
HELSINKI – Cross-Community Session: New gTLD Subsequent Procedures

Tuesday, June 28, 2016 – 17:00 to 18:30 EEST

ICANN56 | Helsinki, Finland

AVRI DORIA:

If I can ask people to find their seats. We've got such an incredibly packed program that we really need to start or we'll never get it all in.

Wow, and they got quiet.

Okay. My name is Avri Doria. I'm one of the co-chairs of the New gTLD Subsequent Procedures Policy Development Process Working Group. That is a mouthful. And basically welcoming you to this cross-community discussion on the New gTLD Subsequent Procedures Working Group work.

I'm going to start here with some introductions, and then we're going to go to have a status update.

Can we have the slide moved to the next one, please, that gives -
- yes.

So starting with an introduction here.

Now, the first thing in the introduction I wanted to say is, first of all, these microphones, except for the ones on the front desk, are not on. With the Cross-Community Working Group, there's

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these (indicating) microphones and there are wonderful people roaming around with these microphones with numbers and all kinds of stuff, and you can see them if you turn around; that when it comes time to speak, they'll come to you with a microphone. So these microphones (indicating) except for the front have is not been given a privilege.

The other thing I'd like to ask is to sign into the Adobe Connect room and you'll find that there is a -- two questions down at the bottom, one on affiliation and one on knowledge of topic. And this is part of the cross-community effort to sort of understand who is in the room. I'll try not to use the word "audience" because we're trying to make this participatory, but who is in the room talking about the issue, so that there is a better notion of the mix.

Okay. So in terms of the program, once I finish this quick bit of introductions, Jeff will give a -- Jeff Neuman, who is one of the other two co-chairs -- well, there's three co-chairs, but I'm one of them, so the other two. The other one is Steven Coates who can't be with us because he's doing NomCom duty. So Jeff Neuman will then go through the status of the program and give an update.

And then we're going to go into a discussion of topics that were of broad community interest. And these were topics that the

people in the working group thought of some, but people in the other ACs and SOs basically brought up these topics as being the topics of interest.

So we will have topics that we will go through, and this will be the order in which I'll go through. We'll be doing Cross-Community Working Group on the use of country and territory names, and Heather Forrest will be talking about.

Then we will have okay. I have to get it in front of me because it was more than I can remember. Then competition, consumer trust and consumer choice review team, which Jonathan Zuck will be speaking on. Then community applications Mark Carvell will be speaking on. Promoting applications from underserved regions and developing countries Cheryl Langdon-Orr will be speaking on. Geographic names and other names of public interest Susan Payne will be speaking on. Safeguards, public interest commitments, PICs, Alan Greenberg will be speaking. I don't know if he's here, but he'll hopefully be here by that time. How can implementation work proceed in parallel with policy development, Jeff will be speaking on that one again. And streamlining the .brand process, Jeff will also be covering that one.

Now, in terms of the speaking, just to give this a brief introduction, they will make a few comments. We've asked

them to keep the comments to a minute or so, and then they will basically be moderating a conversation with you all for a few minutes on those issues. And this is experimental so we're going to see how this really works.

And then we're going to talk briefly about the next steps and the meetings that we still have coming up tomorrow on this issue.

So having started that, and we have -- I guess it's time to begin.

So, Jeff, can I get you to do the status update? And it's microphone 6.

JEFF NEUMAN:

Okay. Let's test this out. Is this working?

Okay. I'm going to actually stand up. I don't want to hear any jokes. I can hear them coming.

[Laughter]

But I thought it would be better, you know. It's the last session of the day. Everyone is tired. Everyone is ready to go to a bunch of pretty cool receptions that are after this. I don't think I got an invite, but I think they're happening.

So I'm going to introduce -- if we can go to the next slide, a little bit, some introductory slides so we can just kind of set the tone, and then we can go into the real meat of the discussion.

This is supposed to be for feedback. So just a little bit in the way of background.

We're a policy development working group of the GNSO, and this actually got started in June of 2015. There was a discussion group that was created to talk about the many issues and kind of scope out the work of a policy development process.

And finally, on June 24th, 2015, the council requested a preliminary issue report. Preliminary issue report was published for public comment, and there were a number of comments.

The GNSO Council initiated the policy development process in December of 2015. In January, there was a charter that was approved, and finally in February we started to meet on a weekly basis, this working group, and we've been doing that for a number of months now, and I think it's been a great experience so far and we're really just starting to get into the meat of our work.

Steve, if you want to go to the next one.

So, really, the role of the PDP is to determine what changes, if any, need to be made to the original policy that was back in 2007. In 2007, which is, if I do my math correctly, nine years ago, almost exactly nine years ago, in fact, if not a little more, I'm trying to remember the month, the GNSO said that we should

have a predictable process for the introduction of new generic top-level domains. And that policy recommendation was established -- was actually approved by unanimous -- unanimously by the GNSO Council and ultimately was approved by the board.

That policy still remains in effect. So judging from the -- you know we're a bottom-up policy development process, a multistakeholder organization, so absent anything to the contrary, we will have additional new gTLDs. That's important.

So we're now talking about what potential changes can be made to the process that was ultimately implemented in 2012.

So potential changes, the scope of this working group, we could talk about potential changes to clarify that process that happened the 2012 round. We can amend that process, we can override that process, we can develop new policy recommendations, or we can supplement and develop new implementation guidance.

Let's go on to the next slide.

So what are we currently working on? The first thing we did, there were a total of 38 subjects that were in the charter for us to look at. What we've done is -- and an additional six overarching issues. So 44. Again, this is math. Not my strong suit. 44 total

subjects which we divided into six overarching issues and five work tracks which we actually later reduced to four. We'll talk about that in a second.

So we've talked -- we've had some preliminary discussions on these overarching issues, and we have issued what we call CC1, or community comment 1, which has gone out for input from the constituency stakeholder groups, advisory committees. Am I forgetting another? I think there were three -- what's that? And the review team, that's right. To get comment on these overarching issues. And there are 32 other subjects that we will address through what we call work tracks, and those work tracks are divided into -- there are four or five, depending how you look at it, different work tracks, which I believe are on a subsequent slide. And we will conduct our work through discussions, seek input from the community, and integrate other efforts that are going on.

Go to the next one.

So what are some of the other things that are going on that will affect this policy development process, things that we're watching as a work group -- as a working group group.

Well, as many of you know and have heard throughout this -- I think it was yesterday that Jonathan had presented, the consumer -- the competition, consumer trust, and consumer

choice review team. So that's required by the Affirmation of Commitments, a review that's going on. We will certainly, and we're required by our charter to consider the input and the findings of that review team. And Jonathan will talk a little bit about that.

There's the Cross-Community Working Group on the use of country and territory names. Heather will talk a little bit about that. We have to consider the findings of that group into our working group as well.

There's a policy development process on the review of all rights protection mechanisms in all gTLDs. That was a cross-community session that was held yesterday afternoon that many of you have attended that was led by their co-chairs. There is obviously work going on in the GAC and the ALAC and the SSAC and other organizations that will feed into our working group. And there's the completion of work and protection for IGO/INGO names and acronyms including some implementation that's going on now on how to develop a claims-like process for IGO and INGOs.

