
ICANN78 | AGM – GNSO IPC Membership
Tuesday, October 24, 2023 – 2:00 to 3:30 HAM

DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IPC Open Membership Session. During this session, questions or comments submitted in chat will only be read aloud if put in the proper form, as noted in the chat. Questions and comments will be read aloud during the time set by the chair or moderator of this session.

If you would like to ask your question or make your comment verbally, please raise your hand. When called upon, kindly unmute your microphone and take the floor. Please state your name for the record, and speak at a clear, reasonable pace. Mute your microphone when you are done speaking.

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With that, I hand the floor over to Lori Schulman. Please begin.

LORI SCHULMAN:

Thank you, everyone. Thank you to IPC members, potential members, Fellows, whoever else might be in the room. I don't have a good visual on that, but who's ever there, we're very happy you're here. We have a

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90-minute meeting today with an, as always, ambitious agenda, so we'll dive into the work.

I want to also let you know that since I am participating remotely, I will do my welcome and President's Report, and then I will hand the gavel over to Brian King to chair from the room up until the point of Any Other Business. And then I will ask Brian to please pass the gavel back, ensuring that we do have that five minutes. Brian, there is something I do want to attend to as Any Other Business without skipping it.

Related to that, I want to welcome back Charles Shaban. Many of you know Charles. He was a long-time private practitioner in the Middle East region from Jordan. He was an INTA board member, very active IPC and Internet Governance Forum participant.

Charles, I'm very pleased to say, has joined INTA on a consulting basis and will be working with me to provide even better coverage and more service to INTA members in the area of Internet policy. And what we will see over the course of the year, I will remain at high-level engagement, and Charles will be transitioning to more of the day-to-day IPC work including monitoring certain working groups as they set themselves up, particularly looking at UDRP Review.

So Charles is back in a new role, and I hope that you'll treat him as warmly as you've always treated me. I know you will.

With that, I'm going to go into my report. Oh, so for the Any Other Business, Charles represented INTA and IP interests at the recent Internet Governance Forum in Kyoto, Japan. And I would like, in the other Any Other Business section, for Charles to give us a brief recap

because there were issues that are relevant to Intellectual Property interests.

So our current officers who are about to transition out met for the last time as this slate of officers with Sally Costerton and David Olive to talk about pressing issues that we see at ICANN and what could be done to address them.

The first topic on our agenda was the Board Seat 14 selection process. As many of you know, we've resolved it. We have a new Board Seat 14 member, Chris Buckridge. And we went through a painful selection process, unfortunately.

During that time, we sought ICANN's assistance with mediation services. They have a talented mediator, Melissa Allgood Peters, who helped us—or attempted to help us along the way—resolve some of our differences. And unfortunately, what happened was we felt there was some preconditions set on Melissa by ICANN Legal. And we took issue with this, as we felt it did not promote the resolution. It, in fact, may have aggravated it in certain areas regarding where we agreed or disagreed with the NCUC.

So this is important to us. Sally has promised a follow-up, hopefully, between our officers and John Jeffrey and Sam Eisner. John Jeffrey is the General Counsel. Sam is Associate General Counsel. She may even be Deputy Counsel. I apologize if I mess up her title.

Sorry that you're hearing all of my pinging. I'm very popular today. I'm turning my pings off.

And with all that being said, this was probably the key issue we discussed; that ICANN Legal's overstepping in matters of community business in order to predetermine an outcome. And that outcome was to make sure we filled the seat first before we came to any other conclusions. And we felt that we needed to solve some issues about selection first before we filled the Board seat, in a nutshell. So we're not going to drop the issue. We're going to keep on it.

We also discussed the upcoming, hopefully, ratification of the amendments to the Registry and Registrar Agreements and expressed our desire that ICANN stick to its word about making sure that this is a first step in an iterative process and not the end of the story. Sally and David iterated that, in fact, they do see this as a first step, which brought some comfort to the group because we've been hearing rumors otherwise.

And the third issue was on ICANN's ongoing issues with its data policies particularly, hopefully, getting to a conclusion with the Data Protection Agreements with Contracted Parties so we can move on and tackle implementation of recommendations from the EPDP for WHOIS and perhaps even move on to Accuracy. Without those agreements in place, we have big roadblocks. And we did not get any assurances there, except, "We're working on it."

So I would say that the meeting was partially constructive, partially kicking the can down the road. But generally, we were happy with it. If any of the officers wish to chime in, please do so. Do you have any other comments about the meeting? Okay. Are there any questions about the meeting from the room?

Brian, do you see any hands?

BRIAN KING: No hands, Lori.

LORI SCHULMAN: Okay. And then I would like to thank the new IPC members. We don't do this often enough.

It has been highlighted to me that our membership application process is too slow, and I agree. And part of that, and I will take responsibility for it, is that we tend to focus so much on policy inputs that sometimes key administrative functions like expedited membership applications fall by the wayside. So I have made it a leadership priority next year to make sure that our membership evaluation notification runs smoother.

Once our new organizational structure is adapted, we can also add more improvements to the membership application. For those who remember, when you apply to the IPC, not only do you go through the application process and potentially even an interview if we have questions, but then you also need a vote of the soon-to-be eliminated IPC Council which is made up of the organizations like INTA that are members. That layer of approval will go away, and we hope that will speed things up.

With the new IPC Members, I'd like to recognize them. I hope they're on the call today. But we welcomed Patrick McCormick from Lewis Roca in Arizona, U.S.A. We welcome Jason Elster from Elster & McGrady from Chicago, Illinois. Jason attended our meeting in México on a call, and it

was really great to see him in person and know that he will be an active member in IPC.

And we are very happy to welcome the Japan Manga Association, which will bring a very interesting content point of view. Manga is intensely popular around the world, and they have very serious IP concerns, as you can imagine. And particularly want to call out their representatives, [Tatsuo Nunoseki], [Kinsako Fukui], and [Norikazu Naruta]. We look forward to your participation and input, and we thank David Taylor for directing the association to the resources of the IPC.

So with that hearty welcome, I'm going to pass the gavel over. Actually, I'll introduce our next speaker and then pass the gavel to Brian.

So, many of you have been hearing all week about the RDRS system, which Paul McGrady likes to refer to as "redress," which I particularly love. RDRS means Registration Data Request Service. It's meant as a centralized point for requests for WHOIS data. And we're very fortunate that we could grab the ever-popular Yuko Yokohama to help us with understanding what requesters need to know.

Yuko works for Global Domains Services. She has been doing presentations globally about RDRS, and we are very pleased that she could present to us here with a focus on our particular needs and interests. So, Yuko, take it away.

YUKO YOKOYAMA:

Thank you, Lori. Hi, everybody. My name is Yuko Yokoyama. I am from the Global Domains and Strategy Department of the ICANN Org. I am

going to share my screen right now. Please bear with me [inaudible] figure out how to share this.

