
ICANN77 | PF – GNSO: RySG Membership Meeting
Monday, June 12 2023 – 09:00 to 10:15 DCA

SUE SCHULER:

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SAM DEMETRIOU:

Thanks so much, Sue. ICANN meetings come with as many terms and conditions as my iPhone now does, so that's fun. Good morning,

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everyone. Thanks for being here. Welcome to the Registries Stakeholder Group meeting, as Sue mentioned, and hello to everyone who's online. Thank you for joining us today.

We've got the agenda for today's meeting up on the screen. The primary thing we're going to use today's meeting for, since this is the policy forum for 2023, is we're going to do some spotlights onto some of the current policy topic areas that are going to be really focused on here at ICANN 77.

This looks, for folks who dial into our biweekly membership meetings, looks fairly similar to the topics we cover week in and week out, but I've asked the topic leads to really kind of focus on, A, what registries need to know about for this particular ICANN meeting, what's coming up ahead, and really areas of these policy topics that directly impact registry operators. So hopefully you guys will get a lot of value out of these deep dives that we do today.

We've also got a couple of other just kind of general items for update, and then we'll pivot to a preview of the council meeting, and in the remaining time we'll do a little preview of the DNS abuse amendment outreach session that is scheduled for tomorrow. So I think with that, we don't need to spend too much time on intros. We are going to start with just a brief update from the Roles and Responsibilities Working Group. This is the working group that has been focused on the data processing specifications between ICANN Org and the contracted parties, which has been part of the registration data policy recommendations that are still under implementation. You guys all set?

ALAN WOODS:

Thank you very much. So, yes, as you will be aware, we had a session, God, it was last month, to update people on where we had been on this process of the roles and responsibilities, which is the setting of a data protection agreement with ICANN for both registries and registrars. It has clearly been a long process, and we have engaged in an awful lot of back and forth with ICANN on this, and it had gotten to a point at the last ICANN meeting where, unfortunately, we believed that we were fast approaching a place where the parties were just avoiding agreement. Basically, we were not on the same page at all.

We did one final, I suppose, back and forth between ourselves and ICANN, and we did update the registrars, updated the registrar stakeholder group. We updated the Registries Stakeholder Group just as to where we were at and why we were at that place. And since then, we have received what is, in effect, a compromise statement from ICANN. We are currently reviewing that compromise statement. I suppose the words to use are cautiously optimistic. There was definitely movement that we had not seen before within that.

So what we're going to do is we have a meeting later again today. We haven't actually discussed it as a group yet in the run-up to ICANN 77, but we will now discuss it and we will get back to ICANN on that. So again, I'm not going to paint it as being everything is perfectly rosy in the garden, but at the same time, it is definitely a movement that we had not seen before. We are pleased with the movement, but we will still have to just go through it as a group to make sure that it is in the best interests of both registries and registrars as well. And we will hopefully be able to give you an update sooner rather than later once we get through that. Anything else, Beth?

BETH BACON: I'll just add for the folks that may not have committed that slide showed or memory. I don't know why you wouldn't have. The outstanding terms are conflicts of interest, termination, and indemnification. And those are the things that we were kind of battling on. And we have seen some positive movement. I do want to give ICANN some credit where it is due. I think that we are kind of butting heads at this point and not in the same place. And they've made some really significant offers. So I think that we're in a better place. So other than that, perfection, I think.

SAM DEMETRIOU: Thank you both for that update. Does anyone have any questions or any other commentary that they'd like to add on this particular topic? All right. And it looks like we're good to go. So now we'll pivot over into the policy spotlight portion of our agenda. The one thing I forgot to mention when I teed this up at the top of the meeting was that I would love for it to be as much of an open dialogue as possible. So like I said, we have some folks teed up to kind of intro these topics and give a little bit of an overview. But members at the table in the room here with us today, if you have any questions, if there's anything you want to jump in on, I'd love for this to be as free flowing of a discussion as we can make it. So just feel free to use your physical hands in the room. Feel free to use your digital hands in the Zoom room. And we'll make sure that everyone can jump in on these different topics.

So the first one that we're going to cover today, this is arguably the biggest one. It's got the most airtime at this meeting here in Washington, D.C. And that is the new gTLD Subsequent Procedures

Policy, otherwise known as SubPro for short. There's a couple different areas that we've highlighted for today. One is on the pending, the recommendations that have been designated as a pending status. So they haven't been fully approved by the board, but they're now being worked on by a subset of the GNSO Council.

There was also a number of day zero meetings that took place yesterday. So Nacho is going to walk us through some of those. But again, open dialogue, questions. Anyone else who wants to jump in, anyone else who may have been in attendance at those meetings, please feel free to dive into the discussion as well. So, Nacho, over to you.

NACHO AMADOZ:

Thank you, Sam. And we had a day zero yesterday, and there are a number of us who were there. So just please chime in if you feel like I'm not describing precisely what we went through. So we had four blocks, and I would say that the principal ones were the two in the middle, where we had the board members, and where we discussed what was the status of the recommendations, what was the status of the buckets, and which could be the landing spots where they could end up.

The first one, though, before those two, was a review of what kind of dependencies there could be between a number of issues that we were discussing that could impact that. So we went through, and let me go to the slides here for that. We went through, yes, the IDNs EPDP timeline. We went through also the closed generics, right? That was the first block of the day, right?

And I don't know what could we say about them that could take us time from what I think is the key issue, which is the landing spot for the 38 pending recommendations. But we have the presentation, we have the updated timing that we got here. I don't know if that deviates that much from what we were discussing before, what we have been presenting to you before. But we can come back to that at any moment, okay?

So I'll go through the 38 recommendations and what was the feedback that we got integrated into the presentation by the chairman of the small team, which is Paul McGrady, which did a great job yesterday because it was not easy to navigate all this with how passionate are people to explain why they think things should be one way or not the other, rather than focusing on what do we have to do to get to the landing spot that we are proposing. So he really did a great job. It was not easy.