Go on to the next -- We can just go on to the next slide because we went through those. I'm trying to get to the input slides here.

So the work tracks we talked about. So the other subjects are divided into, we see here, two through six. So there's one work

track that's on process/support/outreach, very important work track which will talk about how we get more diversity in the application process. How do we do better outreach to make sure that those from the underserved countries can -- and developing countries can apply.

We'll also talk about whether the Applicant Guidebook is the appropriate approach to continue doing this new gTLD process; whether there should be different guidelines or guidebooks for the different types top-level domains if we believe that categorization of top-level domains is the way forward.

The second work track deals with legal and regulatory issues, things like the base registry agreement. Are there any changes that are needed to that? Registrar nondiscrimination clauses or vertical integration issues that were heavily debated started in 2009 through 2012. Was that everything we expected it to be? Are there certain changes that need to be made? Did we get it right. How do we deal with that going forward.

To talk about in that as well the PICs. And Alan, if he gets here -- oh, he is here. Hey, Alan. Hi. Alan will talk about PICs and safeguards. That will also be something that will feed into that work track.

Work track three is on string contention, objections, and dispute resolution. Looking at issues like string similarity, the whole

issue of plural versus singulars. Yes, the board considered that issue and made a preliminary determination, but that wasn't through the bottom-up policy development process. We have a time, if we choose, to correct that going forward. We'll provide more clear guidance in the next round.

Also things like what if there is a string similarity decision, what is the process for appealing that? Should there be a process to appeal those decisions? If so, who hears those appeals.

Work track four will look at issues, internationalized domain names and other technical and operational issues. Things like universal acceptance. If we agree also, there's one subject I'll talk about a little later which is potentially accrediting technical registry back-end providers so that they don't have to be evaluated 300 times if they happen to support 300 applications. And so if we decide that is a way forward, that track can look at what are the technical requirements for a registry back-end provider.

And of course there will be a final operational implementation guidance work track which really is to be determined.

What we're going to do during some later sessions this week, our actual working sessions, is talk about whether these work tracks cover all of the areas that we need to look at.

So we have developed a high-level work plan, on the next slide you'll see. Everyone is asking about timelines. And so if you go to the next slide. I know it's going to come up. There we go.

This is our initial thinking in terms of timelines. This is not a guarantee. This is not predicting that we will have a new process that starts on the dates set -- that are set forth on this slide. I'm not sure why it's not showing the whole slide. I don't know if we can shrink it, Steve, so it's showing some dates over there. There you go. Possibly the end of 2017. We're not saying that's when we are introducing new gTLDs. That's just a goal for us to finish our work.

Of course, as I said before, our work is also dependent on the CCT review team and other reviews that are going on. So that all has to feed into the process.

Ultimately, like every policy development process, we'll have an initial report, put out our recommendations and findings, put it out for comment, and a final report. We may, in fact, have multiple public comment periods on the issues so that it may not be just one preliminary report and a final report. We may decide to put out questions to the community. For example, when we start some of the work tracks or when we have some initial thoughts on some of those findings.

AVRI DORIA: I've got a hand up and I would like to --

JEFF NEUMAN: Okay. There's a hand up already.

AVRI DORIA: So I have a hand up, and just in case it's a point of order type of question.

So, Sebastien, I don't know where you are to get a microphone to you. Okay.

UNKNOWN SPEAKER: (Off microphone).

AVRI DORIA: Okay. Thank you. Now, that wasn't said through a microphone so let me repeat it. It was a request for slower speaking because the translators were having trouble keeping up with the speed at which the speaker was speaking. So I'm asking to speak slower.

And, also, for those who don't have translation, having -- for example, that aren't one of the seven privileged languages that have translation, so that they would be able to have a chance to understand and to read.

So it was a point of order, so thank you, Sebastien.

JEFF NEUMAN:

Thank you, Sebastien. Could we have mic 6? Thank you. I will try to slow down. I'm just so excited about these topics that sometimes I speed up.

People who know me, actually, it is true, I am excited by these subjects.

So this is, again, a temporary -- or our work plan as to the milestones we'd like to achieve and the pace at which we would like to -- to go. Of course it's, like we said, very dependent on the work of some other groups so that we can make sure that that feeds into our processes.

Do we want to go on to the next slide?

Okay. So now we're going to get into our topics, the real meat, but before we do, I should actually ask if there are any questions on some of the process of how the working group is going about doing what we're doing.

And I see one question over here. I know it's Jordyn Buchanan.

UNKNOWN SPEAKER:

(Off microphone.)

AVRI DORIA: Oh, they've got it? Okay. So...

JORDYN BUCHANAN: Is this just a time for questions or can we make comments as well?

[Laughter]

AVRI DORIA: At this point, we'd really like to go for clarifying questions and then take comments in as we --

JORDYN BUCHANAN: Well, are there going to be an opportunity for comments on the overall process as opposed to individual --

AVRI DORIA: Oh, a process question. Okay.

JORDYN BUCHANAN: Well, it's about -- what -- everything Jeff just talked about is what I want to speak to but not about any of the individual topics, but it's definitely a comment, not a question.

AVRI DORIA: Go ahead at this point.

JORDYN BUCHANAN: All right. I'll go with it.

So Jordyn Buchanan with Google but I'm speaking entirely in my personal capacity at the moment.

Like, I know you guys are working really hard and this is a lot of work, but I guess I'm going to suggest that I think you're doing this completely wrong. And I say that because I think you're making your life much harder for yourselves than you need to.

We have a policy. We have even an implementation of the policy. We just did it, and we're just getting to the end of the last instantiation of it.

And for some reason, we insist on treating the release of TLDs in a manner completely unique at ICANN. Every other identifier that ICANN allocates gets done basically on an as-needed basis. If you need to become a new registrar and get a registrar ID, you come to ICANN, you submit your accreditation papers, they let you be there. If the IETF needs a new protocol number, they come to ICANN, they say, "Hey, we need a new protocol number," they get one. There's no, like, giant process where you wait like eight years before we're doing the next batch of protocol number releases. That would be crazy and it would

make it so if you did it, then the IETF would have to, you know, spend years and years thinking about how we might do the next giant release of protocol numbers because we created this tremendous, immense importance around that process.

But instead, if you'd just sort of release these things as they went along and relied on the fact that we have a binding policy process, it would let you fix mistakes as you went along.

And there's just no reason why you couldn't, next week, just start a new application process under the existing guidebook. It's not perfect. I might not apply again because there's things about it that annoyed me. But it's not bad either. Nothing terrible -- you know, no babies died. Like we haven't heard from any of the name collision things that any human life was threatened as a result of this.

You know, some -- some brands, I'm sure, are a little grumpy that they had to apply to get too many defensive registrations, but some brands are grumpy that they're not able to get their new TLDs as well. Everything is not perfect and there's a cost -- there's a cost to both sides --

AVRI DORIA:

Okay.

JORDYN BUCHANAN: -- and --

AVRI DORIA: Thank you. I -- it was a question. We got the question. But I really would like to avoid too long a speech.