LORI SCHULMAN: It's working. It's shared.

YUKO YOKOYAMA: Great. Okay. First of all, thank you so much for having me over today to have this opportunity to talk about RDRS. This is very much appreciated. I am going to talk about, high-level, of what this service does and get into a little bit of detail in terms of what it means for you as a user, in particular from IPC side how the service may work for you.

So first thing first, I don't think I need to tell you about what the registration data means. Basically, it's about who owns the domain names. Right? The names, the phone number, the address, and all that contact information. This data is used in various purpose for criminal investigations, research purpose, to maybe the infringement matter.

So ever since 2018 hit, what used to be public on the WHOIS Lookup have been now largely redacted, thank you to GDPR and other global privacy law emerging around that time. So this has obviously made everybody's life a little difficult in terms of if you were the data requester's side.

So this RDRS, the Registration Data Request Service, is actually not a end result of what we want to achieve. This is actually a proof-of-concept service that is only going to be operated for up to two years. It could be shorter depending on what kind of data we may receive.

And this is stemming from the SSAD. Most of you probably know what it is. The GNSO Council has had an EPDP Phase 2 group that had a final report that contained 18 recommendations related to the centralized system that would connect data requester and data holder. And this system came with all the bells and whistles that it would verify the identity of the requester, it would accredit the users so that you don't have to validate this requester each time that the request comes. This also had a pay-per-use model that if you want the data, you must bear the cost of operation of the service as well as development.

So based on those 18 recommendations related to SSAD, ICANN Org have done the Operational Design Assessment to see if those 18 recommendations make sense in terms of implementation.

And what we've figured out was that it could be very much cost prohibitive, and that it could be very complex, to a point where the GNSO Council and ICANN Board mutually agreed to pause the consideration of these recommendations and really look for underlying data in terms of: is there such a demand for a centralized system? And if so, what are we talking about in terms of volume or in terms of the user pool? We currently have no such data, given how expensive it was going to be to build and operate this SSAD.

And if user users were to bear the cost of using this service, it could be as little as a few cents to use this service to request data or it could be, I don't know, \$30, \$50. Who knows what could be, depending on the demand, because there's going to be a fixed cost for us to be operating the service and retaining the accreditation—sort of identity verification, vendors, and all that.

Without knowing the volume of this user pool and the demand, it was really difficult for us to figure out whether this system makes sense. So what was decided was a RDRS, Registration Data Request Service. This does not come with all the bells and whistles like SSAD does. It does not have accreditation model. There's no identity verification. There's no data disclosure within the service, the system.

But what it does is that it easily connects the data requester with the relevant registrar. This would basically provide an opportunity to ICANN Org as well as the ICANN world much-needed data in terms of: what's the user pool? What's the demand? What's the volume?

So this is why we are saying that it's going to be operated for up to two years to gather such data. And this has the potential of influencing the future of the new system, whether it be the SSAD as is, as the GNSO Council has recommended, or that maybe there could be some sort of modification. But our hope is that with this usage data that we can collect, this will inform us to have a better future for both data holder's side as well as data requester's side.

So how does this work? So we're still retaining that centralized platform idea. So it's just one-stop shop, hopefully, for a requester to go to. And service utilizes this standardized form so that you just fill out one form and attach whatever PDF that you may want to attach to make your legitimate interest case. And then it can be submitted.

I should note that this is a voluntary service as of right now because there's no contractual or a policy requirement. Therefore, we cannot mandate registrars to use this service. So this is purely on the voluntary participation base in terms of the registrar's side, the data holder's side.

So how does the disclosure happen with the service? So this is simplified so that, hopefully, it is relieving your pain point a little bit to be connected with the registrar and to submit requests. And this portal provides sort of a ticketing system service that you can see what you've submitted before, and you can see what's pending.

But in terms of disclosure, that communication happens outside of this RDRS. Meaning that you submit your request, and it gets delivered to registrars. And registrars would have to do the balancing test on their end and make a determination in terms of whether to disclose the requested data or not.

No matter what kind of system there may be, whether it be RDRS or SSAD, no system can really overwrite the laws. So regardless of what system we may have, the responsibility still lies with the registrars to do the balancing test to determine whether to disclose the data or not.

So this service, as mentioned, is a proof-of-concept service. So this isn't for everybody. This is obviously for ICANN-accredited registrars only for now, which means that ccTLD is not part of the picture. But this is for gTLD space, not ccTLD. And anybody in terms of the requester's side, anybody can use this service.

All you need is to sign up to have your ICANN account, and then you can log into RDRS and submit your request. So it could be law enforcement, government agencies, consumer protection agencies, IP attorney, or you may be cybersecurity professionals or researchers. But of course, again, this is for anybody and everybody to use.

So I want to take you through what was happening before and what is now happening. So pre-2018, you could go to lookup.icann.org and type whatever domain name that you wanted to know about the registration data, and it'll instantly give you all the information that you wanted because it was out in public.

Come 2018, everything got redacted. Most everything got redacted, I should say. So you no longer can have an access to who owns the domain name: which organization, which phone number, which address. All of those information is now redacted.

So I'm assuming that you could relate to this slide right now; that what you need to do to get to that data is that you first have to look up the domain information. You can't get the registrant information, but you can at least get the information in terms of which registrar is managing this domain.

So you figure out, okay, this is Registrar A. Then you have to find their webpage or contact information and figure out: do they have a email intake system? Is there a web form? Do I make a phone call? Do they have a standardized form?

All those requirements are different. All those contact methods, requirements, form. Is there a form? No form? Who to talk to? All that is based on individual registrar. So you end up having to cater to each registrar's requirement, and your experience on requesting the registration data varies each time. And I'm sure it's quite painful because you can't automate or you can't facilitate faster submission.

This is where a Registration Data Request Service, the RDRS, can help. Instead of all those cumbersome steps and cumbersome adjustments to each registrar, what you can do is log into your ICANN account and submit your request. There is only one form to fill out. It's a two-page form, and the third page will be, you know, review your request and hit Confirm. So it's a very simple, very short form that you need to fill out.

And there's also additional slight bells and whistles there, but my point is that it simplifies the process for you. You don't have to go to lookup.icann.org to figure out who the registrar is. The system will do that for you.

So first thing that you do in the form when you get to RDRS is to type the domain name that you want the registration data for. It'll automatically tell you right there, right then when you hit Enter which registrar owns or manages this domain and if that particular registrar is participating in RDRS.

So if it returns that, yes, this registrar is participating, you proceed to fill out the form, two-page long, and hit Submit. And the registrar will be contacting you at some point with their disclosure decision.

If they decide to disclose the data that you requested, then you will be receiving that based on their choosing the method-wise. Whether it be encrypted email or otherwise, the registrar will be contacting you. Or they may simply tell you that they can't disclose the data for XYZ reason.