So what we had yesterday, let me go to the slide that I think is key, was the recollection of what were the landing spots after the board workshop in which the board already discussed some of these pending statements. If at any time I'm just going too fast or not getting into the detail about the recommendations, please stop me and ask because there are so many and we've been through them so many times, but still you keep losing track of which is which.

So the landing spots, which is where they are going to be after we make the decision to take them there, are anticipated as follows. A first bucket which will be that these pending recommendations will be addressed during the implementation. Second one that needs a clarifying statement from the council to the board to explain the

context of the recommendation so that this could be accepted by the board with that context being provided.

Non adoption, which is not the same as rejection. It is, but we have to say non adoption. Okay. And there were some changes here. Exploring fundamental bylaw change. This changed in some of the calls that we had before because this bucket was bylaws change. And within the group there was a discussion about we're not saying that this means necessarily a bylaw change. That created concerns in the past within the stakeholder group because we thought this is going to be a massive investment in time. And we cannot go through this that much more time because it's going to be delaying everything. And we went through this to work it out and clarify that this would be very narrow, very targeted, and this would not then take so much time. But still, this bucket was not necessary. This has to go through a bylaw change.

So the renaming of the bucket when to label it as explore whether or not a bylaw change is needed or might be an option here in this case. So there were many things here, but at the end, there's no single pending recommendations in this bucket. So we're happy with that, I think, as the stakeholder group, because this is one of the things that were being a concern for us. And then another one, which is further dialogue needed.

Okay. Now, I'm going to go through the updates and the changes that the board provided in this feedback that was integrated into this presentation. I think that we can share this presentation with the group, right? So this is where you are going to see all the steps that were taken to get there. This is not going to be presenting the concrete language of

any pending recommendation and the discussions that we were having. This is a document that we also have that I think that can be shared from the small team to the Registries Stakeholder Group as a whole. We did work with this through the support team that the Registries Stakeholder Group assembled to help us guide our position here. So you can take a look at that.

I'm saying this because it's a lot of information. It's a lot of points to that section that says this and that. Again, happy to precise and clarify any of them particularly, but we are not going to go through the 38 now because this will get these phases on the record.

So what I could say that the biggest changes were from previous positions were the ones that the group updated. That's 6.8 which is registry pre-evaluation and 18.4 that is terms and conditions that went to the clarifying statement. And that is, I think, good because that is going to help the small team and the council get this context written sent to the board so that this is explained in the context into which the SubPro report provided this information.

Now, the board has concerns that may be addressed with council amendment. And that applies to 17.2 applicant support. And I think the discussion here went as follows. The board didn't have a concern with applicant support itself and they were very, very clear in saying that they didn't want to be accused. You are withdrawing the applicant support. No, no, no.

What we say is that applicant support as this is written now could deviate from what the objective of the applicant support was which was

to provide money to fund the applications and not to go to other places. Which I think is fair.

What else we went through that is labeled here, which is labeled as moved from farther dialogue needed section to non-adoption. The limited challenge and appeal and the string similarity evaluations, that is the singular and plural discussion, which is quite an arcane discussion, I think. And especially more so if you take into consideration that one of the concerns they have is this is limited into what kind of effect it can have. Because we are talking about singular and plurals in what language? In English? But what happens to the rest of the world? Well, this is something that needs to be reviewed and discussed because the fact that something means cat in English, for example, doesn't necessarily imply that it does not have to be approved. So I guess that the discussion here more or less follows the same rationale. We don't have to assume that something just by being the plural of something else in English does disqualify for being evaluated as a valid application.

So that is I think that was quite a good discussion. It was long discussion. We had some detours and then we had to get them back. Paul did a great job, but I really mean it, because it was not easy to keep the discussion into the framework that we were having. We had a quite honest interaction, as we've been having in all the meetings of the small team from Becky Burr and Avri Doria they were completely transparent in providing their feedback and saying this is not something that we have discussed with the board, which there are some things that they still need to discuss with the board. So everything is good. And then we went through the last section of the day, which was any outstanding

items. And I think that we didn't need the whole time that we had allocated because I think that most of it was discussed during the day.

So if anybody who was present in the session wants to add something, I'm super happy to give them the space to do that. And I think that the next steps, if you want to go into that, Seb?

SEBASTIEN DUCOS:

Yeah, just for those that haven't gone through the minutiae of the 38 for the last three months, well, first of all, enjoy your life. But second, I think the things that we were really actively trying to avoid, Nacho mentioned the, sorry, my brain has gone completely blank, but the change of the bylaws. The other thing is, for example, when there is a non-adoption, do we go and work on supplemental recommendation section 16? All these sorts of processes that exist, but take a long time, take a huge amount of time, not so much in the negotiation, but all the paraphernalia that goes behind it and gathering groups and public comments and all these things.

So it's been sort of the dance that we've had with the board to find exits on all those problems that work for both, making sure that the GNSO is not taking dictation from the board on what it should be doing, because we shouldn't. Making sure that we're, if proposing wording, we're landing wording that is going to be as acceptable as possible for us, but lands on what—so there's no stab in the dark at trying to figure out what it—all these conversations are happening. They're happening on the small team. Obviously, a small team is not as public as here in ICANN, but all those recordings are available. You have the links and addresses to go and check. All this is as transparent, not as transparent as

possible. It's completely transparent in the sense that it's completely accessible. And the idea is to come up for every single one of these problems with a solution that works for us but that doesn't require the whole paraphernalia and be able to move forward with it.