JORDYN BUCHANAN: All right. Well, then I will just finish by saying it seems like if you just focused on -- if -- identifying any problems that were so critical that they would prevent the release of additional TLDs now and move to a sustainable process where you're continuously releasing them and rely, like we do for all other identifiers, on the -- on course-correcting as we go instead of trying to get it all right up front, that you would have a much more -- your job would be easier and the community would probably be able to be involved on the individual issues instead of trying to stare into this huge giant box of issues that seems almost impenetrable to someone not --

AVRI DORIA: Thank you.

JORDYN BUCHANAN: -- intimately involved in the work.

JEFF NEUMAN: All right. Thanks.

[Applause]

Okay. That's a good comment. So instead of me answering this question, because it's not for me to discuss, would anyone else like to address Jordyn's point?

How does everybody feel? Should we open up a round or open up a TLD application process next week?

UNKNOWN SPEAKER: (Off microphone.)

JEFF NEUMAN: Does everybody feel like we could do that? Does anybody want to comment on that?

I think that's a good question.

UNKNOWN SPEAKER: (Off microphone.)

AVRI DORIA: I don't.

UNKNOWN SPEAKER: (Off microphone.)

AVRI DORIA: Okay. I mean, if we -- if we need to take that question, we need to take that question, but that really isn't the program that we had in front of us at this point.

But okay. I'll answer the question. Since he asked it, I'll give an answer to that question.

One, we have a commitment to reviewing the program before we start any other program, so we're definitely still in the midst of that review.

Two, we do have a fair amount of comments. There was a drafting team that went before and gave us a list of scores of issues that needed to be resolved before we could move on with any particular program.

So there's definitely a lot of work that we've been committed to before being able to just move on with the program as it was once put forward.

So since you decided it was a good time to ask the question, I thought -- but now --

Okay. We had -- 3 was there before. I can't -- and then we've got four questions going at the moment and then I'd like to stop at that point so we can get back to the rest of -- of what was there.

So it would look like it was 3, 2, 4, and 5.

UNKNOWN SPEAKER: Hello? Hi.

UNKNOWN SPEAKER: (Off microphone.)

AVRI DORIA: And there's a Number -- then I'll get to Number 1, too. I didn't see it in my peripheral vision.

UNKNOWN SPEAKER: Let's have a referendum.

[Laughter]

AVRI DORIA: I am not calling a referendum.

[Applause]

UNKNOWN SPEAKER: No comment.

UNKNOWN SPEAKER: You can exit.

EDMON CHUNG: Okay. Edmon Chung here. Now, trying to get back to what the guys in front want us to get to, a clarifying question, actually, on Work Track 4 that you identified.

I know you know that I love IDNs, but that's not what I want to talk about.

The names collision part, is there any anticipation that other work will happen?

Because this is a work track from the community, but the -- the names collision report create- -- made .MAIL and .HOME -- you know, created those situations.

There is no indication or no reports on future rounds, how -- how to deal with these kind of situations where more of these TLDs might suddenly come up and no longer be able to be used.

Is there anticipation that outside of this working group, other work needs to be done on names collision for this to happen?

Because there were five -- you had five boxes on a previous slide that talks about external stuff that is ongoing that would interfere -- well, not interfere but interact with this discussion. Is there any anticipation that names collision, there is actually other work that needs to happen as well?

AVRI DORIA:

I don't know if there's any work being done on that at the moment. I've certainly seen signs of people talking about it. I don't know if anybody else wanted to comment on that at the moment.

It's certainly -- but if any other work was done on it in terms of the current round -- in other words, the work in this working group is only focused on a subsequent procedure. If any work is done on anything to do with the current procedure, then that work gets imported in, but the -- the work of this working group is purely on the subsequent procedure, and it's really quite possible that work be done on other issues. In fact, it's still being done and still part of the reviews.

Now, what number did I say I was going to next? I said I was going to -- to 2 next? Okay. Going to 2 next.

IRAN:

Thank you, Avri. Thank you, Avri. A question or comment was made. Let us note that. And I fully agree with what you said. You have a commitment -- we have a commitment and we have to apply that commitment. We have started something. The group has been established. Go ahead with what you have been proposing. If there is anything that we have to add, to comment, to clarify, to collect, we will do that, but I don't think that we raise the question next week or not next week.

In GAC meeting, three meeting consequently we mentioned that we need to review the previous one to see what are the problems, difficulties, and so on and so forth. We have corrected them and we said that we don't want that second round to be started before we resolve the issue, problems, that we had in the first round. Therefore, please kindly go ahead. Thank you.

AVRI DORIA:

Thank you.

And one thing I want to make sure to remind people of is, say your name at the beginning.

Okay. Then I had -- what did I say? 4 next?

Okay. So 4, 5, and then 1. I can't count. Okay. Please. 4.

SEBASTIEN BACHOLLET: Muchas gracias. Good morning. Hello. This is Sebastien Bachollet. I am an individual user, and unfortunately I cannot speak on behalf of Google because Google speaks on its own representation, so it will be difficult to say why he is saying that.

But I would like to say that fortunately you are being working on this and there are many other aspects that are being included which were not included in the previous program and there are many corrections to be -- to work with.

When we have -- when we have a program, we need to address these issues. So I hope that next time you -- new extensions are being introduced, well, if that is the case, we have fewer issues.

Your work is really very important.

WERNER STAUB: Thank you. Werner Staub from CORE association.

I hate to say I told you so, but I've been on the mic numerous times to say please make sure we announce the next round immediately. Not just the next round but the one after. Because if you don't, people will apply simply because, you know, they think there's going to be a long desert, it's the last petrol station before the desert.

It happens. And if we have now one result that we can learn, it is: Don't do that again. And are we about to do that again? A long wait, telling everybody, "Look, there's going to be another round but it's going to be 10 years of desert again," so we wait 10 years between rounds? That is the best way to do the worst job possible.

And overall, the zeal that we put into find- -- preventing people from damage is the biggest damage that we can do to it them.

Waiting forever, that is precisely the way you could kill all the good projects and only leave the bad and speculative ones.

AVRI DORIA:

Thank you. And I'm really quite glad to hear that you hated telling us that.

And Number 1, please.

[Laughter]

UNKNOWN SPEAKER:

Hi. My name is (saying name) and I'm speaking in my personal capacity here.

I'm just -- I just wanted to respond to Jordyn's point and I firstly agree completely with what Avri said, but going beyond that, I

think that there's also a substantive difference between names, and for example, numbers.

I think that there are public policy issues that come in when it comes to names that just don't exist when it comes to numbers and many of the other things that -- you know, that we discuss here that are delegated.

And ultimately names are the primary point of interface for a normal user with the Internet, so these issues I think do matter much more than they do in the case of numbers, for example.

And I agree babies didn't die, but that is a very high bar, and I think that there are, for example, communities that lodged community applications that haven't gotten their TLDs and we need to look at the kinds of issues with process that led to those kinds of problems.

And that's just an example.

And I'm not saying that the process we're considering here, that we're thinking about here, is the best possible process. I haven't applied my mind enough to know. But I do think that some kind of review and, you know, trying to understand what we have -- you know, what we can learn from the existing process to make the process better going forward, that kind of effort needs to be made.

AVRI DORIA:

Thank you.