So in terms of notable feature for RDRS, it has a template so that you don't have to fill out your name, phone number, contact information, justification, all that thing each time. You can create and save as many

templates as you would like so that if you have three different use case scenarios, then you can create three templates.

And when you need to submit a request, you just utilize that template that is mostly filled out and just fill out a couple of sections. You still need to attest to certain things each time, but it would make your submission process much faster and easier.

Another thing is that you as a requester are able to flag your request as expedited review request, meaning that you're able to flag and signal to the registrar saying that this particular request that you want to submit is in need of a faster review.

I should note, though, that since this is a voluntary system, there is no Service Level Agreement established, so we are still at the mercy of registrar's own processing time. But that said, again, you can flag to them that you will like a little faster processing.

And if you have clicked that mark, that checkbox saying that you would like expedited review, then the system would send a notification to registrar right there, right then when you submit, as opposed to waiting for registrar to log into the system maybe once a day at the end of the day, or maybe every other day, or whatever it may be. Instead, registrars will be notified right away that there's a request pending for their review, and it's marked as them needing an expedited review.

I should mention that registrar can, however, deprioritize the request if they deem that this is not really warranting the expedited review. So if you say, "I want it quicker just because I want it," that probably is a good

reason for registrar to be deprioritizing it and making it a standard request.

And also, we should stress that this system obviously should not be used for any sort of emergency situation. So if it's a nature that is, I don't know, life or death or anything of a true emergency ... Just like in the U.S., we say don't call the doctor's office; call 911 if there's a true emergency there. Same thing goes here. If it's a true emergency, then you should contact the registrar directly, as opposed to depending on the system.

So I touched a little bit upon this: what is not supported within the RDRS? Since this is the proof-of-concept service, registry operators are not part of the user group, only the ICANN-accredited registrars for a gTLD space. So obviously, this is limiting the data holder group a little bit. But again, this is only for two-year limited operations for data gathering. So hopefully, there will be a better future when this exercise is over.

There's also a little bit of a sensitivity around how the domain behind privacy and proxy service may be handled. So what we would encourage is that you always start with lookup.icann.org to see if you can find the actual public contact information. Because sometimes if the domain's behind a privacy or a proxy service, then there's the contact information already available: the name or the email address or phone number. If so, you have that contact information, whether it be the provider's information or not. But that's the good place for you to start to get the underlying registrant's data.

Registrars sometimes do not know that the contact information that they have is that true name holder's information or if it's a proxy provider's information. So I would always suggest that you do the lookup first and make sure that there is no information available. If that's the case, proceed with using the RDRS to request the redacted information.

So I've already touched upon this benefit for requester: the one-stop shop, the templates, the standardized form, and the ticketing system view. So I'm not going to get into this, and I'm going to lightly touch on from the registrar side before I finish this presentation.

So registrar participation is voluntary, which means that you may put the domain name lookup, and it may result in the error message saying, "This registrar is not participating in this RDRS." If that's the case, you will be given the list of contact information of the registrar so you can actually continue to fill out the form and click Download/Print to PDF. And you can send that to registrar directly.

We are doing our part by engaging with the RrSG and registrar groups to make sure that this service is made aware to them, and we're asking them to promote within their stakeholder groups so that we could have as many participations as possible from registrars so that this exercise can collect good, accurate data, and that you as a requester, your experience could be better.

We are, of course, telling them that this could make their life easier as well because they will probably receive less phone calls, less emails about: how do I go about this? Or that they may receive less incomplete requests. Right?

If you guys have utilized this form and print to PDF, then all the required information should be there. So it's a good starting point, as opposed to them receiving some incomplete information that would result in back and forth, which is not comfortable to either of you.

So I would like to end my presentation here with a couple of links, and also to ask all of you to spread the words because the more participation we have, the better accurate data we can collect into your exercise—or maybe less. And this would really help shape the future in terms of a centralized ticketing system or tool, whatever it may be.

So I ask of you that you please talk to your constituencies, your stakeholders, your user group. And we're always happy to answer any questions. Thank you.

BRIAN KING:

Thank you, Yuko. We have a couple hands, starting in the room with Marc and in Zoom with John. And anybody else, feel free to join; raise your hand in the Zoom or in real life here, and I'll get you in a queue. Questions for Yuko. I think we have nine more minutes allocated to this, and maybe more if needed, if Yuko is able to stay.

Before we get to that, though, I wanted to give Yuko and ICANN a shout-out for agreeing to be available to travel to the INTA Leadership Meeting next month and present to several committee groups there that will represent a lot of potential requesters. And hopefully, that will get the word out.

We really need to get a lot of requests in here to demonstrate a demand for this WHOIS data. Otherwise, one conclusion that could be reached,

which would be terribly unfortunate, is that there isn't a demand for WHOIS data at all. And so we really need to get ahead of that.

So let's start with Marc. I have a question, and then John will be next. And anybody else, feel free to raise your hand. Thanks.

MARC TRACHTENBERG: I have two questions which I think are both quick, and I think maybe Brian may have partially answered one. But if all interaction between the requester and the registrars is handled outside of the system, what do you think that data from this proof-of-concept will tell us? What's the concept that we're trying to prove? Is it that there's a demand for registration data? And is there any doubt that there is?

YUKO YOKOYAMA: Thank you for your question. I should have mentioned that registrars are asked to come back to the system after they determine whether to disclose the data or not and report back on their action. So, one, did they respond; and, two, how so? Was it approval, partial approval, or entire denial? If it's a denial, for what reasons? So not only do we get the demand information, but we do get to see a bit more into what kind of data is being needed by whom? What kind of requester?

MARC TRACHTENBERG: My other question is, I understand that if a request is submitted—or I guess it can't be submitted. So if you put in a domain name and the registrar is not a voluntary participant in the system, then it basically errors out and you can't submit your request. Correct?

YUKO YOKOYAMA: Correct.

MARC TRACHTENBERG: So I also understand that you're not collecting the data on which a registrar was attempted to be contacted for the request. And if you're not collecting that, why not? That seems to be very valuable data.

YUKO YOKOYAMA: Perhaps I could ask for Odeline's help here, but we are keeping some data point. First of all, we are making sure that we collect how many times the domain name lookup resulted in the non-participating registrar. So we would have some idea in terms of: this month, 100 requests got submitted, but additionally, 50 lookups resulted in the non-participating registrars. So that's a data point that we can obviously look into internally.

But, obviously, we're not sharing in terms of the nature of which domain name, which registrar, particularly. It's more of an aggregated exercise.

MARC TRACHTENBERG: Thank you.

BRIAN KING: Thank you, Marc. And thanks, Yuko. Next in the queue is John.

