
ICANN76 | CF – GNSO: RySG Wrap Up Session
Thursday, March 16, 2023 – 09:00 to 10:00 CUN

SUE SCHULER:

Okay. We'll be starting now. Can we please start the recording?

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BETH BACON: Good morning, everyone. This is Beth Bacon. Welcome to the Registry Wrap-Up session. We have a few updates on here. They look as if they are repetitive from our last meeting, but those groups have met again since we've spoken and have some insights to share. So we will just jump right in and we'll listen to Karen for an SOI update. Karen seems surprised that she is going to give an SOI update.

KAREN DAY: For the record, I'm just surprised that I'm up first. Good morning, everyone. We've had many, I think, productive conversations on the topic of the SOI. During the week, we had a small team meeting yesterday and we actually had a constituency come to participate that had been invited to the table at the beginning of the process but had not found bandwidth to participate up until then. So that's good. We're getting more people aware and involved.

As I understand it now, we're to expect some proposed wording changes perhaps coming from the IPC constituency in the week or two following the meeting. We'll take a look at that. If at that point I think we're still sort of stuck on this exemption issue, my understanding is that each constituency will sort of write a position statement of how we came to our position, where we are, those will be forwarded to council's CCOICI team for review and next steps. So that's where we are right now. I think it's been a good week on the subject. I think we've made progress and I'm hopeful.

BETH BACON: Thanks, Karen. Marc, you're in the queue.

MARC ANDERSON: Hi. Karen, thank you again for your continued work on this one. I have maybe a clarifying question I'd like to ask and it's a little bit of a follow-up from yesterday's joint session with the CSG. James in his update said something that surprised me a little bit. He indicated that if there was a representative PDP and you were assigned as a representative of your stakeholder group, then the obligation to indicate who you represent would not apply, because in theory, you're just representing your stakeholder group. That caught me off guard. That wasn't quite how I understood it and surprised me a little bit. So it was wondering if you could maybe clarify. Do I understand that correctly? Is that accurate?

KAREN DAY: Yes. You do understand that correctly, but there's an additional layer. In fact, we've already been talking about it in our ExCom. The part B of the SOI for the group itself, you would put that you are representative of your constituency. What we want to encourage is that the constituencies that appoint the representatives do that due diligence themselves and ask those questions in perhaps their own part B when they send out a call for representatives so that for us in the Registry as the ExCom, we can look at the answers and that level of detail and ensure that we appoint a representative that is truly going to represent the interests of the entire stakeholder group and not any one particular interest. So while at the policy level, yes, that's right. We

are very hopeful and encouraging of those that appoint the representatives to use the Part B to help them in their appointments.

BETH BACON: Alan?

ALAN WOODS: Thank you very much. Obviously, I heard that yesterday as well. Thank you for the extra information there, Karen. There's the other element in the SOI as well where it talks about, do you have any type of material interest in ICANN GNSO policy development process and outcomes, which, let's be honest, is a very indirect way of saying why are you in this policy process? What are you expecting as an outcome? And do you have an interest in it? Like for the record, from my one, I put down I work for Identity Digital and that we are involved in that because we are a registry operator. So are you planning on keeping that sort of level of questioning as well, that question?

KAREN DAY: Yes.

ALAN WOODS: Thank you.

BETH BACON: Say what?

ALAN WOODS: She said yes.

BETH BACON: Yes. Karen said yes. For those on the record. Thank you. So anyone else in the queue? Any other comments or questions on the SOI work? I think maybe the last question is you said it's going to go to the CCOICI. Can we as Registries—I know we spoke a little bit about this during our call or meeting on Tuesday—make a solid recommendation that the CCOICI make an actual recommendation from the information they receive so that it doesn't just get kind of fizzled out at the top when it gets to Council.

KAREN DAY: Yes. I don't see any reason we can't include that. Yes.

BETH BACON: Thanks very much. All right. Last call. Okay. Let's move on to Sophie with an update on closed generics. Sophie gives a warning, I suppose, on Tuesday and is now coming back with an update.

SOPHIE HEY: Thanks, Beth. It's a far more optimistic update than what I gave on Tuesday. It's a very good reminder where we all come to these meetings and have the opportunity to chat. So despite it being an ATM meeting this morning, the coffee seems to have been spiked with something to make us all a lot more collegial. So it was definitely a more productive meeting.