And at this point, I'd like to go back to the program as planned, and I want to thank the people that made short comments and move on and ask --

So the first one I had was cross-community working group on the use of country and territory names, Heather Forrest. She'll give us a quick introduction to it and then we could take a couple questions quickly that she would be able to field. Thank you.

Heather?

HEATHER FORREST:

Thank you, Avri, very much.

This is Heather Forrest. Thank you very much for allowing us to include this update in the work of the PDP, the subsequent procedures PDP.

This is work that's been ongoing for some time now. Some of you may have heard me or one of my fellow co-chairs give an update in previous sessions in previous meetings, so you'll know that we've been at this work for -- for as much as -- as much as a year and a half now, perhaps even two years.

And what I'm here to do today really is provide an update as to the scope and the status of our work so that you might draw some mental connections between the work that we're doing and the work that likely fits into, I think we decided, the batch with reserved names, so that's number two, I think, and start to better inform ourselves across these lines as to how we want to take things forward.

So I'll provide that brief introduction and then put a plug for our session, which is tomorrow afternoon, and then maybe we'll shunt questions into that, Avri, rather than have them here today, although of course I'm happy to answer questions, but that might be a better place for those.

So this cross-community working group on the use of country and territory names as top-level domains, probably keywords missing from the introduction on this slide, we're dealing only with the top level and only with country and territory names. Now, as it stands at the moment, the group has defined country and territory names as things falling into three baskets, if you like. We have the use of two-letter codes largely aligning to the use of the longstanding use of the ISO 3166-1 list. We have three-letter codes again largely aligning to the ISO 3166 standard and names themselves. Now, names, of course, can have a number of interpretations. The lawyers in the room, we could argue this all day long as to what "names" means. We

haven't gotten there as a group because it is quite a challenging question and we wanted to work through, let's say, some less challenging issues before we tackled the very big questions.

We've reached preliminary conclusions in relation to two-character codes, and we'll discuss those in more detail tomorrow. And that was -- those preliminary conclusions were reached in late 2015. The group then transitioned to working on three-letter codes and began its work as we had done with two-letter codes by sending out a survey, an informal survey, to solicit input from the community more broadly to understand the community's views as to what policy might look like, let's say preferred policy, options from various community members.

And what's interesting in that process, perhaps not surprising but nevertheless interesting, is that we have completely divergent responses in relation to what to do with three-letter codes, completely divergent both in rationale and in preferred outcome.

That led us to the idea of a broader cross-community session here in the policy forum at ICANN56 which will take place tomorrow in this very room, which is Hall A at 3:15. We'll have a format quite similar to this one in this session today. We'll ask some provocative questions for the precise purpose of soliciting perhaps some provocative answers and see if we can't as a

broader community work through some of the challenges that we face.

So that is our update. I'm happy, as I say, to take any questions. But, otherwise, I very warmly invite you to our cross-community session tomorrow at 3:15 tomorrow.

AVRI DORIA:

Thank you. Are there any questions? I see one here. Two. Please go ahead.

IRAN:

Thank you very much. You said that if we need lawyers to tell us what the name is. We don't need to have that. Name is names. That's all. If Dahomey decided to call the country Benin home, it is the Dahomey and all the people who decide. If Upper Volta decided to call Burkino Faso, that is Upper Volta or Burkino Faso people. So we don't need.

We thank you very much, the lawyers, and we ask them later on to deal something where we apply and where we require. We don't need any explanation on the name of the countries. Thank you.

AVRI DORIA: Thank you. And please remember to give your name at the beginning.

So far I have 1 and 4. Do I have anything after 1 and 4? I'm trying to be good with my numbers. Okay. Please, 1.

NIGERIA: Thank you for the opportunity to speak. My name is Nkiru from Nigeria.

You said something about having the preliminary conclusions on your decisions on the two-character and three-character codes. Would it be possible to have this document prior to tomorrow's meeting so we can go through it?

HEATHER FORREST: This is Heather Forrest. Thank you very much for your question. I would encourage you. We actually have two Web sites which is perhaps confusing. One is under the ccNSO Web page; and there is one more general, I think in fact, under the GNSO Web page. And you'll find -- you'll be able to track our documents through that. So that's publicly available. If you were to type in -- do a search on CWG UCTN, you'll find our documentation. Thank you.

AVRI DORIA: Thank you.

STEVE CHAN: This is Steve Chan from staff. I was just going to say I can drop the link into the AC room, if you are logged in, and give you more direct access to that paper. Thanks.

AVRI DORIA: Thank you, Steve.

And question from 4. Please remember to introduce yourself.

WANAWIT AHKUPUTRA: Number 4. Wanawit, GAC, Thailand. As was mentioned about the names, in fact, from what I study from the ccTLD fast track on IDN, ICANN used to refer to the UNGEGN, United Nations Group of Experts on Geographical Names, which already have eight United Nation language translated.

And now is the update. They're one of the ECOSOCs. So the name represent there should be something that we refer to, even if some of the country having problem like, for example, Thailand because the translation that happened, it's not as accurate as what we normally use because when you are dealing with these kind of transformations from non-Latin, non-ASCII types to the Romanizations, it depends on how the authority

that's dealing with that use formal translation. For example, Thailand's official name is Ratcha Anachak Thai, which nobody call it that way. You normally call either Thailand or maybe the old name is Siam. But for some reasons, they filed that into the database of UNGEGN.

So, in fact, those are the things that we're working on to reflect the translation and transliterations. It creates an impact when you are talking about the known domain names in the Romanization way. Thank you.

AVRI DORIA: Thank you. Heather.

HEATHER FORREST: Thanks, Avri. Heather Forrest.

Thank you, Wanawit. You raise a very interesting point. And the group is very much live to questions of translation. And I'm pleased to say that we are quite privileged in the group participating as members, representatives from ISO and from the UNEG. So that's helping to inform our work with these broader questions.

unavailable in the legacy TLDs that were now available? Are there interesting pricing business models that have increased competition in the space and changed the pricing structure for TLDs? Is there increased competition among registrars as well? Is there an increase in consumer trust associated with doing restricted TLDs, like .BANK, that would allow me to know that by going to .BANK I could trust that it wasn't some sort of phishing scheme.

And what are the downside -- potential downside consequences? Does the fact that I have .BANK as a restricted TLD and some other one not restricted mean that I have got unmet consumer expectations? Do singulars and plurals create confusion, for example? Did it lead to business models that were based mainly on defensive strategies on the part of brands, whether the defensive registrations are blocking, et cetera? Does the program itself sustain, or is it really dependent on defensive activities of brands? Did the application process, did it really create choice for all communities around the globe? Is the global south served well by the application evaluation process or by the program itself?

So those are sort of the balancing tests that we have been tasked with doing. I guess unlike the PDP -- and I realize I'm talking very fast, Sebastien. I apologize. I will slow down a little bit.

Unlike the PDP process that Jeff described, we're sort of tasked with time boxing our work. And so we're trying very hard to have something in draft form to you by the end of the year. And that meant having to prioritize. And so we're looking at some very high-level questions like: Did this serve the developing world well in the application process? Was competition created? Were the safeguards effective? Is there a disproportionate increase in DNS abuse in the new gTLDs? Asking questions like that help to kind of make that balance more realistic.