JOHN MCELWAINE: Thanks, Yuko. I think you might have heard a comment that I made. Let's see. That was in the CSG meeting, I think, that we had where Margie was talking about submitting requests when, really, the data request was based upon a third party's trademark. So there's other use cases other than just your traditional cybersquatting that I think users/requesters will make.

And I might ought to know this, but is there a form in the template that would allow for sort of a free, typed-in explanation of why the requester needs the data to be disclosed?

YUKO YOKOYAMA: Thank you for your question. Yes, there is. So there's a couple of free-form sections depending on which category you choose, depending on the drop-down, what you choose. But also, there's a attachment section where you could attach your letter or you could attach your explanation. Obviously, this system wants you to provide as much information so that the registrar has as much information for your legitimate interests. So, yes, you could do that.

JOHN MCELWAINE: One other question that also, this time, comes from your presentation here. These are going to be some pretty sophisticated users here, and you had made one statement that perhaps the user should first check the WHOIS lookup to see if it is, for instance, a privacy proxy—if it doesn't say redacted but actually has a privacy proxy.

We're going to learn who's not participating and who is; who has a privacy proxy service. Should the message to all of these requesters still

be "use the system even if you know what the answer is going to be so that we can collect data" or is it "let's not bother the system"?

So I'm kind of curious to get your take on whether you want us to encourage requesters to do lookups that they know are going to just provide them the information that they already know they're going to get, if that makes sense. Thanks.

YUKO YOKOYAMA:

Thank you. I think that's a very good point and very interesting thought exercise if we know that if there's privacy proxy information, then this may reduce the actual demand that may show up in the data. I should say that there is some sort of a positive ...

I've heard some good comments during the Small Team meeting where a couple of Contracted Parties have said that privacy/proxy issue is there, it's nothing to be minimized, and that this is something that they need to start talking about. And even if it means from the best practice or from the voluntary side of things, let's talk about it.

So I think that may be something that we, ICANN as well as community, need to continue to have a discussion. Obviously, this system isn't the solution for everything, and it's expected to evolve. So I would like to just leave it at that. We did hear some positive comments about this issue.

BRIAN KING:

Thanks, John. And thanks, Yuko. If I can fill in one extra blank, it still may make sense to go through the system if you know the registrar isn't

participating because then it can contribute to the system's aggregate statistics, like Yuko said. And also, the system can generate a standardized PDF that summarizes the fields that you would have put in a request, and then you can send that to the registrar.

And one could imagine that if registrars are used to receiving requests in a standardized format with those PDFs, they might be, I don't know, 5% or how much more likely to grant the request if it's not an ad hoc thing that they haven't seen before. You know, if it's standardized and known, maybe it's a bit more trusted. So another thought on that.

And then we have a couple more hands here. Either Michael—or, Michael, if you were signaling to David, then David's up. Okay, thanks.

DAVID TAYLOR:

Hi. Thanks for that presentation. It actually reminds me of when I started being a lawyer. The committee that took me on said, "David, you are theoretically brilliant. You've come from this great school [inaudible]. You've learned all the law, etc. But you're practically rubbish." And this worries me because I think this is potentially brilliant, but I'm worried it's going to be practically rubbish if no one uses it.

So I think Marc touched on that, and John. It's great if a lot of people use it—registrars. It's great if a lot of brand owners use it. It's difficult, as you were just saying there, Brian, if a brand owner uses it and knows they're not going to get any result. It's hard to convince a brand owner to continue wasting money with a lawyer to get something that they're not going to get.

And I think one thing there with data, you're saying you're keeping data, but I'm not sure what areas of data. But that was something, when I was on the CCT Review Team, we just couldn't get the data. And we were on and on trying to get data from registrars to get this sort of stuff. So please try and keep as much data as you can so that when we have another CCT Review Team, somebody can look into it, and then we can maybe make this thing work like it's intended. Thanks.

YUKO YOKOYAMA: Thank you for your comments.

BRIAN KING: Thanks, David. And thanks, Yuko. I have another hand here. And we have some flexibility in the agenda if Yuko is able to stay. So if folks have other questions, feel free to raise your hand. We'll work through them if we can.

The next one is Patrick, please.

PATRICK FLAHERTY: I had a question about whether or not the RDRS will allow for something like an API connection to it. I worry about how burdensome filling out a form manually, even a template, for each individual domain name infringement that a brand owner comes across and having to submit that individually on a case-by-case basis. I would hope that over time or quickly after RDRS is live, that companies that send brand owners hundreds or thousands of watch notices relating to infringement could somehow turn that around and be able to submit them on behalf of a

brand owner. But what type of capability do you think RDRS might have for something like that?

YUKO YOKOYAMA:

API has been one of the discussion points with the GNSO Small Team who's been helping us shape this tool. With the time constraint, API was not considered for the Version 1, the launch feature. But this is on the table for Version 2. That doesn't mean that we have together committed to it. It's going to be on the discussion table once the service launches to see if this is something that we want to pursue.

I would like to note, though, that the registrars are still required to review individual requests. You cannot basically submit a thousand domain names in one request because the registrar side, the review needs to be conducted on a per-domain basis.

But I would encourage you to follow the Small Team's work. Which, actually, it's a Standing Committee after the launch. It will be GNSO Standing Committee for RDRS. And ICANN Org will be periodically meeting and discussing the Version 2 feature. Thank you.

BRIAN KING:

Thank you. Next is Lori and then Heather.

LORI SCHULMAN:

Yes, hi. Thank you, Yuko, for that very clear presentation. One area where I wasn't clear is when you said, "We're asking registrars to report." Is the reporting required or optional?

YUKO YOKOYAMA: Thank you, Lori. Since this is a voluntary system, we cannot require registrars to act a certain way. That said, we are sending strong message that we would like them to come back to the service and log the outcome. And so far, we're receiving good input. And we've also made a feature so that registrars can bulk update the outcome. So it's making it easier for them to do so.

LORI SCHULMAN: Okay. I really appreciate that extra effort because that is absolutely where there could be a breakdown. If they're not required to report, how do we get the data? So making it easier, we welcome. And any other incentives for reporting, we would welcome as well.

BRIAN KING: Thank you, Lori. Next, we have Heather. And that might be the end of the queue.

HEATHER FORREST: Thanks, Brian. Lori, I'll pick up on your question about compulsory or voluntary. And, David, I'll also channel you here, although I know you're not worried about Com Laude.

Plug to the team. I thought the session that was done on Saturday, specifically on the RDRS, was excellent. There were lots of registrars in the room. I think there were concerns at that point about, I think we said we had 10% of domains under management at that point covered by those who'd already signed up. I think that's a pretty good result so far.

I think it's certainly the case, Com Laude's poised to sign up and just needs to get its internal process sorted before we click the button to do so.