So where we're at we've had some discussions throughout the week, and you've probably heard it being discussed in the GAC about what we want to maybe reserve that right to basically say, "No, we don't like the outcome." But this morning, it was made very clear that that's not from the people who we're trying to have that facilitated dialogue with. They're trying to do some good—we're probably not going to come up with some perfect magical solution. But they are there and they're looking to come up with something cooperative. We've managed to come down to an approach where we're going to have this sort of executive summary to try and summarize where we're at for what we think such a framework would look like. And that's what will be delivered, as far as I'm aware, on to the GNSO Council. So my warning from the other day still stands. I think it's going to be important for our councilors to start thinking about how we're going to be handling those outputs, because the Board has also indicated that we're now on a bit of a timeline to ICANN77 in D.C., if not delivering something having a very specific timeframe to get that done.

I feel like I'm jumping ahead a little bit, but from my own perspective and sort of building on the kumbaya feeling in the room this morning, it would be nice, I think, if in the Output document—I'm again obviously putting my hand up to draft the language to say, "Yes, we're committed to this multistakeholder process and seeing what we can get out of this to come to some kind of a compromise on the issue." I understand if people are a bit funny and it's a very last-minute request, but that would be my ask and simultaneously my offer to draft that language.

BETH BACON:

Thanks so much, Sophie, and thank you for spending so much time on that for us and giving us updates as best you can, considering your restraints with Chatham House rule. So I've gone ahead and under the Community Policy Work Updates at the bottom of our Output document, I've just put in closed generics, so if you want to add a few bullets there, just on those work product updates, that would be great. I really appreciate it.

I don't see any questions or hands in the queue. But I did see some discussion in the GAC communiqué drafting on the subject of closed generics. So if you want to keep an eye to that, I know that the folks that you're working with in the actual dialogues are I'm sure trying to keep that as positive as possible. But something to keep an eye on.

SOPHIE HEY:

Just to respond to that quickly, they definitely have an eye on it. They've been very quick to run up to me in the hole and say, "We're sorry, it's not us. We're doing our best to make it positive as an outcome." But yes, thank you for flagging that. But yeah, my general sense is we want something good from this. Again, please, if anyone hears anything, you're very welcome to tell them to come talk to me. And if anyone else wants to talk and try and get a bit of an understanding of whatever reason, you feel a bit shy on the record, whatever, I'm very open and happy to have those discussions.

BETH BACON: Thanks so much. All right. Last call for questions on this topic. I don't see anyone in the Zoom Room, or hands. Okay.

So this is ICANN meeting, the Brand Registry group and the Geo TLD group both held some productive sessions. We are going to turn to, first, Crews to get an update on the outputs of what you guys discussed.

CREWS GORE: Thank you so much. Crews Gore here for the record, president of the Brand Registry group. So we had our session on Saturday morning, which feels like forever. But during the session, we came up with a proposal that—you can see around the room, I laid out some flyers, and you can find it on our website, brandregistrygroup.org. We named it Option 2A proposal based off of the two options that the ODA recommended for subsequent procedures. Basically, in this proposal, we lay out five different pillars and six key recommendations where we feel they're simple and great recommendations that can be used. This is not written in stone and we're having an open dialogue about this. So we really wanted the community's feedback on this and just get the conversation going, because in those two proposals, the implementation plan is costing upwards of \$400 million to build the system, which seems like a huge number to me. We have so many existing systems that we can leverage to help this implementation. And the application fee itself, quoting, we thought \$185,000 was a lot in the 2012 round, and now it's jumping upwards of \$270,000 per application, when we really thought it was going to go the opposite way and make it more affordable for everyone.

So in this proposal, we do recommend that the fee be lowered to \$100,000 per application. And from that, it's basically an ala carte model where the base application is \$100,000. It makes it a lot easier for those applications that are straightforward. They're not going to have a contingency or litigation to go smoothly forward through the process without hassle. Now, those TLDs that are going to have litigation and some issues contingency throughout the process, ICANN would then charge extra fees on top of that to be able to go to the next step in trying to acquire your TLD. So it makes sense that those straightforward TLDs would not have to pay for the issues that those contingent TLDs are going to have to pay for.