So, again, all of those that have concerns that the GNSO might be doing this in a small team, please come and visit and read and share with us. There's absolutely no problem. There is a discussion yesterday so far. The small team is made of councilors. There's no technical reasons why others shouldn't join. And we agreed that in this next phase, we were trying to do things very fast before the deadline this week. But in the next phase, should people want to join, please do. I'd only caveat like please come with a heavy baggage of knowledge on everything here because we don't have any time to wrap anybody else new. That's the only caveat. But otherwise, that that's what we're trying to do here. Keep it simple. Keep it direct. Keep it in conversation with the board and achieve something that they can sign off.

NACHO AMADOZ:

Just what Sebastien said, we want to keep it simple, but it's not really simple to keep it simple because there's a lot of details. As Sebastien said, we have tried to keep it transparent. And in that regard, we made the request for the small team meetings to be open to observers. I don't know why this created this blip that created some discussion. But we are trying to convey what's the position of the Registries Stakeholder Group validly. That doesn't mean that we need to speak over the others and as much as the others, because that's going to be exhausting. But whenever there is a position, we really fix it

and we really clarify that. But everybody needs to speak a lot in the meetings. So we really need to focus on what we are doing.

Just to finish before taking any questions. We went also through what kind of steps are needed if we are going to be modifying some of these recommendations so that they can be acceptable by the board. And we had this schedule where we are going to be getting the confirmation from the board that they are able to accept or not accept the recommendations. And this should be happening by the end of this meeting. And then how many meetings we are going to be having in the small team and in the council to process those in this process? We are going to be keeping the support team both to get us the feedback that you want us to have from you, but also to give the report in as much detail as we can.

This is also something that we are also be going to be doing in the regular Registries Stakeholder Group meeting updates. And if there is anything that you think that we are not doing well and that we should be doing in that manner, just let us know publicly, privately or through messenger vision or whatever. Just let us know. Okay, that's it.

SAM DEMETRIOU:

Thank you so much, Nacho. And thank you, Seb. We've got a tiny queue. Alan is in the queue. And then I actually do have a follow-up question. So, Alan, over to you first.

ALAN WOODS:

Thank you very much. So, sorry to go back to the one question, which I'm sure nobody wants to talk about, but just one for clarity. Did I

understand correctly in saying that the issue of the bylaws change, has that actually—I'm assuming we're talking about the RVCs and the PICs on that one. Has that actually been moved out of the concept of needing a bylaws change? Awesome. Maybe, yeah, that would be great. Thank you.

SEBASTIEN DUCOS:

So, it has been moved under the condition that the GNSO formulates a response. And I don't want to misquote Becky because she had the exact formulation in this particular case. We need to confirm that PICs or RVCs that are not enforceable are not acceptable. And in that sense, she means that if somebody puts a PIC, an RVC, any sort of commitment in their contract, they will be asked not only to put that commitment, but how that commitment will be measured and how that commitment will be enforceable. Being it directly by ICANN, being it by third party agreeing or whatever, and that both parties, the registry operator and ICANN, can agree on that condition. Then it becomes contractually binding, and we're good to go. As long as all the PICs and RVCs pass that filter, they're happy not to have to change the bylaws in order to shoehorn it.

SAM DEMETRIOU:

Thanks very much, Seb. That's a helpful clarification. My follow-up question was just really about these next steps in the future of the small team. So am I understanding it correctly that the team has worked and efficiently triaged all 38 recommendations? So that phase of the work is drawing to a conclusion. And now the next phase of the small team's work, which is now open to possibly other folks from the community,

not just the council, is to kind of go through some of these action items that you guys listed out, like creating the clarifying language on some of these recommendations, etc.? Okay, awesome. I'm getting nods for anyone who's remotely, so that is confirming.

So this is, I think, a really good opportunity to put out a call for volunteers. We'll follow up with this, obviously, on mail and in our future meetings and stuff, if other registries are interested in this. Go ahead, Seb.

SEBASTIEN DUCOS:

And I insist, this is a small team that's been efficient because it's small. I want volunteers that are ready to take pen, paper, write. This is a wordsmithing exercise from now on. People that have the background, we have no time to wrap up anybody there. And no tourism. It's an active job.

SAM DEMETRIOU:

Good to know. Thank you, Seb. Good clarification there. All right, I have in the queue Rubens and then Keith.

RUBENSH KUHL:

Just to communicate that they had a different sense of the conversation yesterday about bylaw change. It's just they're not tying things up to needing a bylaw change, but they were still open to that bylaw change as long as it was extremely narrow. And that would enable more PICs to be enforced. So I didn't get that we're ruling out a bylaw change altogether. They were just making it in a narrower scope and just for

more RVCs to be viable. But they were open to other avenues of that being enforced that were already mentioned. But my understanding was not completely ruling out a bylaw change.

SAM DEMETRIOU: Thanks, Rubens. Keith.

KEITH DRAZEK: Thank you, Sam. And thanks, Rubens. Thanks, Seb. And thanks, Nacho. I wanted to follow up specifically on this point related to possible bylaw amendments related to enforcement of PICs or RVCs related to content. I think as a Registries Stakeholder Group and as contracted parties, I think we need to be very careful and probably very resistant to supporting any ICANN bylaw change that would open the door for ICANN to enforce or to get involved in content-related matters. To me, that is opening the door to a very slippery slope to calls for further engagement and moderation or whatever word you want to use related to content. And I think that is a very dangerous thing for ICANN to do at this stage. So I would just from my perspective, and if it's worth a further conversation, I just want to reinforce the danger that I see from opening the door in any way, shape or form to getting ICANN involved in content-related matters. Thank you.

SAM DEMETRIOU: Thanks, Keith. I think Nacho wants to respond to that.

NACHO AMADOZ: Just to reassure that we're absolutely clear on that and that if that happens or the shadow of a doubt that that happens, we are going to be raising up the voice for that.

SAM DEMETRIOU: Great. Thank you guys. Yeah, I think everyone, I saw a lot of nodding heads around the table, a lot of, I think, really strong agreement with that. And I just realized, I think we forgot to define RVCs. That's registry voluntary commitments. Am I right about that? Okay.