I'm not worried about the signup. I'm worried about the accuracy, and that picks up David's point. This data is only as good as however accurate it is that gets reported. It doesn't matter who signs up. So we need compliance to be able to stand behind enforcing accuracy obligations. And I think that will help us far more than—I mean, that's a better metric in my mind than how many sign up to this. Thank you.

BRIAN KING:

Yuko, would you like to respond to that? Maybe clarifying?

YUKO YOKOYAMA:

I'm sorry, Heather. I couldn't quite understand your point about accuracy. Accuracy of the reported data for whether the data was disclosed or not? Or if denied for what reason? Is that the accuracy that you're talking about?

HEATHER FORREST:

It's the accuracy of the RDS data to start with. If what's in WHOIS is not accurate, then I don't see how this tool is going to help.

YUKO YOKOYAMA:

Thank you for the clarification. I believe that there's currently-paused Accuracy Scoping Team work under GNSO Council ongoing and that, clearly, that work is very important, and it has an effect on many other

areas. But I would like to leave that discussion with the Accuracy Scoping Team. Thank you.

BRIAN KING: Thank you. Next in the queue is Fab.

FABRICIO VAYRA: Everyone, can you hear me?

BRIAN KING: Yes.

FABRICIO VAYRA: Awesome. I had a quick question. I just heard that you can only submit one domain name per report. What if your investigation pre-filing a report indicates that there's one user who has dozens/hundreds of domain names? Can you report the actual user or the account to the registrar so that they don't get a thousand tickets and, instead, understand that they have one recidivous actor/account/customer that they can action at one time?

YUKO YOKOYAMA: Apology, but if you knew there's this one bad actor with a thousand domains, those domains may be spread across multiple registrars and—

FABRICIO VAYRA:

No, no, no. Just one registrar. And, I guess, leading to where you're probably going to go, I don't know who the person is, but I can do thin data correlation to figure out that it is likely the same person. So if we have the same domain types of strings infringing the same brand at the same registrar registered on the same day, it is 98% likely that that's the same registrant.

And so in reporting that, rather than submitting a thousand reports that the registrar could one-by-one say, "I weighed each one and don't think there's a problem here." If presented with the fact that it is a thousand domains registered by the same person, then you have a pattern which would come out with a completely different result in waiting when you do the balancing test.

And so is there a way to report that behavior or that pattern of registration to the registrar through the ticketing system?

ODELINE MACDONALD:

Thank you. Odeline MacDonald from ICANN Org here. Indeed, the system will not ease this reporting. However, reporting to the registrar directly, entering into contact with the registrar will be the best way. There's always different ways outside of the system to enter into contact.

And here, if you see a trend or pattern that there is indeed one bad actor and multiple domain names within the same registrars, absolutely justified to just address a specific request outside of the system. We haven't foreseen this specific case in the RDRS, at least not at this point.

FABRICIO VAYRA:

Can I ask a quick follow-up question, if that's okay? So going back to the usefulness or usefulness of output of how many people use this and what is discovered, is there or could there be a requirement that when reports like this are submitted to registrars, that they then actually populate the ticket out or submit something or put that back into the system?

Because, otherwise, I think what we're going to be missing is there are going to be a lot of onesie-twosie balancing test scenarios, but one of the biggest problems we have in the DNS are people who make a living out of cybersquatting. So the big cybersquatters, that information won't be born out of this, and ICANN will be focused on what the output of this system is. So it would be really great if someone does report outside the system.

Let's say I contact Registrar A with 10,000 domains, per Lori's example, and they determine under balancing test, yeah, that was an issue. Is there a way for them to actually submit that into the system or codify that in the system so that the reports show that they received a report on 10,000 domains by one user, did the balancing test, took or did not take action?

ODELINE MACDONALD:

Thank you. It's honestly a good point that we did not foresee in all the scenarios or the user cases that we thought about, discussed about with everyone. At this point, no. As Yuko mentioned, we can strongly encourage the registrar to report back on whether or not they have disclosed the information, but we cannot force them.

And we have not foreseen this very specific scenario. This is something we can keep on discussing. This is like actual usage that will show us how the system is actually used that is beyond the theory of what we and everybody from the small team could think about. So that's a very, very interesting point that you raise here.

YUKO YOKOYAMA:

I would also like to add that that's something that perhaps we could bring to the Standing Committee and the GNSO Council because the policy or the contract are the one that can require registrar to do certain things. And this proof-of-concept service cannot, as of right now. But that's a very good discussion at the policy-making level.

LORI SCHULMAN:

I'd like to interject for a minute, too, if you don't mind, from my perch. I'm not sure of the consulting that was done. I know there was a small GNSO group working on this issue for a while. But one of my knits in this entire process, particularly when it comes to systems that are developed to help requesters, is that the requesters themselves are not brought into the consultations until after the designs are essentially where we think they're going to be.

And for any system to work, I think it's really important to have these use cases nailed down as early as possible. So if there's a way to pull in high-volume users or potential high-volume users, which is who you're hearing from today, I strongly, strongly encourage that.

YUKO YOKOYAMA: Thank you, Lori, for the comments. So this RDRS was driven from SSAD, so there were certain constraints in terms of how this system is designed. Obviously, again, this two-year exercise will help open up some additional discussion if necessary, if SSAD recommendation can or cannot be implemented as is. But in terms of this RDRS, this is a pilot test case system with very limited functionality and vision. It's not the end result. It's not the end goal. It's the process to get to a better place.

LORI SCHULMAN: Thank you, Yuko. Much appreciated.

BRIAN KING: Yeah. Thank you very much. I don't see any other hands, and we have more agenda to cover. So unless anybody screams at me now, we'll thank Yuko and the ICANN staff for being here. We really appreciate your work on this and your availability and presentation to us and taking some questions. So thank you very much.

YUKO YOKOYAMA: Thank you.

BRIAN KING: The next agenda item, and as a housekeeping matter—I know we intentionally went over on this section of the agenda because it is important. So we'll move the GNSO Council update to the end if there's time. We'll move, now, to the Secretary's Report. We'll probably skip the Treasurer's Report. And then we'll get to the Participation Report.

So next up will be the Secretary's Report. Please, Jan.

JAN JANSSEN:

Thank you, Brian. I think it's going to be fairly quick. As you know, we had elections for our next slate of offices. There was one slate of candidates that got elected.

So thank you, Lori, for accepting to be our president as from December, again, because the current officers will continue to do that work until the end of November. And then as from the 1st of December, we will have Lori as president, John McElwaine as vice-president replacing Brian who, unfortunately, is retiring. Yes.

And then we have as treasurer Michael Graham, who will replace Damon who had his three terms, I suspect, and who will be our next councilor. And then I accept the position to continue as secretary. And we will continue to work with our policy coordinator, Patrick Flaherty, who graciously also helped in organizing these elections, as I was a candidate myself.