Another thing in this proposal is making the application process a lot easier. Questions 1 through 18 with the administrative questions are straightforward and those make sense. And with that, we propose that you move forward with the administrative questions, you pay your application fee, and you hold off on the technical and financial information. The technical information, if you can't remember, it was just a large amount of copying and paste or just long strings of being able to verify your backend registry provider. Now that we have those core registry providers and we should be able to leverage that that you're able to select which one you're planning to use without giving all that long information and data in the application process.

So this proposal, like I said, you can find around the room, find online. It's just basic recommendations that I think is not just beneficial to .brands. It makes sense for Geos, it makes sense for generics, those straightforward extensions that are ready to move forward with the

next round. So yeah, if you have any questions, feel free to come up and talk to me. You can find more information online. Thank you.

BETH BACON:

Any questions or comments for Crews? Nacho?

NACHO AMADOZ:

It's not a question but a comment before going to proceed with our own update, which is that the session was super good. It just makes sense to discuss about these things. And they can be beneficial to many different applicants, but it is beneficial for the common sense to say how can a process that we did 12 years ago be double the price and be much more expensive and inflation and COVID and whatever, but that doesn't make any sense. So the way to approach this issue to present a proposal to discuss how could this proposal be dealt with, it's what I think that we should be here for. So I think that the session was very, very productive, and very, very, very, very good to have on the agenda and to have the people around, think about the issues and say, "We may disagree or agree with this concrete proposal, whatever. But let's talk about making this thing simpler."

BETH BACON:

Just a reminder that folks—Karen, I think you sent the proposal around right before we traveled? Yes? Okay. So if folks haven't had a chance to take a look at that, it is in the e-mail, we can try and send that again if anyone has any questions. Okay. I don't see any hands. Let's go to Nacho for our Geo TLD update.

NACHO AMADOZ:

Thank you. We had the Geo TLD NIS2 session again on Saturday, which feels like a long time ago. Our approach to the session I think was similar to what we just heard from the Brand group, which is to engage anyone that is interested in the topic in a discussion about what could we do to make things a bit better. In our case, we had to be careful not to make it sound as if we were calling for the development of ICANN policy, because we understand that it's not the topic and there is not a need, and that it would be detrimental to what we wanted to achieve. And what we want to achieve with that is that we have a conversation that includes everyone as to how to approach national regulators, be that through the GAC representatives that we need to work with or through approaching directly the European national regulators each of ours in our own jurisdiction, to let them know that it is fundamental for us as agents of the DNS industry not to have a multitude of different implementation regimes that create difficulties for the registration procedure. We don't have any specific solution in mind that we want to push. What we wanted to have is everybody aware that we should start doing this before it's too late. Now, this doesn't need to be alarming because it's not too late and we're still away from getting to the end date of the directive transposition and implementation, which, if I'm not wrong, is one year and a half away. But we should start discussing about what could be the kind of proposal that we want to push.

We are overall very satisfied with how the session went. We had very good interventions from the panel. We had Elena Plexida, the vice president of Government Engagement from ICANN. We had Thomas

Rickert, which is a member of the GNSO Council and director of domain names of eco, the German Internet Association. We have [inaudible], which is, as he says, a dinosaur within ICANN but well-respected voice in terms of policy and interaction with the Commission because he worked there for some time. We had some very good interventions from members of the audience, which is what we really wanted to get.

But we'll see once we take it from here. This doesn't need to be a Geo TLD group effort only or necessarily. We are happy to have everyone, not join us because this is not something that affects only us, but create some kind of forum where we discuss what can we do to avoid that disaster in having this multitude of implementation regimes that could only be a problem for Registrars and Registries that need to have different approaches to what they do when they collect data and transfer data. So any proposal to work together and get this within the ICANN meeting's framework, because it's not something that we think needs to be within the ICANN remit. But the ICANN meetings are also a good place where we can meet because it's where we are already together. But we can do that outside too, it will be super, super welcome.

BETH BACON:

Thanks, Nacho, very much. I don't see any hands in the queue. Anyone? Questions or comments for Nacho? Okay. So we'll move on to covering the Registry Output document, as we noted for Sophie, we added just a designated bullet for her down in the current policy work updates. That is somewhere that you can go in if you've been working

on a PDP and you just want to add a little status report, that's very acceptable but also not required. Again, this is supposed to be quite a tight document. We're just trying to highlight our positions on items that have been a priority for the Registry Stakeholder Group as we've gone through the meeting.