And so the other thing that we're trying to do is come up with measurable results which is somewhat new to the ICANN community. I think we all have years and years of experience of getting on conference calls and giving our opinions, learned opinions, but opinions nonetheless about things. And so we're trying very hard to do wherever possible a kind of quantitative analysis of these things so that when we make recommendations and policies are developed based on those recommendations, we can later on see using the same data, the same metrics, whether or not improvements came about as a result of those recommendations.

So that's the task that we have before us. We've divided into three subteams. Our calls are all public and that you can listen in on them via Adobe Connect. You can email directly to the

team via an email address inputtoccrt@icann.org or talk to the people that represent you within that team.

There was an effort to kind of have somebody representing everyone within that review team. So please make your voice heard on these issues as we take this kind of high-level look at whether or not a balance test applied to the new gTLD program comes out in favor of the advantages that certainly exist and the disadvantages that certainly exist.

And so trying to quantify, wherever possible, how that balance was struck will hopefully inform further subsequent procedures, whether they start next week as Jordyn has suggested or start in a couple of years as is more likely the case.

I think there is kind of broad agreement with the nature of it being a, quote-unquote, round is part of our problem and created a difficulty to course correct along the way because of the sheer volume of applications that happened. And so I think there's probably consensus from -- in all the groups that are working on this that a round is not the way to proceed.

But there's certainly some self-evaluation to do before we proceed, I think, to see if we can get that balance right and make sure that the advantages of introducing new strings into the DNS outweigh the disadvantages of doing so. I'm happy to take questions.

AVRI DORIA: Thank you. One or two questions. We're already going through. So I've got one question here and that's a Number 2. Please go ahead and I will take one question after that just so we can get through. Remember, please give your name.

INDONESIA: Yes. My name is Ashwin from Indonesia. You mentioned about the consumer trust and one of the -- you mention about if you are using .BANK. And I'm sure it's not a phishing, it's a real bank. Now, how can we make sure that it is like that, that .BANK operator will really check -- the person who used that .BANK is really a person. It's not a fake person or not whatever.

Now, if it's true, why can't we do that to other gTLD operators so that there will be less and less crime in the Internet? If we can do it through .BANK, can't we do it through .NET, .ORG, .COM, and so on?

Today we have so many phishing and so many crimes because of that joke that on the Internet you can be a doc and nobody knows who you are. So let's try to do the same .BANK -- the same measure that we used to do .BANK to any other gTLD. Thank you.

AVRI DORIA: Thank you.

JONATHAN ZUCK: Thanks for your question. I suspect a lot of people have a lot of answers to that question. But I think at its core, it's an experiment to see whether or not, you know, having a restricted string like that will lead to an increase in consumer trust, will be taken up by the industry that it's meant to represent, and we can't assume that the answer for every possible string in the dictionary is -- has a specific definition that we can rely on because there are spin doctors as well as medical doctors. And so the language is more fungible than that. So the question will be, if .BANK is a success and leads to an increase in consumer trust and, in fact, leads to a decrease in the success of phishing exercises, I think you'll see other entrepreneurs taking that on in pharmaceuticals and other areas and we'll see success in those ways. And consumers, when looking for those kinds of high stakes activities, will migrate to those restricted TLDs. I think that it's a mistake to just create a regulation of the language in lieu of understanding the success of those endeavors.

AVRI DORIA: Thank you. I'd like to take one more question, preferably from someone who does -- has not asked a question yet. Do we have anyone here that has a question that hasn't asked one yet. No?

Okay. Do you see one? I know Kavouss had one, but you've already had three. But please, Kavouss, if you've got -- no, you can't -- you need -- I think you need the number 2, although the light went on.

IRAN: No, Avri, it is up to you. If there are questions and there is no other people to raise the question, please allow that we raise the question.

AVRI DORIA: And that's why I called on you.

IRAN: Thank you very much. You are a very good friend of mine and I always support you, unqualified support.

AVRI DORIA: Well, thank you. And that's why I went to you. Now please, your question.

IRAN: This is a little bit of experience. If you say self-evaluation, I call this self-validation, what are the tools that the people make that self-evaluation? Based on the assessment or you give them a

software or something, that this is the tool, use it before it's applied to see whether you can have this self-evaluation or self-validations. Thank you.

JONATHAN ZUCK:

Thanks for the question, Kavouss. I think the issue is that we're developing the tools now to perform those evaluations. So in many respects, future reviews on competition, trust, and choice might have an easier job of it because we will have established a lot of the parameters used to measure the success of these programs going forward. And so it's that first, you know, take at it and identifying what datasets make the most sense, finding the sources for that data that is an originating exercise but that over time it could be something that's more easily done in a shorter period of time because we've built the tools for evaluation and evaluation and ongoing basis in a way that Jordyn has suggested. I think that if we get our homework done now that there will be some tools that make our lives easier down the road.

AVRI DORIA:

Thank you. Now I'm going to move on to the --

UNKNOWN SPEAKER:

(Off microphone).

AVRI DORIA: One more question from number 1, and then we're moving on to the next topic.

DANIEL EBANKS: Daniel Ebanks, .KY, Cayman Islands. Very simple question. You were talking about tools, and I had this in my mind from the beginning of the session. How do we qualify the underserved regions that we talk about? How do you qualify as an underserved region? That would be a great tool to develop as well.

AVRI DORIA: Thank you. Is that a question for you or one of the leadership?

JONATHAN ZUCK: Sure. I think it may get answered more than once. And we're confronting that same issue. Like, for example, does China fall into that category and because they're better represented in the new gTLD program than a lot of other regions. So we're going to make our own definitions and try to stick to them, and I'm sure that we'll get public feedback on those definitions and hopefully refine them over time.

AVRI DORIA: Thank you. And now I'd like to move to community applications with Mark Carvell, please.

MARK CARVELL: Thank you very much, Avri, and thank you very much for inviting me to take part in this cross-community discussion. It's already proving very lively and stimulating. And for those of you who don't know me, I'm the U.K. representative on the GAC, and this - - this topic of community-based gTLD applications has many aspects to it. And obviously I don't have time to cover all of those. It is an issue that's been picked up by -- by the GAC but also by others in the community. And there is indeed a community TLDs action group and the ombudsman has picked up on the experience of community-based applications in the current round. And if we -- if we look back at the -- the vision, if you like, the expected aims of the GNSO and its recommendations, it -- it saw that gT -- that community-based applications would be an integral part of the community round. But we've seen that vision not realized. The number of successful applications from communities has been very low, and there was a high percentage of rejections of community applications which were in contention. So the experience has been a very discouraging one and points to possible areas of deficiency and maybe even failure. And I think this is the time to re -- to determine really the kind of questions that need to be

asked if we are to learn from the experience and reassess the whole approach to facilitating the opportunity for community-based applications worldwide. I mean, this should have been an important element of outreach to developing countries and small island states. Where communities of business people, of farmers and so on, may well have found an unprecedented opportunity through a top-level domain to advance their economic interest. So I just cite that as one example. It also intersects with issues -- intersects with issues of rights and communities wishing to express themselves. But as I say, the experience has proved to be a very disappointing one when we've seen even the successful applicants have a really tough time pursuing their applications when they've been caught up in various processes of review and challenge that has really stretched their resources. So that's another sort of angle to this.