Then one more thing that I would like to say is to the new members. I understand that sometimes meetings as these, if you're not that familiar with ICANN, can be quite daunting because of all of the acronyms, all of the lingua that is used here. So please do reach out to the current leaders, the future leaders with any questions that you might have, if there's anything you don't understand, [inaudible] you want to be involved in, please reach out, and we will come back to you.

BRIAN KING: Thank you, Jan. If there are no questions for Jan, then the next item on the agenda that we should cover is the Participation Report. Patrick, please.

PATRICK FLAHERTY: Thank you. I wanted to go over the list of comments that we were able to file so far this year. For example, we filed comments in connection with Amendments to the Base gTLD RA and RAA to Modify DNS Abuse Contract Obligations. We also filed in connection with the Proposed Procedure for Selecting a Top-Level Domain String for Private Use as well as the Proposed Renewal of the Registry Agreement for .NET. And then, most recently, Proposed Updates to the Existing RPMs Documentation, the Rights Protection Mechanisms.

And in terms of stuff that's still pending or available for comment, the Proposed Updates to Existing RPMs Documentation. That continues up until the end of this month. And there haven't really been that many comments filed to date, but we don't plan on updating what we've already submitted. And a thank you to Griffin and Matt for helping to draft those comments.

There's also a Pilot Holistic Review Revised Draft Terms of Reference which runs until the 27th of November. And then, lastly, there's a Draft Report of the Root Zone DNSSEC Algorithm Rollover Study. And that comment period runs until December 4th.

And then I also wanted to touch on, there was some correspondence [filed] this year with ICANN. There was correspondence concerning GNSO votes on what was then the WHOIS Disclosure System and the

DNS Abuse Study. There was also correspondence submitted concerning improvements to the 2013 Registrar Accreditation Agreement, RAA, and the current Registry Agreement, the RA. And, lastly, correspondence concerning the IPC's Response to Questions Regarding the Rebalancing of the NomCom.

And I did a lot of searching around, and I asked a couple of people, but I wasn't able to find a list of the names or the working groups that IPC participants are working in. If there's anybody virtually or in the room that would like to raise their hand and identify a working group that they're in, we'd like to thank you for your efforts and all of your volunteerism.

Susan.

SUSAN PAYNE:

Yeah. Just one of them. I'm not sure that she's online because she's in Australia, but we should give thanks to [Elizabeth] who did sterling work in the original Statement of Interest Task Force.

She had a really thankless task, obviously, trying to advocate for something which was getting a huge amount of pushback from Contracted Parties. She put together really good statements including a position statement that went into that taskforce report. So, yeah, a shout out to [Elizabeth]. And I'm totally blanking on her surname at the moment, which is embarrassing. But, yeah, I think it's worth reflecting that.

PATRICK FLAHERTY: That's great. Thank you. Anybody else relating to working groups?
Going once. Okay—

MICHAEL GRAHAM: Patrick.

PATRICK FLAHERTY: Yes, go ahead.

MICHAEL GRAHAM: There are a couple that Lori's posted. Mike Rodenbaugh has been on the Transfer Policy. And Susan has been on the SOI, too.

SUSAN PAYNE: ["Ish"].

MICHAEL GRAHAM: Not admitting it.

PATRICK FLAHERTY: Very well. Thank you to all. And also, I just want to say thank you for everybody who helped with onboarding me into this new role. Really excited to help the IPC as much as possible for the remainder of this year and going forward.

And that concludes my report. Thank you.

BRIAN KING: Thank you, Patrick. If there are no other questions for Patrick, then the next agenda item is Priorities for 2024 Group Discussion. John McElwaine.

JOHN MCELWAINE: Thanks. So I'm not going to just belabor going over what we did in the closed meeting, but maybe just report out and see if there's any further discussion. And actually, there was one priority I didn't get to because we were just running short of time.

And then, Damon, one of the priorities is the Bylaws. So we might want to—where's Damon? Damon, we might want to go and have you come back and do at the end, particularly for this group, an update of where we are in the Bylaws and what sort of changes we were looking at.

So one of the first priorities that we had identified we were broadly defining as "fix WHOIS." Drop the mic, that's it. But, really, that's a multifaceted problem to solve, to fix it. One of the first priorities we would have under fixing WHOIS is updating ICANN policy where it needs to be changed due to the implementation of the NIS 2 Directive as those laws get built out in the various member states.

And Margie had volunteered to provide a bullet point list of where she sees some of those impacts to be. So be on the lookout, and we'll probably need to put a group together to really learn how NIS 2 is going to impact existing policy, particularly as it applies to registration data.

Another thing that you heard Yuko speak about was that a lot of the registration data is going to be under privacy or proxy registration. And there is an existing policy that was in the process of being implemented.

PPSAI. Let me see if I even have there here, what the acronym is. No, I don't. Privacy and Proxy Services Accreditation Implementation. There we go.

So that policy had been paused, thanks to GDPR. It had just been, looks like enacted by the GNSO Council in 2015, approved by the ICANN Board in 2016. But essentially, the PPSAI policy was looking to publish a point of contact or web form for receiving requests; set forth a period of time, a reasonable timeframe to respond to the requests; disclosed nonpublic data under certain circumstances. There was a notification process to registrants, and then a requirement of certain records to be maintained, and that there will be a process for disclosures.

Again, that was paused. As we heard, we are now going to be getting access to registrant data, but we're likely to find a lot of that to be hidden behind a proxy or privacy service. So it's going to be important to solve some of those problems so we can get better data out of the RDRS requests.

Similarly, thick WHOIS, which is a policy requiring certain registration data elements to be transferred from registrars to registries in the .com be implemented, that also was paused due to GDPR and the work that was done on the EPDP Phase 1. There had been a debate in the IRT as to whether some of those data elements that had been marked as "can be transferred" really needed to be transferred pursuant to the thick WHOIS policy which should be implemented.

There's a debate, I think going on right now, really, how that worked out. And as part of our priorities for this fixing the WHOIS, we need to

get back up to speed on that implementation dispute, and, particularly in light of NIS 2, see if there is some changes that can be made.

And lastly, I know a number of people have come up to me. I serve on the Small Team, which is now becoming the Standing Committee for the RDRS system. And right now, we're in the works of doing the terms of service.

So this is going to be the agreement that is presented to requesters, not only a form one that ICANN has, but apparently—and I learned about this in reviewing comments that the Contracted Parties had to the terms of service—but they're going to have their own terms that they're going to require. So we need to take a look at the ICANN ones and work with those to make sure that they're terms that we can accept.

But I think with those four or five issues, we can start a RDRS system that can collect data. So remember, the real purpose of the RDRS system is not to solve a WHOIS. It's really to see whether the SSAD system—I guess that acronym, Standardized System for, Standard [inaudible] whatever—SSAD system so that it was going to be able to test that, [inaudible] make sure that it was really a feasible program. So anyways, that is the first priority.