To recap, just noting—thank you, Sue, for putting that up—you'll note that I have not done my work on that first section that's assigned to me, this will just be some general observations. We then have DNS abuse, Alan has kindly filled quite a bit out there, and he's working on it. He said it's a draft. Then we have a section for Statements of Interest, and Karen will also do.

Again, as a reminder, we aren't going to draft this and then just lob it out into the world. We're clean it up and we'll send it around to the Registry Stakeholder Group list for input and edits. We would never put something with the Registry Stakeholder Group name on it on the website or out in the world without clearance from all of you.

Does anyone have any questions? Has anything come up during the meeting themes or comments, another issue that you think we might—if there's something that's future-looking, we could always add a section at the bottom that says things that we're thinking about, that we would like to add. Again, you'll have time when this comes around to edit as well.

Oh, it's perfect already? Good to know. Okay. So again, you can find the link on the Public Comments page where you can find all of our Google Docs. So let's go back to the agenda, Sue, if we could. Thank you.

So Seb has noted in the chat that he has a SubPro update for us. So we're going to turn to Seb. Are you able to join online Seb?

SEBASTIEN DUCOS: I am here and I hope you can hear me.

BETH BACON: Yes.

SEBASTIEN DUCOS: It's not so much an update than several call for help. It's come to our attention, Greg and I, that whilst we're trying to form a small team to review the 38 points that the Board brought back to Council and asking some resolution on, out of our six councilors, we don't have anybody that is really deeply versed into SubPro. We've all read the reports and etc., but I'm talking about people that would have lived and registered for five years. You all know that Becky and Avri, you've got enough knowledge of the topic. When they have questions, it's really deep questions. It's not a "Have you misinterpreted when I commented it?" or whether the period ended, it's much more sort of deeper knowledge of the piece. Out of our six CPH councilors plus one with Desiree on the NomCom, we don't seem to have anybody that has gone through that experience. So we will very much want your help on this.

At this stage today, after having discussed how we are going to form the small team for two, three sessions, the only hands that we have up are non-contracted parties. It's basically a number of people that were

close to the IPC who did follow the work and are going to be great because they have the knowledge and etc. It's a number of people from the non-commercials. Frankly, I don't know what their deep level of knowledge is. We know that they'll have opinions on a number of those topics. A hesitant, friendly hand from my good friend Nacho Amadoz about participating. I don't know, Nacho, I'm seeing you on the camera right now, I don't know that you feel that you have the full knowledge of the whole piece to be able to represent it single-handedly.

So I strongly encourage all the people on the Registry Stakeholder Group, who have participated for these nominees, to please raise your hand and come forward. We will also, by the way, need you for the IRT, which is something that we will likely discuss today on the council. But we definitely need you for this.

Now, immediately, the small team, which is starting to gel as we speak, the small team will first look at an effort of sorting and triaging all those 38 questions to figure out what can be handled really quickly, because there's easy misunderstanding that can be resolved and what will need further work. I don't expect a deep knowledge for that phase. But within two or three weeks, we will need that sort of more in depth knowledge. I will need your help to ramp up our councilors for this. Thanks.

BETH BACON:

Thanks very much, Seb. We call on Nacho and I see he's ready. If you don't mind, Nacho, I have just a couple of clarifying questions. I'm not sure everyone has been steeped in the GNSO discussions. My

understanding is that there is that small Triage group to try to decide what works, and that will just be councilors, and then it will be expanded out into a larger team to do the actual small team work. What you're asking for immediately is someone to help with the Triage team. No?

SEBASTIEN DUCOS:

No, vice versa. No, it looks like the extended work at this point, the notion is that it will be councilors and for multiple reasons. But because if we extend beyond councilors, we're going to start finding ourselves with all levels of the community wanting to actively participate in it, and right now the view is that that might not help the process. I know it's not a shared view by everybody, including by Jeff who's just been named by Maxim here. So the idea will be that it will be councilors doing the work, and that's the help called.

The Triage part, I'm less worried about it because it's going to be very, very logical. And if there is any sort of contention, it'll have to be looked after in that second phase. Everything that is easy and contentious, simple, can be handled without with a particular political background. It's the rest that I'm more worried about.