So I think we left that in a pretty good state. Does anyone have any other questions about the pending recs? Chris?

CHRIS DISSPAIN: Thank you, Sam. I just want to follow up on what Keith said, and if this has already been said, I apologize. Is it clear that, so you said that, Seb, I think, said that when you put your application in, you have to say what PIC and how it's going to be enforced. And one way it could be enforced is between the registry and ICANN. Has ICANN made it clear that there will be things that they might say, well, we could enforce this, but we're not going to enforce it? We do not believe it's our job to enforce it. So I make a proposal, I say, here's my PIC, and I want it enforced by ICANN. ICANN presumably will say, no, we're not doing that.

SEBASTIEN DUCOS: So, yes, Becky made it very clear that this is a two-way negotiation. We don't impose our PICs with the way they're going to be enforced. It's a negotiation. It does open, by the way, a window in a world that we

haven't seen so far, which is officially when you're applying for a TLD to be able to negotiate your contract. Ten years ago, that didn't exist. But in that small window, the idea would be that it is.

Now, for example, you say, these are my PICs and I want you to enforce me on things. So ICANN may say, well, listen, this is either not our competence or it's not our remit, etc. But go and find me some credible third-party org that you may have to pay for, but that will validate what you're doing and that we're happy to work with. And they might go around like this.

NACHO AMADOZ:

That was an example that she used that I think was very useful to understand what was their position. And she said, if anybody comes up to us saying, if I engage into any anti-competitive behavior, then you are going to be enforcing that. No, no, ICANN is not going to be doing that. If you say, please enforce this because I will be doing this, this, this, and I will not be doing that, that, that. But that is different from saying then you act as an anti-competition, anti-competition authority, which is what she was saying. We are not going to be taking that in any case.

CHRIS DISSPAIN:

Just to follow up. So it strikes me then that given that there are some areas where we would have concern about that creep—so content would be one of those case where we creep into suddenly find ourselves creeping into content stuff, that it may be useful and sensible to see if we can get the board to make a clear statement about those areas. They will not—don't even think about asking us about this stuff because it's

outside of our scope or our remit. It just might be worth thinking about that.

SAM DEMETRIOU: Thanks, guys. We also have a question from J.C.

JEAN-CHRISTOPHE VIGNES: Why would we put PICs in there, especially if they need to be negotiated with all parties and are surely enforceable? It's all different ballgame.

SEBASTIEN DUCOS: So I don't have any case to talk about. But indeed, so first of all, first part of your answer, it is precisely because 10 years ago it was possible to put PICs that everybody knew were unenforceable, that they don't want to hear about them anymore. So that that's clearly a response to that problem.

What's in it for us? There are still things—I don't want to get too much into the discussion of closed generics. But in these fields where we're walking into fields that people will ask us then to—you can have this. But then you need to commit to that sort of behavior or limit yourself to that where these will exist in a purely voluntarily way or responding to a public interest somewhere else. That depends.

But there will be some negotiation when we're trying to traipse into territory that are clearly or have been bordered already for us. Closed generics is probably the best example I can think of. But there might be others. No, sorry. All the others that were 10 years ago that had advice following them to the medical practices, all these. So we will still have

to go through them. All they want is that it's not happy wishes in a contract, but that you have something that is contractual and that everybody can verify that you're actually committing and following.

SAM DEMETRIOU:

Okay, I think we've reached the end of the queue. I'm going to actually turn around this time and check. I'm still working on growing those eyes in the back of my head. All right. So next, I will turn it over to Chris to just give us kind of the same kind of overview about the work of the implementation review team on SubPro. I think probably slightly less substance, since we didn't have a full-day meeting.

CHRIS DISSPAIN:

Yes, the implementation review team on SubPro has had three meetings. Anyone who knows team theory knows that you start with the team by forming and then you go into a stage called storming, which is where everybody's jockeying for position and trying to figure out what to do next. And I would say that's basically where we are. We haven't done very much. I blame Russ, but that's his fault for being in the room.

We haven't done very much other than talk about what we're going to do and argue about how long it's going to take to do it and whether we can work on stuff in parallel and how it's going to work and so on and so forth.

We do have a meeting here at some point. I can't remember when it is, later in the week. And I'm anticipating that things will start to move

once we get through maybe one more meeting of bouncing up and down on the spot and shaking things to see if anything falls off.

And of course, irrespective, even if we are moving forwards, there is one huge dependency, which is the work that we've just been talking about because that feeds straight into the implementation review team. And without that, there's a fairly hefty piece of work missing.

That said, everybody is cooperating and working in so far anyway, in a really good way. It's just it's just that early opinion expressing time where everybody wants to say how they feel it should all be done. I know, Susan, if you want to have anything to add to that, Susan, you're very welcome to do so.

SUSAN PAYNE:

Hi, everyone. So there's not that much to add to it, to be honest, because if you asked me where we've got to, I would say the same thing. You know, we haven't really done anything very substantive yet. I think it's official now that I and Anne Aikman Scalese are going to be the co council liaisons to that group. That took a bit of time to sort out. Nothing has really turned on that, nor indeed should it.

At our last IRT meeting, we did talk about the charter of the group called the SPIRT, which is the standing something implementation review team, which is meant to be the group that deals with the predictability framework. Once the AGB is finalized, if kind of issues come up that might require some change, that the SPIRT is meant to work on that. And so we did have a little bit of discussion about that, the charting of that group and agreed that we would bring it back to council and have

a discussion in council about whether actually it would be better for the GNSO to charter that group.

And I think the general sense of the GNSO council was that, yes, it seemed the operation of the predictability framework and how that works, that's something to sit in the IRT group, but the chartering of what that SPIRT looks like and who should be on it and so on is something that council will pick up. It's not super urgent. We don't need that until the AGB is finished, but it's something that we can work on and we can take that off the plate of the IRT. And I think, yeah, that's probably about it.