The second priority is not nearly as lengthy to discuss, which is working on DNS abuse. We've been involved in the RA/RAA Amendments, and we really need to talk about what are the next steps. So are there other types of abuse that we can bring into the DNS abuse definition and really start working on some more impactful DNS abuse definitions?

Right now, it's pretty limited to things like net bots and malware, but really talking about things that we're experiencing, and our clients are experiencing on a daily basis, things like cybersquatting, counterfeiting, copyright infringement on a massive scale.

The third, we heard this mentioned by Heather, is Registration Data Accuracy. So that work was paused by GDPR. It was actually part of the EPDP, so I can't really say was paused by GDPR. It was in the EPDP and got pulled out by the GNSO Council. Work was begun on it. And as Lori was talking about in the closed meeting, it kind of fell apart. But with NIS 2 and with the rollout of the RDRS system, as Heather pointed out, we really need to pick up and make Registration Data Accuracy a priority for 2024.

And then lastly, the thing that I didn't get to is that I believe we need to be at least starting preparation for the upcoming UDRP Review. I know there's a number of different non-ICANN community groups working on potential improvements, and the IPC ought to be communicating with those groups and learning which are good and providing our input into some of those processes.

So that really is what I've been referring to as the external policy-type priorities for 2024. Again, that is my list and is not the end-all list. I definitely look forward to getting any further comments from folks. But let me pause there and see if anybody wants to discuss anything I've covered.

BRIAN KING: You covered a lot, John. And we have time now, having skipped some agenda items, so if folks have—I can't believe no one will have thoughts or comments on the IPC's priorities for the year. So if you do, feel free to raise your hand, and we'll get a queue going.

Chuma.

Please remember to state your name for the record and then your comment or question. Thanks.

CHUMA AKANA: Good afternoon. I'm Chuma Akana. I'm an ICANN78 Fellow. I'm a student at the American University. I'm doing my LLM in Intellectual Property and Technology Law. And I think I had a discussion with you last time about Professor [Christian Folly] and how I got to know about ICANN. And I've been interested in the IPC committee since then.

And I just wanted to say something about domain name takeover or domain name capturing like happened during the Russia and Ukraine conflict and if the IPC [inaudible] is looking around prioritizing something like that for 2024.

BRIAN KING: Thank you, Chuma. John, if you would like to respond, please feel free. I'll say one thing, that there are a lot of areas that touch the Domain Name System and policymaking around the Domain Name Systems. Lots of IPC members, I think, have lots of positions and policy objectives. And as the IPC, it's always—well, sometimes it's a challenge

to focus on policymaking in the GNSO at ICANN and within the ICANN structure.

So that's not to lead John in any response, but we have given some thought to that. And I know the greater ICANN community has, too. I don't know off the top of my head what a policy position or exercise would look like. But, John, if you have thoughts.

JOHN MCELWAINE:

The initial thought coming out of that is that it is an example of needing strong ICANN Compliance. There needs to be the ability to enforce the contracts. This is a situation, you described, really, where a registrar allowed certain domain names to be hacked, and so they were taken over. That's a perfect example of just making sure that Compliance is monitoring this type of behavior and has the tools to enforce it and to quickly turn a domain name back over to the rightful holder.

BRIAN KING:

It also makes me realize that stealing a domain name isn't in the generally-accepted definition of DNS abuse, which is odd. Okay. That's something to think about.

Michael.

MICHAEL GRAHAM:

Something I'll put out there on priorities that I think we should get ahead of, and I think I may have mentioned it before. And that is, in the RA/RAA agreement, the open term of "reasonable" and what is reasonable. And I wonder if this is something that from a legal

standpoint, we might try to get ahead of, of what are some of the—if there are decisions or anything that we can pull together that would help define "reasonable" in this context and have that ahead of time. Because I think that's going to be a grave area of dispute between intellectual property interests and some of the registrars and registries.

JOHN MCELWAINE: Thank you. I just put that down as another thing to add to the DNS abuse bucket. So that's a great point.

BRIAN KING: Flip has a hand.

FLIP PETILLION: Thank you, Brian. Maybe a priority that you would not have expected, but I've just had a look at our website, and it looks like we've skipped a couple of compositions of our team. We still have the beautiful pictures of some people who have no function at all anymore, including myself. And I would suggest that in the interest of our members, that we update it.

JOHN MCELWAINE: Perfect segue, maybe, to talk to Damon to really—because I think it's really getting into our internal structures and some of the plans we have internally from the Bylaws perspective. Thanks.

DAMON ASHCRAFT:

And I have to say, I never realized it was in my remit to handle beautiful pictures of Flip.

Thanks, John. One of the big projects that the leadership team has been working on is really professionalizing the IPC from a corporate governance under the laws of the state of California. When we were formed, we were basically formed as just an unincorporated organization. But we really didn't file anywhere, and we don't pay taxes.

That has been okay. But as the organization has grown and as we've gotten more assets, we reached out to some lawyers a couple years ago. We were advised that we should formalize our existence. And so we're in the process of doing that, and we're going to officially form and become a California unincorporated nonprofit association, which will keep our tax-exempt status and keep us more official with respect to California law.

And it is interesting. You know, when we first started this process, ICANN Org—we went to them for advice. And their opinion on the issue was, "Well, you're a part of ICANN, but with respect to what you do and how you form and govern yourselves like that is not really going to be our issue."

So that is something that we did need to handle, and we've done so. The exact status of it is that we've engaged counsel. They've prepared Bylaws, and they've also looked at our governing Charter. They've revised all that. They gave us extensive comment we've gone through as a leadership team, and we've marked those up. And those are back at the lawyer's. And then once we get those back, we'll be presenting those to the membership, finalizing them, and moving forward.

Does anybody have any questions on that? Mr. Trachtenberg.

MARC TRACHTENBERG: I think I asked you this before and you once told me, but I don't remember the answer of why we chose California, which is a very restrictive and complicated state for organizing entities as opposed to, like, maybe Delaware which has little to no restrictions and provides a lot of flexibility.

DAMON ASHCRAFT: You did ask that before, but it's been a two-year plus project, so I'm not going to hold it against you. We did go over with counsel, and we did look at a few different jurisdictions. I believe we looked at Delaware. We also looked at California, and I think we might have also looked at Florida. We did choose California, I think, primarily based on the fact that that's where ICANN is also located, and the requirements ...

I agree with you. I love California, but it is an onerous place to do business. But that being said, with respect to this type of entity, the requirements were relatively thin. And so that's why we went ahead, and that's why we picked California. Thank you.

MARC TRACHTENBERG: Thank you.