BETH BACON:

Thanks, Seb. I think the technical term is bananas. I think it's a little bananas that we don't have anyone on the Council from a contracted party already. I mean, we're going to make Nacho do it because he's feeling the pain of peer pressure as I stare at him, and we will help you, I promise. But I think it's SubPro, its very next round for contracted

parties. So I think that it would be again bananas if we didn't have representation. This is a decision of Council, obviously. It seems limiting perhaps, especially if we're already encountering issues with expertise levels or just experience if it's not even expertise, that we might limit it to councilors, but we can form a support team for behind folks.

For the Triage, I meant if it's going to identify those things that are dependent, I would think it was still important that I don't think you're trying to minimize it. But I think we should make sure that we are also focused on that Triage section. So I'm going to turn to Nacho, now that we've voluntold him.

NACHO AMADOZ:

We put some humor into it because otherwise we're going to get crazy. I'm not super well-versed but I think that by the time the discussions about them, these points are over, so I'm happy to be involved. If someone defines to me what Triage is because we've had discussions about what Triage means. I think that is putting a lot of effort into trying to find the balance between what everybody is saying and to try to make it more forward. So I'm happy to get involved but I would probably need help from you guys. So you have to be there for me too, right? Thank you.

SEBASTIEN DUCOS:

For the record, I'm happy to. By the way, Nacho, it's not just sending you to the coalface by yourself. I will be there with you.

NACHO AMADOZ: Thank you, Seb. So what do I do now? I just volunteer as everyone interested is doing in the GNSO. And then we'll start with the Triage part of the clinical say or what?

SEBASTIEN DUCOS: Yeah. I assume that that will be how we do it. But very frankly—and I agree with you, Beth. I'm certainly not underestimating the effort on Triage and the required knowledge on it. My only assumption is that if there is any hesitation, any convention, anything that is not plainly clear as to how to handle it, it will be done that second phase. It'll be very logical at this early first stage.

BETH BACON: All right. Thank you very much, Seb, for the update and flagging this for us. Thank you, Nacho, for bending to our collective will. I really appreciate it.

As a brief update, the ExComs had the opportunity to have a quick lunch with our Registry and Registrar Board representatives yesterday, and it was very candid, very helpful conversation. It was a “what if” scenario of a SubPro recommendation and how that might impact bylaws and bylaws changes. So I think that we can expect that this will be impactful work from the small team and it's not going to be just what goes in the Applicant Guidebook. There are repercussions for decisions that are made. So I'm just going to put out the call. We will start getting a support team ready to help Nacho, but for folks to start brushing up on the gentle 420-page read of the SubPro recommendations and just refresh what we've been talking about. I

will say the Registries have been vocal on moving SubPro forward. So if we now have it moving forward and aren't able to participate in a way that is meaningful, I think that's going to be, for lack of a better term, a really bad look. And it's also going to impact us as well as future registries and applicants, which is not great. So we have to make sure we do a good job. Any other comments, questions? Sebastian, your hand is still up. Is that new or old?

SEBASTIEN DUCOS:

It's a new hand. On another note—and I want to be very careful about this because I have absolutely zero confirmation—but as you know, the Council has been quite vocal in making sure that the Board or whoever else is involved will be able to determine this year a date for the new launch. I have no idea what that date will be and etc. But I am understanding that we're getting closer to this, that it will be indeed feasible possible, or everybody will put all efforts to making sure that we have a date. Again, this doesn't mean that it'll be for the 1st of January 2024, it'll be a later date. But at least we'll have a target date to all shoot for. And particularly for those that are interested in developing the market for this next round, a sort of a launch pad to know where to work towards, which I personally think is excellent news. I'll wait to actually have a date and hear it as a final. But I think that the fact that everybody understood that that is also a key landmark for us is important. Thanks.

BETH BACON:

Thanks very much, Sebastian. Any other questions or comments? I just looked over and saw that Nigel looked like he was regretting his life choices. All right. I don't see any other heads in the queue.

We'll move to AOB. Does anyone have any other questions, comments? Looking behind me. Okay, well, I'm very happy to give you about 23 minutes back to your day. I hope you'll use it to get coffee and a snack. We did it. Oh, 23 minutes to do the document? Thank you, Alan. Just close with a big thank you for all of your work during this meeting. I think the Registries have been super well represented. All of our issues of importance have actually been picked up by the community. So I think that's great work and shows that we have done really good preparation and I keep saying we keep having short meetings because it's easy when we're all on the same page. So I really appreciate everyone's work and hope you guys have safe travels home.

SUE SCHULER:

Thank you, Beth. We can end the recording.

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