Anyway, I've touched on some. The ombudsman has done a report and identified issues of concern. Let's now look at the road ahead.

So I invite questions here. First of all, do you agree with the basic premise that there's been a significant failure, and what shall we do to try and identify how we can ensure that communities have a real opportunity in the future, opportunities whether it's a round or constant mechanism or whatever is decided as the preferred mechanism to give them another

chance. So I put that on the table and invite any comments and questions.

AVRI DORIA: Thank you. Okay, take a couple questions now. Please remember to introduce yourself and please remember to keep the questions short. I see two. What other questions do I see? So I see -- no. So I see a number 2. Please.

PHILIP SHEPPARD: Avri, thank you very much. It's Philip Sheppard here. Mark, I was part of the original group which helped formulate some of this policy, and certainly at that time we came up with what we felt was sort of the concept of what community was supposed to be. We did our best to make some broad definitions and we left it to implementation to finally make those decisions and that led indeed to the concept of independent panelists who review that. And I think I'm not alone in feeling that a number of those evaluations made by the panelists were just completely in the opposite direction to our original concept of what was meant by community. And frankly, my personal belief is that some of them just got it wrong. They just interpreted the wording in front of them too literally. They did not put it in context. And I feel that has been the key reason things went awry here and the community process was -- came out in a way that none of us

envisaged. And I would recommend that we go back and try to address that wording so that future panelists can understand much better the concept and not create barriers that we had never imagined in the process when we first discussed it.

AVRI DORIA: Thank you, Philip. Any other questions?

Oh, no, you wanted to --

MARK CARVELL: Thank you, Avri, and thank you, Philip, for sort of providing a bit of focus on the elements of process and interpretation and definition which have gone wrong.

And, indeed, the ombudsman has pointed out, you know, a lack of transparency and appeal process to sort of re-open a decision based on the panel.

So, yes, I agree that's certainly one area to look at.

Thank you.

AVRI DORIA: Okay. Thank you.

JEFF NEUMAN: Okay. This is Jeff Neuman. Just a comment. Thanks, Philip.

You know, you said that you thought it might be the panelist that may have gotten it wrong.

I would actually proffer that it might be the drafting of the criteria that got it wrong. I think the criteria was way too stringent. And I think the panelist actually interpreted the criteria right in a lot of cases but they weren't given any discretion to make other findings because the criteria was so tight. And it seemed to a lot of people that the process was -- because of the wording, was biased against communities.

AVRI DORIA: Thank you.

We have number 2, and then I think there was a request for a microphone down here. And so if one could come down here, and then there will be a 3. So there's a 1 and then a 3, please.

BECKY BURR: Becky Burr. Actually, I agree with Jeff. I think that the Applicant Guidebook language was recognized by a lot of people from day one to pose an incredibly high hurdle. And I think that there were lots of people who said there would be no community TLDs as a result of that.

I think that was a huge mistake and an incredibly important missed opportunity. And I really do hope we fix that.

I recognize that, you know, there's a -- it would be easy to make it way too inclusive as well, as sort of, you know, the -- it was in reaction to a community is whoever joins. But I think we got it -- we just got it wrong in the last round.

AVRI DORIA: Did you want to --

MARK CARVELL: No. That's a very succinct point. Thank you.

AVRI DORIA: Number 1.

MEGAN RICHARDS: Is that me? Does it work? Yes, it's Megan Richards for the record.

I just wanted to repeat something that Mark had said, and that is that the ombudsman report made a whole series of objective, clear identifications of issues that arose during this process. And I think that's where the first starting point should be.

And, Mark, there's one thing that you mentioned, was the success rate. And I think you said do you think that's correct or do you think this is right, but I think that's an objective and clear assessment of what actually happened.

Now we have to find a way to improve this and make it better. So it's a minor comment, but I just want to have it.

AVRI DORIA:

Thank you. And we had number 3.

EDMON CHUNG:

Yeah, Edmon Chung here. I want to make three comments on this. One, the ombudsman report, the ombudsman, while it's pretty thorough, missed a pretty important point. It's the community applications are not only supposed to be one part of the program, it's supposed to be prioritized. And that's the intent of the whole community program. And that leads into some of the other problems.

So this is a big missing part that in fact the ombudsman didn't really look into.

The second point I want to make is that it's not just the Applicant Guidebook. The Applicant Guidebook is already stringent. But the EIU interpretation of the guidebook is even

more stringent. One of the examples is that it kind of consistently requires that one particular organization is -- you know, does -- covers the entire global community, which is not what the Applicant Guidebook says but, rather, somehow the EIU decided to take that as a requirement rather than having multiple community organizations cover the entire community.

This is very strange to me, and definitely not in the Applicant Guidebook. And -- but anyway, it's applied in this round.

And the third part is -- the third comment I want to make as a follow on to that is some of the interpretation is even more absurd. Some of the interpretation is that if your community name -- and I'll use .KIDS. Community name is .KIDS, and then part of the community are children's rights organizations. So, okay. The argument is that the children's rights organizations can't be kids, so sorry, that's not part of the community. But children, obviously they can't apply for domains and they need representatives to do so, parents and children's rights organizations.

So the interpretation of the Applicant Guidebook and how that is applied is even more, you know, more absurd. So that part also cannot be rectified in this particular round, but next round definitely needs something to be done there.

Thank you.

MARK CARVELL: Yes, thank you very much, Edmon. That's a very helpful comment, too.

I think if I wrap up, I just sort of take away two important aspects of this; that the prioritization had completely the opposite effect. It became a kind of barrier. This is obviously a complete dysfunctional setup.

And then, secondly, how it was interpreted in the process had deficiencies, too. Lack of appeal and transparency, and so on.

But did somebody else want a question? Sorry. I jumped the gun.

AVRI DORIA: I had already considered third the last, but then I guess five gets in there, and then we do have the last and move on to another topic.

So please introduce yourself and make it very brief.

WERNER STAUB: Werner Staub from CORE again.

Communities have -- the definition was misunderstood at some point. I think that happened in the guidebook. And there was

this concept of delineation that was introduced which is also unclear, and some people then interpreted this as a community is defined by whoever it excludes, which is nonsense. But let's say nobody would actually say, "I'm a community who defines by those who are not supposed to be inside." That could happen but that's not the definition of community.

However, what you failed to recognize is something that has been documented from the beginning in ICANN, which is a community is actually defined by its lines of accountability. That's what's supposed to be a community. It can actually be defined even later on. You can be an accountable party serving a community, and there is one litmus test on whether you're accountable; that is, when you can be removed. That is when you are accountable.

AVRI DORIA:

Thank you.

And now I'd like to move on to promoting applications from underserved regions/developing countries. Cheryl Langdon-Orr. Please.

CHERYL LANGDON ORR:

Right-oh. Let's take a little temperature in the room. My name is Cheryl Langdon-Orr, and I assume if you don't know me, you will

have access to Google in the near future and you can look me up, and that's what I'd advise you do.

