - I'm sorry if I missed that earlier. How does that link into this different...

Paul: It doesn't. There's no - there are no changes to Spec 11 in this amendment
                 except for the change of the link that they updated. Okay. Reg.

Reg Levy: Thanks. So if the signatories for the contract are signing it, do they each get
                 one vote per contract?

Jon Nevett: Again, it's - as Rubens correctly said, it's a majority of those that applied. So
                 each registry gets a vote. So if you have more than one, you get more than
                 one vote in that case. And then 2/3 of the fees that are paid to ICANN. So the
                 registries - let's say we pay $1 million to ICANN. We would, you know, and
                 they aggregate all those who vote yes and divide it over the total and see if
                 they have 2/3.

Reg Levy: Okay. So it's the signatory, the registry entity signatory is - gets to vote.

Jon Nevett: Yes.

Reg Levy: Thank you.

Jon Nevett: It's registry operator.

Reg Levy: No. That's two different (statements). Because I have only five registry
                 entities, signatories to the contract. But I have over 20 TLDs. So it's...

((Crosstalk))

Rob Hall: Sorry. You have a contract for each TLD.

Jon Nevett: Each TLD gets a vote.

Rob Hall: Each TLD gets a vote.

Jon Nevett: Okay. Let me - abundantly clear. Then sorry. I apologize if I confused. Each registry operator per TLD gets a vote. So each TLD votes. I don't know how more plainly...

Reg Levy: Yes. So...

((Crosstalk))

Reg Levy: ...there are 1200 TLDs...

Jon Nevett: Correct.

Reg Levy: ...the universe is 1200 votes.

Jon Nevett: Correct.

Reg Levy: And we have to get a majority...

((Crosstalk))

Jon Nevett: Majority of votes, yes and 2/3 of SGs.

Reg Levy: (Right). Thank you very much.

Jon Nevett: That's why we discussed it. But again, I'm not hearing any opposition to move the current package of recommended changes to public comment. And what I'll do is I'll leave that open, you know, for a few days. But I would like to - this has taken so bloody long anyway to be able to signal to ICANN next week.

So I'll post this to the list, have a deadline and then we can signal to them it's good to post because that's going to be what, another 40 days.

Paul Diaz: Go ahead Reg.

Reg Levy: When was the last time you sent around Jon a final - the most recently edited version? When was the...

Jon Nevett: Last week. And the one piece that I think - someone pointed - Susan maybe pointed out but Spec 13 they had left that off so I sent that today.

Reg Levy: Okay. And that was the first time we received that version.

Jon Nevett: That version, yes.

Reg Levy: I'm trying to find...

Jon Nevett: March 2.

Reg Levy: ...a time when...

Jon Nevett: March 2.

Reg Levy: Okay. We've been (sitting) with it then since the 2nd of March. And there have been only minor changes since. So I feel like maybe we can just put out a call in the next 24 hours to say let's go.

Jon Nevett: Sure. And then just because of the time differences, those aren't - yes, that's why I was thinking.

Reg Levy: Yes.

Jon Nevett: I'll post to the list so that it's clear, it's abundant, it's been transparent but I'm going to give folks to like start of business Monday in California time so that we can contact them Monday and get this ball rolling - the public comment ball rolling. Okay.

Paul Diaz: All right. I had Donna first, then Rob.

Donna Austin: Thanks. Donna Austin from NeuStar. But Jon or anybody, what's the impact
                  of the changes on those that are currently negotiating the agreement but
                  won't have it signed by the time this is approved? You know?

Jon Nevett: Yes. As soon as it becomes approved and effective, that will become the
                  form agreement. So I suspect that if - let's say it becomes effective 60 days
                  from when the ICANN Board approves it and we approve it, then I suspect
                  once that approval happens in that 60 day period they'll start moving to the
                  new form.

Donna Austin: Okay. The second question is there was some concern at one point about,
                  you know, this goes to public comment. We're going to get comments that
                  are unrelated to the changes that are on the table. Have we got any
                  commitment from ICANN that anything that's out of scope can't be dealt with?
                  So this is an - it's not an opportunity for those that aren't contracted parties to
                  actually intercede in the process?

Jon Nevett: No. I wouldn't say that we have a commitment from - that they won't hear. But
                  we have the - we - they can't propose an agreement that we don't agree to.
                  So if we, for example, put in a bunch of comments on CZDS and say we don't
                  like the 21 days without the portal change or we think - still think it should be
                  30 days, which we could do. They don't have to accept it either.

                  But if they get a bunch of public comments from the content industry for
                  example, we could just say thank you for your input but we don't have to
                  accept those (as law).

Paul Diaz: Rob.

Rob Hall: So Jon mentioned something earlier that I want to give - share some of my
                  experience here. It's very important we comment in the public comments

because the staff come back to the negotiating table armed with these comments and say we have to make changes even if one or two people said it.

And it's very important we make comments not only on what we don't like but what we do. Because it's amazing to watch staff say, you know, one person said they didn't like it and no one said they do. You're the only ones saying you do even though we're saying it as a group and they'll start negotiating against it.

So if there's changes we like, we should be commenting that we like the change. And if there's changes we still want to modify, we should be commenting negatively. But we have to comment or the voices around the table become that of the community and those that commented, not so much our negotiators, which is problematic.

Jon Nevett: Thanks Rob. That's a great point. And, you know, maybe we foresee doing a forum comment as a group and then like for individuals - individual registries to send in. For example, I love the fact that we can have the fee waiver now. We don't have to go through this contract change in order to get a fee waiver or something that we're pushing for as a group.

This will make any kind of fee reduction a lot easier and to me that's one of the biggest wins we have in here. I will certainly comment on that and I like that specifically in that provision. But maybe we could send out a form saying here are the provisions that we asked for and we got and we wholeheartedly support those changes or something like that.