CHRIS DISSPAIN:

I think that point is illustrative of where we are because rather than discussing the substance, we spent a lot of time talking about who should be discussing the substance. But that's fine. And those are perfectly normal early stages.

One thing, the other thing I did want to say, and I'm not entirely sure I understand this, is that this group appears to be open to anyone. I'm not entirely sure how that works. I don't claim that I know everybody, but I saw a huge number of people's names on that list that I had no clue who they are, just do not know who they are. So where they've come from and who they are, I don't know. But you might be able to answer that one. Not that you know them. I'm not suggesting they're all friends of yours, or that they might be.

SEBASTIEN DUCOS: Yeah, I stacked up the decks with people that I know to this community. No, and it's an interesting point that you're making because let's say that it's been hinted to me that should at some point this group need to gather together to speed up the work, it would be acceptable. But possibly not as an army of, I can't remember how many people there are, but 45 people or 35 people the last time I checked. And so to the point that I made earlier about the other small team, we might find having to sort out a bit who is actually participating and bringing something and who is just there as a tourist.

CHRIS DISSPAIN: I agree. I'm also not clear yet and it's just and I haven't looked so maybe I should, is that I think everybody's having to do some the usual statement of interest. So it may well be that that would make things clearer. But anyway, I'm happy to answer anyone's questions. But perhaps we'll have a much more vibrant and interesting session on this in Hamburg.

SAM DEMETRIOU: Thanks, Chris. We had a hand up from Kurt.

KURT PRITZ: So my recollection is that ICANN published the plan for publishing the applicant guidebook in a serial sort of way. Chapter one, chapter two, chapter three. Do you know yet? What's the interaction or dependencies between I can putting pen to paper on the chapters of the guidebook and the work of the IRT? Are there prerequisites that the IRT has to do something first before—

CHRIS DISSPAIN: I think that's part of what we're discussing, is to figure that out so that we can find the fastest path. I mean, there's a lot of ways of looking at this. One way of looking at it is I just think we can do this faster, much, much faster. Let's work in parallel, blah-blah. And that's great, but it doesn't necessarily work. Another way is to say, well, no, we just need to plod. And the third way is you do a bit of work at the beginning and figure out what the dependencies are and how you can meld things together. And if we do that, can we then do that? And I think that's really where we are. If this, then that. And hopefully relatively soon we'll get through that and have a clearer pathway. It's all good intentions at the moment, I think.

SAM DEMETRIOU: Thanks, Chris. I guess the follow on question to all good intentions at this point is are there any red flags? Are there any areas of concerns, especially as existing registries, that we should have in mind or do things look pretty good so far?

CHRIS DISSPAIN: So far, it's Okay. The biggest issue is time. A lot of people think this could be done a lot more quickly. But other than opinion right now, there's no evidence that that's the case. We just need to try and think outside the box a bit and see if we can speed it up. But make no mistake, it's going to be a long—we're talking about maybe saving—if ICANN's timeline is 24 months, I think it's around about that, we're only talking about if we could shave a couple of months off here or a couple of months off there.

We're not talking about reducing that down to five months because that just isn't going to work.

SEBASTIEN DUCOS:

And on this, I've said it many times and in many times yesterday, we particularly—others in this community, but we particularly will be at the call face here facing the market. These are our clients or our future clients that are going to be interested in this. So in my view, what is very important is to define this year. And we're in good track to do that, to define when the next launch date will be, trying to have that as early and efficiently as possible. And by the way, by efficiently, I mean, for example, it not starting in the middle of summer as an example.

Then afterwards, a month or two before or after in two years' time, I think is less important to me than having this definition of a date now that we can agree and we can all work towards it. Again, if that date lands two months before, two months after, it's not going to make that much of a difference to us in two years. So let's be all comfortable with the dates that we present because we're not going to change that. The market is not going to accept that. And if that means being slightly conservative on our timelines now, at least we are defining something that we're not moving from afterwards.

SAM DEMETRIOU:

Predictability in lieu of expediency. I see what you're saying. Any other questions or input on this topic? Okay. We had highlighted one more topic under SubPro, but we're a little bit of a victim of scheduling for this time. And that was going to be just a quick update and a preview of

the next steps around the closed generics dialogue. Unfortunately, Sophie, who is our designated point person on this topic, is not here because she's in one of those dialogue sessions, which got scheduled for this exact time slot. So I'll maybe just keep this very brief and we can follow up with Sophie throughout the week as needed.

There are two sessions here at ICANN 77, the one taking place right now. So sorry, you all missed it. And then there will be another one tomorrow. I believe both of these, unlike previous meetings of this group, are open to observers. So I think that's a new artifact of this meeting. The group also put out I think it's still technically in draft form, but a proposed framework that Sophie shared with our mailing list just before this meeting started sometime over the weekend. Maybe it's Friday. So that's out there for folks to begin looking at. I understand that there will be a process now to kind of collect feedback. So something for Beth and the team to be thinking about is corralling some Registries Stakeholder Group comments on that. But I think we'll see what comes out of like this meeting and any updates before we start putting pens to paper. Susan and then Seb.

SUSAN PAYNE:

So just to flag, as far as I know, the public comment is open. It's one of those ones where it's not on the public comment page. It's a kind of email your comments in, the group would like to have them. And it's open until 15th July, I think is the right date. So there's a sort of finite period for people to get any views in. I'm sure in a follow up meeting, Sophie will probably have lots of things to say about this. So, yeah, that was the main one. And I think the session today and tomorrow are part

of that gathering of initial feedback. So they're not only open to observers, it's like come along and ask your questions and express your views.

SAM DEMETRIOU: Thanks very much for that, Susan. Yeah, I think given that timeline, we'll probably want to maybe schedule a dedicated call for our group to go through all this after this week is over.