Would you be so kind, ladies and gentlemen, as to just raise your hand if any of you, regardless of how we define underserved regions and communities, believe it is not a good idea to actively promote new gTLD programs to these groups. However they're defined. Is there anyone who is willing? I'm hoping that one of you might be brave, but we will take names and addresses.

Is anyone going to state here that you believe it is not a good idea to actively promote and work ways to promote these new gTLDs to the, however it's defined, underserved regions and communities? I have one.

Two? Okay. Fine. Three.

I want to come back to that question when we finish off to see if some of the arguments can change that mind. Because if we all agreed, then we didn't need to have much more of a conversation. So there are a number much people who may be undecided but we certainly have some brave souls who feel it is not a good idea. So you might now want to think about your questions and your statements to see if you can convince any of those people to not put their hand up and make a rationale at the end of this.

Now, Alice you're the lead, are you not, for GAC for this topic?

Can I get a microphone to Alice, number 4, please? Because rather than hear from me, if we could just have a little a rationale on why I assume you think it is a good idea to promote to underdeveloped.

ALICE MUNYUA:

Thank you very much. Alice Munyua here. I'm co-chair of the underserved GAC working group. I haven't really gotten myself on speed with this Cross-Community Working Group, but one -- there are several issues. And I think we've articulated them in various GAC documents, starting all the way from the GAC scorecard that had very specific recommendations regarding the need for support for underserved regions, both in terms of capacity building, in terms of financial support, in terms of just reviewing some of the requirements for registrars to be able to apply to -- apply for new gTLDs. And now from the experience we've seen with the last -- the last one, I think we had 1,900 and only 17 came from developing countries. And then out of those, I think in the Africa region, only three have been delegated. Three. One of them, which is quite infamous, is caught up in an issue that is quite mind boggling, and I'm not going to get into that discussion, but I think it's an important discussion to get into in terms of how we develop the framework for the next

round because it's extremely important that this does not happen again.

Some of the challenges I think have already been experienced by a number of the registrars that operate in some of the underserved regions, and so we have those quite clear. So I think what I'll do is refer you all to some of the GAC documents that have already been developed on this issue. Thank you.

CHERYL LANGDON ORR: Fantastic. Thank you.

So you've heard some of the yea argument, and if you agree with that yea argument, you don't need to put your hand up and just say, "Me, too." But now I would like to find out from the audience is there some other view or some specific comments that someone would like to make. Make yourself known. We will come to the noes in a moment.

Back in the back, please. Can I have number 3 over there, please. Because this isn't hearing about the work group. It's about hearing your views to help us do our work.

DONNA AUSTIN: Thanks, Cheryl. Donna Austin from NeuStar.

I'm curious as to understand what we mean by promote applications from underserved regions, because, you know, if you're talking about a campaign that, you know, gets to the underserved regions to say this is a new gTLD program, we think there's some value in you applying for this TLD because it can do XYZ, that's one thing.

If you're talking about an assumption that applications from underserved regions is going to do those things for you, I think that's the wrong assumption. And I think we've proved -- certainly there's a lot of work that has been done in the Middle East to establish infrastructure or a support network that can assist underserved regions in improving access to the skills, information, whatever they need to kind of support a domain name -- the domain name industry in that area.

So I think I'd like a little bit more explanation about what you mean by promoting applications from underserved regions because this is really complex. It's not -- Having a TLD isn't going to fix all the problems that are in that region. So I would like to understand what we mean by that before we get too carried away by the idea.

Thanks.

CHERYL LANGDON ORR: If I may, of course. This is a piece of work that's coming up next and part of the conversation will be to explore exactly that. But just to put a little bit of thought process and get some of the juices going for you to all think about this, for example, we had the Applicant Support Program that was exercised at the end, very late in the process, last time. Now, I'm not suggesting we discuss the relative merits or successes or failures of that, but that's an example of what may be seen as something to be pursued or may not. But we need to think about consequences including of those sorts of programs.

Who have we got next, Avri?

AVRI DORIA: I don't know, but we're almost out of time. So if we can get one of the people that objected to the notion of serving -- The first hand I saw was number 2 there. So, please.

LORI SCHULMAN: Yes, this is Lori Schulman, for the record. I'm speaking in purely a personal capacity, but my statement of interest is I'm with the IPC and I represent the International Trademark Association. But again, I'm speaking in a personal capacity.

I have a real problem with that generalized statement because the new gTLD program has had a lot of stumbling blocks. There's been a lot of failures.

We would be marketing a program that is very expensive to get into, and I have a real problem marketing something without understanding how to monetize and make the business work.

So until we can provide technical support or get some pool of expertise, I do not want to see any developing nation invest what it takes to get a name that may or may not be delegated; again, for the reasons we stated about the problems with the community applications.

CHERYL LANGDON ORR: So not setting up for failure would be a very wise thing, I take it.

AVRI DORIA: At this point, with only 13 minutes left to the session, I'd really like to at least get the other people that we've invited up here to speak their piece. Although I really like the fact that we had a conversation, and afterwards I'm going to say an hour and a half for these sessions is probably inadequate.

The next one I had, though, was geographic names and other names of public interest. Susan, if you could give us the introduction to that theme.

SUSAN PAYNE:

Yeah. Thank you. So my a name Susan Payne. I'm a member of the PDP working group. I'm coming from the GNSO, and my job is to just really introduce the subject and throw it open to you; in particular, in relation related to country and territory names and country codes. I'm talking here about the second level. We already dealt with the top level when Heather was speaking, so this is particularly around the names at the second level.

And we know that the Registry Agreement represents what the current position is in the current policy where if it's a country or territory name, it requires the agreement of the relevant government and the approval of ICANN. There have been a few countries who have said actually, We're fine, we have given blanket approval and a number who perhaps have said, Okay, we're fine with some approval, maybe brand TLDs but not for everyone.

So country names, there's a particular treatment of those in relation to the two-letter country codes. The treatment is slightly different, although there is a similarity to it. There is two different ways in which the names might be released for use, but

with the general principle in both of these cases being that the names of reserved from being used. So if you want to use them, you either need the agreement of the relevant government and the country code manager or you implement measures to avoid confusion with the relevant corresponding country code and ICANN agrees to those measures.

And, again, we already know -- I mean, those of us who have been dealing in this area, there is a process going through at the moment dealing with how do we address the confusion point.

But I want to throw it open to people for their views and really to go back to the basics of these are obviously non-exhaustive questions. But, you know, really what are we protecting here? And why are we protecting country names and the two-letter codes? I'm assuming that the answer from some of the people who feel they need protecting is it's to avoid confusion. But if you think it's for a different reason, please, you know, let us have your views.

And if it is to avoid confusion, then what is this confusion? And, particularly, if we think about some examples, you know, spain.movie, sorry, just to take an example, what's confusing about spain.movie or it.korea or my.bbc? What is the confusion? What are we trying to protect? And think about is the confusion - - or is the protection needed across the board, or does it depend

on the type of TLD, the actual string? Is it the particular string that's the issue, or is it a particular type of TLD needs certain treatment and a different type of TLD such as a brand needs different treatment? And is it relevant what use is being made?