Paul Diaz: Okay. Kristina, did you have a hand?

Kristina Rosette: Just - Kristina Rosette for the transcript. Just picking up on something that Jon was mentioning. I think it's a safe bet that the rest of the community isn't

going to be cognizant of the fact that technically the public comment is limited to what's actually being put out for comment.

In other words, this is not a blank check for certain industries to put in their laundry list of requests. So it would seem to me that to the extent that we can kind of manage expectations either directly or perhaps have some input in how the public comment announcement is phrased, I think that would be a very helpful thing to try and do.

Jon: Excellent point. Thank you.

Paul Diaz: Yes and thank you for staying and taking notes. We'll make sure that staff incorporates that. Chuck.

Chuck Gomes: Couple things. First in response to Rob. It seems to me and I know that every registry has the right to communicate things that they do not like. But are we in doing that, and I can't tell what we're going to do yet either, but aren't we in doing that kind of defeating the negotiation process if we show the negative things.

I fully understand the need to support the positive things. But I wonder if we're kind of defeating the process. You know, if we disagree with something that the negotiation ended up with - at this point I mean is there really any value in doing that? I'm not sure. And maybe I should stop there and then go to my last question.

Rob Hall: I think if we disagreed with something that ICANN had pushed for and pushed our negotiating team to get and there was kind of a unified voice that we didn't like this one provision that ICANN pushed for then yes, I think there would be utility in that because they might back off their position.

I think if we disagreed with something we pushed for, that would be a disaster. So let's - so I think Jon's suggestion of let's put up the points we

agreed with and potentially the ones that we didn't like that we had to eat because this is the last crack to perhaps push them off a point.

Chuck Gomes: Thanks. This is Chuck again. That's a helpful response. My question's a real question. It may have already been covered but if it was I missed it. Has it been agreed to how long the comment period will be?

Jon: Yes. I think our typical period - comment period now Chuck is 40 days. So - and we can make that clarification as well any - to Kristina said, yes, about sending clear expectations about what's on the table. (Unintelligible).

Woman: I just want to call to your attention that the IPC is with the Board right now asking for longer comment times on pretty much everything. So just keep that in mind.

Paul Diaz: Jeff's not in the room but I'm sure we're - both our heads are spinning after being part of a workgroup that tried to squeeze the amount of time for comments because people thought they dragged on too long. Now we have folks in the community complaining that 40 days is somehow not enough. Okay.

Jon Nevett: Just to answer those two questions. The contract says no less than 30 days. So I don't know what ICANN will do but it's - contractually it's no less than 30 days. And then to Rob's point, there are not changes that we disagreed with as a group.

There are, you know, CZDS is the only one I can think of there. Some people were okay with it. Some people weren't okay with it. And that was probably the most brokered provision. But there were no provisions that I could think of that we uniformly disagreed with because we went to put it in the...

Rob: That's very helpful. I thought earlier you said there may be some things we still wanted to comment negatively against. But you're saying now, no there's nothing that...

Jon Nevett: No. Individually we might want to even as a group. CZDS is a good example. We wanted the - there's a tweak to the amendment process son who votes going forward for certain registry operators that have provisions in their agreement that everyone else doesn't.

                So you think of the brands and Spec 13 and the GOs and the community folks didn't have that same equivalent provision. And that might be something that we as a group say hey, you - thank you for doing this for the brand. You should do it for the other two as well.

Rob Hall: So can the negotiating team put out a list then of what...

Jon Nevett: Yes. Yes.

Rob Hall: ...those issues are? Like the - these are the ones we love, that we fought hard for and these are the ones...

((Crosstalk))

Jon Nevett: I think that's a great idea. We'll have to do that.

Paul Diaz: Okay. Maxim and (Miller).

Maxim Alzoba: Maxim Alzoba for the record. Do you know if ICANN is going to send paper copies of amendments to those parties who need it? So you haven't asked. Is it possible to (order them)? Because under some legislations you have to - due to (anti-laundering), you have to present to your bank with the actual copy of contract because you are making payments out of country. And they need to be sure that you're not like financing something (unintelligible).

Jon Nevett: I assume that we use the same process that they use now. So I know - I think in China you need a paper copy. I'm not sure in Russia. So I assume there's an ability to get the contract that they're signing now in paper. So I would assume the same would be true for amendment but we'll check and make sure.

Maxim Alzoba: Yes. Because last time we asked them for paper copy of the letter of allowance used to (tariff). They said oh, no, no, no, it's just - we're not going to do that.

Paul Diaz: Okay. Folks, our schedule we will take a break to get a lunch, which has been laid out next door. We're going to be doing a working lunch so I ask people get your food. I know the queue will be long but let's get back here - start back up again.

                You can see we have quite a few items to get through. Want to touch base on some of them. Some of them we'll go into further discussion with the registrars. And there are also a couple that need to be added under AOB. So let's do this as quickly as we can. Get back to our seats and we'll pick up again when it feels like most of the room is off the queue for lunch. Chuck.

Chuck Gomes: Really quick procedural question. Sorry. But will it go - require registries approval before it goes to the Board or will that happen in parallel?

Jon Nevett: Actually it's parallel. Once - yes. After the public comment period, the working group gets together with ICANN staff, comes up with any changes and then it goes to the ICANN Board and us for approval.

Paul Diaz: Okay. All right. So with that, let's get some food and then we'll pick up again once most of us are through the line. Thanks.

Woman: And for anybody's information, a number of people indicated that they had dietary restrictions. And the food is so labeled if you have a need for gluten free or anything else. So - vegetarian. Bon Appétit.

((Crosstalk))

Woman: Yes. Rob expressly said more meat, more meat, more meat. So there is more meat.

Man: Could we stop recording?

END