SEBASTIEN DUCOS: Just two quick points. It's been identified from the framework and from what we had gathered before that there will be some minimal policy development work, particularly in trying to define what is acceptable and what is not acceptable closed generics. Just because so far that discussion has been happening in the dark, we will need to run a PDP on this that we're trying to keep as close as possible, as tight as possible.

I mentioned earlier the fact that the debate can be very short, but there's still timelines before and after that we can't really compress. So we're trying to do our best. And I want to note that even though the framework is not in its final draft yet after the public comment, we are already starting a sort of template chartering and getting organized to make sure that we are able to run with this as early as possible, which is probably September, with starting a group then.

SAM DEMETRIOU: Thanks very much, Seb. Any questions or feedback on the closed generic dialogue? Thank you both for the additional input on that. All

right. Then for the sake of time, keep us moving through our agenda. We'll go over to Rick next for the transfer policy.

RICK WILHELM:

Very good. Thank you, Sam. Quick discussion on the transfer policy and update from the group for the group. You are represented on the transfer policy PDP by me, by Jim Galvin and Carolyn Mitchell from Amazon and Barbara Knight from Verisign are the alternates. We are the four writers attempting to prevent any transfer apocalypse. And we work as a foursome, not in a golf foursome, but we have a steady back channel going on the meetings and things like that. So if any one of us wants to make a point, it's typically vetted by the four of us. So there's not one of us sort of popping off and going rogue, if you will. So just so you all know that.

It's a big PDP, a long PDP. It's been going on since 2021. I know other PDPs have been going on for a long time. The initial report was published about a year ago, almost exactly. And we're currently in the process of debating the phase two topics. That report isn't going to come out for a while. I don't exactly know when that is, but it's not really important.

Those phase two topics have to do with the—I'll give you some new—maybe not new, but some acronyms. The Transfer Emergency Action Contact or the TEAC and the Transfer Dispute Resolution Policy, TDRP. So those are the main things we're talking about right now. And then after we get done with that, we're going to move on to ICANN approved transfers. Overall, sort of like this is going on, this is going forward relatively favorably for the registries.

As you probably all realize, even though you don't think about it, inter registrar transfers are primarily a registrar driven activity. We the registries are there to primarily facilitate this and make sure that nothing goes wrong. But we don't really take a lot of ownership of this process. We just facilitate it. And that's sort of the way that the transfer process is set up. So we're just trying to preserve that.

There's a bunch of phase two charter questions. The registries provided input to that. If you're curious about that, I'm going to post that link into the chat right now. That's the PDF of the document that we the registries put together in the in the comment process.

There is a session this afternoon on Thursday, sorry, in the second slot in the morning, I believe, which is a full update from the PDP. So if you're interested in this, I'd encourage you to attend that. There are some changes that are coming to the TEAC, the Transfer Emergency Action Contact and the process related to that.

One of the things is that's probably headed the way is that just in summary, these are all, I think, favorable changes. The timeline is probably going to change from four-hour response to probably 24 hour response. The mechanism is going to be augmented from only phone right now to probably phone and email because that's better for traceability. And then the timeline for how long a registrar has the ability to exercise the TEAC mechanism is going to change from being, right now, it's pretty much undefined, to being a what I'll call a soft 30 days. And so that's a 30-day window with some flexibility. And right now, it's rather undefined in the process.

So those are recommendations that are heading the way. We the registries or your representatives, at least, are all very supportive of those things. A number of those are suggestions that we helped to make and shape for various reasons.

The TDRP is probably not going to change that much. However, there are some changes that are going to be coming related to changes to the TDRP, Transfer Dispute Resolution Protocol due to the registration data policy. The now legendary Rec 27, which is burned into the retina of those that served on the PDP. Rec 27 is, of course, changes to other policies due to the PDP. And I see some nods around the room and probably some people are going to pop some medication after this little thing. I apologize for that. And to your pharmacist.

So the Rec 27, of course, is the implications of the registration data policy across all the other policies. Which, of course, is a ripple effect. And so the TDRP, when you engage in one of these disputes, you gather some data and that data is going to be less than previously implemented. So that's sort of the implication there. Exactly how that gets manifested is well above my pay grade and better for those that are well versed in privacy.

The one other thing that's likely to come out of this is we haven't worked on this, but we're working with ICANN org to try and improve the process of the TEAC contact and some other contacts. Because right now registries have an operational issue of those falling out of date. So we're working with ICANN Org to try and improve that.

That's kind of a summary. In the interest of time, we'll try and hold it there. Any questions, comments, concerns, or other thoughts? Very good. I'll take that as either excellence or utter disinterest.

SAM DEMETRIOU:

No, you've blown us all away, Rick. We now understand transfers perfectly, which is not something I could have said a week ago. All right. Thank you so much. We'll continue to get regular updates on the transfer policy from Rick and our other intrepid horsepeople of the pending apocalypse on our bi-weekly call. So thanks again, Rick. All right. Next, we're going to turn it over to Dennis for a look at the expedited policy development process on internationalized domain names.

DENNIS TAN:

Thank you, Sam. Speaking on behalf of the registry IDN EPDP members, so myself, Jennifer Chung on my left, and Maxim online, and Jerry Sen as well online. So I'm going to break down my update in two things. First one is the phase one public report, which is right now in public comment period. Just want to give a highlight as to the four items that we want to bring awareness to this group in terms of the phase one report. And then I'll briefly talk about the ongoing conversations on phase two, which deals with second level domain names and the shift in potential shift in obligations.

So on phase one report, this deals with mainly top-level domain names and how in the future this concept of variant at the top level will be

introduced as an option to apply for and how they should be ought to be managed by registries and—well, registries mainly.

There are 68 items between draft recommendations and implementation guidelines with broken down into high, medium, low in terms of interest to this group. And the four items that I'm going to talk over is the ones that we feel are the most important that we want you to understand and maybe have a conversation about it if there's any questions.