So we heard yesterday from the Netherlands GAC representative who said de.nl is in use in his country, and it is the brand site for Douwe Egberts, which is a coffee company. It's not Germany. And he thinks in his case there was no confusion with that.

So in that kind of situation, where is the concern? And this is me stopping now and throwing it open to everyone else.

AVRI DORIA:

Thank you. But what I'm going to do is actually ask one more person to give their introduction, which is on safeguards and public interest commitments. And then we'll basically open up the rest of the time to discussion on the two. And we'll have to serve brands and stuff up next day. We only have six minutes left.

ALAN GREENBERG:

Thank you, Avri. I thought you were going to let me start talking after the session opened and after the bar was open. So thank you for giving me the four minutes.

AVRI DORIA: You've got two minutes.

ALAN GREENBERG: Thank you for giving me the two minutes.

The story is relatively simple. In the GAC's Beijing communique, they identified about 45 strings that they believed needed specific safeguards because they were associated with highly regulated industries or activities in most countries.

They requested eight specific safeguards on those TLDs. The board implemented six of them, did not implement two of them, at least did not fully implement two of them specifically related to verification and validation of credentials.

The ALAC strongly supported that type of activity, although we were not 100% supportive of the very specifics. But we have been working together with the GAC for quite a long time now and also parts of the business constituency.

The real issue is that we believe that some of those TLDs, some of those strings, if they have no protections whatsoever, there is potential for consumer harm. Some of those TLDs -- and .BANK is one of the examples -- voluntarily built -- voluntarily does

verify and validate credentials. And they built a business model around that, that included the cost of doing that.

Other TLDs, a significant number of the 40-odd strings, also did some level of validation or verification. Some do not. The real problem at this point is going forward in answering question: Do we need some level of verification validation of those types of TLDs in a future round or however we release them? And it's a difficult problem.

We may in the near future have some statistics for the TLDs that did not do any verification. Are we finding examples of harm? That's something we might be able to measure, although the uptake of some of these TLDs is slow enough that it may be difficult.

The real challenge is on the TLDs, on the registries that did implement some sort of verification or validation or control. You can't measure the potential harm that would have happened if they hadn't. And, yet, we may go into issuance of future TLDs without a requirement to do any verification validation. And, therefore, again, we're in a situation where we then have to wait patiently for a few years and see if there's a lot of harm.

So we are hoping that through either the AoC review or the gTLD PDP that somehow we evaluate the ones that we know about now, the ones that were identified by the GAC, decide which

ones were just overreach and we shouldn't have included them in the list, and also look at ones to see whether there is, indeed, a reason that we might want to protect certain strings. And then we need a process for deciding how to protect them and a predictable process so people can apply for these TLDs and not find out after the fact that they have a huge cost associated with running these TLDs which they didn't know about when they built their business model. Thank you.

AVRI DORIA:

Thanks. We've got five minutes left. I'd like to open it up to another question or two, if we can get them in the moments.

So I have one in the front here. Number 2. And, please, introduce yourself and keep the question short. And then one back then.

SPAIN:

Thank you. My name is Gema Campillos. I come from Spain. I'm GAC representative for that country.

It's not a question. It's a reply to the question raised by the lady. I don't know her name. Susan.

You asked about the reasons why there is a protection in the Applicant Guidebook for two-letter codes and also for country

names. You're right, it's one of the reasons that it's confusion, but I cannot, of course -- I cannot give an interpretation of the intentions of the community when they wrote the Applicant Guidebook, but I can tell you about other possible reasons. One of them being that they are identifiers for countries for the people that live in those countries, and a good number of governments think that they should have the right to decide what use those identifiers should be given. This is one reason.

Another one could relate to their use in relationship with certain TLDs. There are some sensitive TLDs related to religion, related to sexual behavior. In some countries they have laws that forbid certain behaviors. And they would not like to see the country code or the name of the country under those TLDs. And there are other countries feel that if they see the country code or the name of the country under the name of another geo name, especially if it's a city or a region, they can be -- use the kind of thing that it's a province of that country and not a country of its own. So these are more or less the reasons that countries have expressed in their comments for their reasons. Thank you.

AVRI DORIA:

Thank you. Got number 5. Yeah.

NICOLA TRELOAR:

Thank you. Nicola Treloar from the New Zealand government. Just also answering the question on what the issues may be with the use of country codes. For us it's both the string and its use. We don't think we have an exclusive right to the use of these two letters in a combination. We don't think we're the only stakeholder that may have an interest in using our country name. But our concern is when there is confusion with the country code or in the case of a small number of countries like New Zealand who use the two-letter code as a short name for their country are confusion with the government website. So we see confusion, and the only place that we've objected really, Army, Navy, and Air Force domain names. This is a moderated domain within .NZ so there's a possibility of confusion with the .NZ third level -- I'm sorry, top level and there's also a possibility of confusion with the government because we actually use the term "NZ Army" to refer to our Army.

However, we do know that there are some uses for this country code with these domains that may not be risking for confusion. They may be uses for history of the New Zealand Army. There may be uses for the Army itself. They may want to have access to it. So our concern is that when we talk about mitigation measures we do look at things that will adequately address the specific risk for the specific string and how it's being used.

AVRI DORIA: Thank you. At this point -- okay. We'll get one -- there was -- I mean, basically we've got two minutes left and I have one more slide to put up, so if -- Kavouss, if you can give us a quick -- and can you put up slide 24, please? I don't have time for them. Okay.

IRAN: Yes. I want to emphasize -- Kavouss Arestah from Iran. I want to emphasize what Gema says. There are gTLDs which is -- or TLDs, sorry, that are very sensitive in one sense or another. She gave two examples. There might be other examples. Some countries their national law legislation does not allow that the country name be associated with those sensitive in one way or the other. So you cannot ignore the national law and the national legislations. This is one point.

The other point is resale. You have given, Susan, a good example. Hema gave a sensitive example of that. That is very important. And then you refer to the agreement. What's agreement constitute? If somebody does not reply within 60 days, does it mean it's agreed? No, it does not agree because has no manpower to do the reply. So we should really seriously think of this sensitivity religiously or in other way around. This is very, very important. Thank you.

AVRI DORIA: Thank you. And with apologies to everyone that didn't get to speak, we've hit the hour. We have two more meetings tomorrow. They're displayed up there. And one thing we've shown is we've got a lot of complex issues to talk about and we need a lot more time to talk about them. So please participate. What, you had a very quick thing, you really needed to say? Please, go ahead.

UNKNOWN SPEAKER: Merci, madam. Thank you very much, madam. I'm sorry for going back to the same topic. I will be very brief in my comment, 30 seconds. When it comes to geo names and country codes, I would like to say the following: I would like to go back to .AFRICA which is something that is worrying us.

There was a problem with .AFRICA. We sent lists from all African countries and we presented it in an official manner. And after that registries told us that there was a very high fee to pay. So there is this difficulty in terms of pricing.

And secondly, we were told that for the arbitration of .AFRICA the jurisdiction to apply was the California jurisdiction. And in this sense this was a second difficulty.

AVRI DORIA: Thank you.

[END OF TRANSCRIPTION]