So the first one pertains to recommendation 2.1, and that deals with the rise of incumbent registry operators. So that means those that have right now a gTLD from the 2012 round or prior to that, commonly known as the legacy TLDs, if you will.

When the root zone label generation rules is going to be adopted, those labels will create or some will create a variant that may be eligible for delegation. So those existing registry operators will have the rights over those variant sets. There is no action required to apply for or say, yes, that's my variant or what have you. Today, we will have those rights over those variant labels.

And the IDN EPDP has gone through the exercise to look and determine, assess whether there are any conflicting variant labels across existing gTLD operators and there is none. So there is not going to be such a name collision or conflicting contention or what have you.

From a practical standpoint, only the gTLD labels in the Han script and Arabic scripts have any eligible variant labels that maybe in the future applied for a delegation into the root zone. So that's from a practical

standpoint. I'm not going to go into the details, allocatable blocked. Maybe that's for some other day. But that's just from as a practical matter. There are 42 gTLD labels from the 2012 round, again, between Han, that's mainly using Chinese and Arabic scripts that have some allocatable variants that can be applied for in the future.

The second one has its recommendation 3.2. And that's the timing of it. Long story short, if an existing registry operator wants to apply for a variant label, it has to be in the next application round. That plain and simple. There was some conversation around existing gTLD operators because they did not have the opportunity to apply for the variants in the 2012 round to be given a special opportunity exception window, what have you, in order to apply for those. The justification just for the cause implementation time to go through an application window for potentially 42 applicants and nobody can be certainly decide. Yes, we are going to apply for those 42. It was just not justified to have an application round just for these 42 potential labels. And so the recommendation is that these existing gTLD operators be given a priority in the next round, but the next window to apply for those variant labels is going to be in the next round with everybody else. So that's on timing.

Now getting into more substantive changes and how these variants at the top level are going to be introduced from a legal standpoint and that it pertains to the registry agreement. We presume that the next round or the next gTLD labels will have a different version of the base registry agreement. Today we have a 2017 base registry agreement. We presume there's going to be a different version in the future.

The recommendation from the IDN EPDP in terms of variant management is that all the variant labels within a set that are allocated to the same registry operator be governed by one single registry agreement. So what we don't want is that there are individual registry agreements with their own set of SLAs, requirements, obligations. It's just unmanageable to have different separate registry agreements for these labels that ought to be managed by the same entity with the same obligations, technical considerations and what have you.

So the best way for me to explain this is that those registry operators today offer IDNs at the second level. If you look at your exhibit A in your registry agreement, you will have a list of scripts or language tables. Those explain or just list the languages or scripts that you offer.

So I would envision—I'm not saying this is the way it looks, but I envision that something along those lines is going to be how the registry agreement will connect all the variant labels that the registry operator will be allocated and delegated to manage. But again, right, all governed by the same SLAs operational requirements and what have you, which makes sense.

The exception is going to be those, going back to the existing gTLD operators who are in the 2017 base RA. The IDN EPDP did not want to require new existing gTLD operators required to migrate or adopt the new base RA just to get the variant label. And that's where something has to be sorted out that the variant label management, that's going to be governed by a different set of requirements than today's world. But somehow the 2017 base RA and the future base RA will need to be married in some way in order to allow these variant being allocated to

that registry operator. But that's going to be I guess the exception. But again, this is to bring your awareness of it and how that's going to be implemented.

Lastly, on phase one report, the other idea that we want to bring is that there is a lot of uncertainty as of now how these going to play out, meaning variants at the top level. There is a good amount of experience managing variants at the second level, but at the top level, it's something new. The complexity, operational, the responsibilities as to how to ensure the same registrant is allocated the variant domain names across the second level, top level, and the complexity just explodes. How you deal with all of that?

So knowing that there's a lot of uncertainty, the IDN EPDP is recommended to develop a framework. Well, it started with we need some guidelines for registries and registrars to use in order to implement these as consistent as it can be. But quickly conversation went down that we don't have operational experience. So coming out from the IDN EPDP IRT with best practices or guidance or what have you is going to be very premature.

So the recommendation is going to be leading towards developing a framework to develop these guidelines. And the language or the comment that we want to provide to the IDN EPDP on the phase one report is that we want at the outset these guidelines to be non-binding. So that we set the expectations that, again, going back to this is going to be very early on in the world where variant at the top levels are going to be released. Expecting that guidelines are going to be coming out just in the early age, early days and that those going to be somehow binding

or some level of obligation, that's maybe a non-starter. So we want to make sure that we want these guidelines to be non-obligation. But I mean, of course, we're going to work in good faith with our operational experience and define and provide guidelines as to how these are managed.

I'll pause there. I know there's a lot of background that we can talk about, but I don't think we have time for that. But just want to pause here and reactions comments before going to phase two. Yes, Rubens.

RUBENS KUHL:

You mentioned variants only in Han and Arabic scripts. But there was at least one TLD in the 2012 round from the Latin script, which wanted like a variant TLD, which was dot Quebec. So isn't that going to be possible?

DENNIS TAN:

Good question. So, yes and no. And let me just explain that. So Rubens is talking about Quebec in ASCII and Quebec in French which uses a E with an accent. And so those two labels are, per the root zone label generation rules, not variants of each other. Right. They are independent strings with no relationship from.

Well, we know that variants exist only in policy. Right. There is no technical standard or switch that just makes two domain names behave the same. But for the root zone label generation rule set, if adopted, then that's going to be the sole source to define the variants. And by that, the root zone label generation rule set, those two labels or those two code points, letters are not variants of each other. So that's one question. They are not variants. So they are not linked. They will not

have this requirements that they have to be applied for by the same registry operator.

The question about can they apply for it? I guess they will, because it's an independent string, whether it's going to be caught by string similarity or confusing similarity process, potentially, and how that's going to be resolved, I don't know.

I think earlier we were a group of between registries and registrars, were discussing about an idea of confusing similarity being, if they are applied by the same entity, what's the issue? Right. But again, we don't know. I don't know how that works. But to answer your question, they could apply independent strings. Whether they're going to be successful in going through the string similarity review process and whatever output is, I don't know. I cannot answer that.

RUBENS KUHL:

Okay. On another topic, I'd just like to mention that there is operational experience with delegating a domain across different TLDs, although not in variant TLDs, which is the PIR experience with dot NGO and dot ONG. And they happen to be seated here in this table. So they could provide some feedback on that or how it works or how it doesn't work. Thanks. Sorry for putting you on the line.

DENNIS TAN:

Rick is eagerly jumping on it.

SAM DEMETRIOU: I don't mean to put you on the spot or take you off of the spot, Rick, but I am keenly aware that we have five minutes left in this meeting. So maybe this is something we table for the next call, unless you want to jump in real quick.

RICK WILHELM: I'll be very brief. So ONG and NGO were launched as a bundle, as a technical bundle. They no longer operate that way. We debundled them for various reasons. One reason is that we found that it was operationally very difficult for registrars to handle this. And also, we found that registrants—now this is, I'll be fair, this is where the paths diverge for dot Quebec, the two versions of that, that where we found that ONG and NGO, we found that the user base could be different for those two. Like if you had Rick dot NGO and Rick dot ONG, you could reasonably see that two different users would want those, right? We had made them a technical bundle and linked them together. But then we found that if you had situations where Rick dot ONG didn't want Rick dot NGO and they didn't want both halves of that bundle.

So it was difficult for the users where they were getting something they didn't want, in some cases, and difficult for the registrars because they were having to deal with a technical bundle. But that's not always necessarily going to be the case with the IDN bundle in the dot Quebec case.

SAM DEMETRIOU: All right. We are down to three minutes left in our meeting. There's a quick hand from Beth. I see there was a hand from Michael. And then we

do have to wrap up with just like two quick announcements. So let's try to knock these out really quick.

BETH BACON:

I'm going to pretend this is AOB. I'm just going to zip. So we can continue this for folks who are interested. There is a Wednesday drafting session that just reminded me of. So if you want to dig into this more, then we can talk about it then. There is also a document. There's a worksheet that explains very clearly with colors and charts that Dennis has graciously put together that is linked in the public comment page, our registry one. So if you want to look through those recommendations and see what the small team has already discussed, please do that. And then we can talk about it on Wednesday.

And then also the other item is that we are drafting our takeaways document. So I've put a few comments, topics in there. If you have an interest in opining on them or drafting a little blurb for our takeaways document, we are going to keep that going for this session. So please feel free to approach me if you have questions, comments, concerns.

SAM DEMETRIOU:

Michael. Okay, thank you very much. All right. So, yeah, now we have two minutes left in our meeting. So thanks, Beth. And Dennis, I'm sorry we didn't get to the second part. We'll definitely flag that as a follow up on the first bi-weekly call that we have after this. Seb and Kurt and Nacho, I'm very sorry that we didn't get to do our council preview and the deeper dive into the discussion that Seb had teed up on last week's bi-weekly call, which is the future of the DNS abuse work now that the

small team has kind of possibly run its course. To the extent that that does come up during this week at the council session, we'll be keenly listening in and we'll follow up with a more deep dive on the Registries Stakeholder Group position in the bi-weekly or multiple bi-weeklies that follow this call.

All right. So I think that kind of at least gets us to there. Two quick reminders. There is an outreach session on the DNS abuse amendment. Chris and Jeff have been representing us on those. They will continue to do so. Please go ahead and attend that. That's going to be tomorrow. And I want to just note for everyone that during the presentation for the ICANN Excellence Award, at the very beginning of that, we're going to be saying a few words and raising a glass in commemoration of Cherie Stubbs, our previous secretariat, as well as Pam Little, who has held a ton of different roles in the ICANN community, most recently in the Registries Stakeholder Group and member of the Contracted Party House. I believe they'll also be saying a few words in memoriam of Bill Graham, a former ICANN board member who passed away. So I just want to invite everyone to come and attend that and raise your glasses in memory of some really beloved community members who are no longer with us, unfortunately.

And that's a real great segue to my poor friend Russ here, who has one final announcement to end us. Here you go, Russ.

RUSS WEINSTEIN:

Hi, everyone. This is Russ Weinstein from ICANN. I wanted to put in a plug for a workshop we're having in Vietnam in September related to DNS abuse. So you may have seen emails come out about the DNS

Symposium happening in Data accuracy Nang, Vietnam in the first week of September. Adjoined to that, we're doing a full day focused on DNS abuse. And the idea of that is to really build momentum for these amendments and to focus on what these amendments mean in a practical way. We're working with Graeme and the DNS Abuse Institute to sort of design some workshops around best practices or capacity development for identifying and mitigating DNS abuse. Maybe some registries and registrars talking us through sort of what they envision doing differently to implement the amendments and that sort of thing. So hope you can all join us in Vietnam in the first week of September. Thanks.

SAM DEMETRIOU:

Thanks very much, Russ. And like Russ said, for anyone who had issues with the audio here, we do have an email that I will be sharing with the stakeholder group with more information about that. And I'm sure more information will be published out of ICANN org in the coming weeks.

All right. Apologies for the very rushed ending to that meeting, folks. Sorry we didn't get quite to everything on our agenda, but I am glad we got to do a deep dive on some of the important policy topics. We have a number of other stakeholder group sessions throughout the week on specific topic areas. Next up in the next time slot starting at 10:45 local is a discussion on the AGP limits policy, the add grace period limits policy. So I know some folks are planning to attend that.

And I want to wish everyone a really great ICANN 77 week. We'll be seeing you around the hallways. Thank you so much for being here.

SUE SCHULER: Thanks, Sam. We can end the recording.

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