LORI SCHULMAN:

Yeah. I'm going to chime in here, Marc, because I was kind of with you. It's like, why didn't we choose Delaware and get on with it? And Delaware is a great state, as Brian King will attest to.

But from an administrative perspective, this formation framework that we're using in California does not require a fiduciary board in the same way that Delaware law does. And by adding that fiduciary board, we would be, in fact, adding yet another layer of bureaucracy to an already bureaucratic quagmire, if you will, for volunteers.

In terms of dealing with ICANN and our finances and certain decisions that are being made, we're very blessed. We've had very open, transparent, honest leaders. There's no reason to think that we will not have that again and forever. But there's enough built in that there will be corporate accountability to the officers, including getting directors' and officers' insurance, by the way.

DAMON ASHCRAFT:

Yeah. Lori, thank you very much. And I think it's key that we don't have to have a board because this is something, to be quite candid—and I'm obviously a member of the leadership team—we started the project, and then there was a long pause. There was a long pause of probably a year or more simply because we were dealing with the everyday things that John and everybody else was talking about, sort of the policy stuff that happens within ICANN.

This isn't the funnest stuff to deal with, the corporate formalities. I, basically, in June had a temper tantrum and said, "Hey, look. We've got

to focus on this. We've just got to finish it up because I'll feel bad." And everybody indulged me, and so we finished it up.

BRIAN KING:

Thanks, Damon. Yeah, [I won't say] anything else on the legal entity, but I think that's a good rationale. We have time for a five-minute Council update, after all, if that's something that John and Susan would like to do. Otherwise, we can continue to move on. Susan's moving the mic over.

Susan.

SUSAN PAYNE:

Let me drag this thing over. Yeah. Hi. It's Susan Payne here. I'm one of the counsilors for the IPC. John is our other IPC counsilor currently, and has been a really, super vice-chair for the Council for the last year.

Sadly, John is terminating. Is that the right word? Terming? Terming out? John terming out, rather. Sorry. So he is stepping down from Council, at least. Damon Ashcraft, who you will know, will be stepping on.

So one of the things that we do at this meeting, because it's the AGM, is we have that moving of the chairs. And so we'll have a Council meeting tomorrow where the first part of the Council meeting is with the current incumbents, and we'll do our regular Council business for the month. And then there's a very staged process of some of the Councilors leaving the table and new Councilors stepping up to the plate.

So that is one of the things that we'll be doing at this meeting tomorrow. And then when that happens, we will then elect a new chair and the new vice-chairs mentioned earlier in our closed meeting. The new chair, subject, obviously, to election, will be Greg DiBiase, who is from Amazon Registrar. And so he's a Registrar Stakeholder Group representative.

That means that there will be one vice-chair from the Registries Stakeholder Group, because that's how it works under the operating procedures. And that will be Nacho Amadoz from CORE Registry Services and, I think, the GeoTLDs.

And then there will be one vice-chair from the Non-Contracted Parties House, which is the house that we all sit in. And this time around, that vice-chair will be Tomslin Samme-Nlar who comes from the Non-Commercial Stakeholder Group.

So we have a bit of a change in personnel, and that also means that later in the week, we'll also be doing things like reappointing liaisons to various PDPs and the like where the current liaison maybe has termed out. We'll be repopulating small teams from Council if any of the members of small teams have stood down and that kind of thing. So a bit of a changing of the guard happens at this meeting.

I don't want to cover all the same things that I said during the closed meeting, really, but I think one thing to note, I did mention there would be an open mic session. That's at the end of the first part of the Council meeting tomorrow. It's, I think, envisaged to be an opportunity for people to bring up anything, but one of the things that we perhaps hope they might bring up is a continuation of that discussion that we had in

the GNSO 20th anniversary celebration of: what is the future for the GNSO? What does that look like? What's good, for sure, but also what could be better?

So if you've got ideas of things where you think improvement would be welcome, that's a good opportunity to bring that to the fore.

And the Council will have its annual Strategic Planning Session in November where we go away for a couple of days and really talk about what Council's strategy and priorities should be. We take an opportunity to get to know each other a bit better and try and build some bridges and so on. So the kind of feedback that we get from that town hall and from the earlier 20th anniversary celebration will likely feed into our discussions during the Strategic Planning Session in November.

I'm going to stop there. If anyone's got any questions on matters of substance, that would be super. Or if John wants to add anything, too.

JOHN MCELWAINE: I don't have anything to add.

BRIAN KING: We have Flip and then Heather, please.

FLIP PETILLION: Mine is an Any Other Business, Brian.

BRIAN KING: So we have Heather and then Flip.

FLIP PETILLION: Thank you.

HEATHER FORREST: You "Flipped" the order, so to speak. So John, on behalf of the IPC, I thank you very, very much for two terms consecutively of distinguished service on our behalf.

LORI SCHULMAN: Yeah.

LORI SCHULMAN: Yeah. I'm going to chime in. John's been exceptional in his role as vice-chair. He was essentially doing the role of chair along with Greg. Seb had conflicts that made it very difficult to do some of the tasks, to be at in-person meetings, and John really stepped in and represented the IPC above and beyond. And I echo Heather's thanks. She knows what she's talking about. As many of you know, she's a past GNSO chair and knows how hard the work can be. So thank you.

BRIAN KING: Thank you for the comments. Lori, if you want to please keep going and ultimately call on Flip in the AOB section, it is back over to you.

LORI SCHULMAN: Thank you. I'm really happy that this meeting is on schedule, and that we've got a lot of work done. And I especially appreciate the Fellows for participating. And we do have student membership category that's

pending, so if the Fellow who spoke wishes to contact us, let's see if we can arrange some kind of temporary membership until our student membership is fully ratified.

With that, Flip, I'm going to turn to you. And then we'll go to the report from Charles, and then we'll adjourn.

FLIP PETILLION:

Thank you. Actually, it is the quality of the work done by John, by Susan that made me think that I actually should step in here because, as you know, I'm now a NomCom member appointed by IPC. And it's one of my tasks to go after people, to reach out, and to find these top-quality people to fill the empty spaces in some leadership positions.

And we are currently looking for three people for Board positions, so ICANN Board of Directors. Two for ALAC, one for ccNSO, but also one for GNSO. And I will, on a regular basis, request Lori and you for airtime so that I can come back to you and make promotion for this, so that you can help me find the right people.

I think this is an ideal opportunity for us to try to get the right people on the right place. We are looking for people who are not necessarily people with experience at ICANN, but they may have skills that we need that ICANN. So for example, somebody who has some special skills in financials, processing—that can all be helpful. And actually, that would help the selection process because that would avoid conflicts of interest, of course.

So Brian, Lori, I will come back to you on a regular basis and ask for some time to talk about this and to inform you, also, on the progress

that the NomCom is making insofar as, of course, I am allowed to do that because we will never be allowed to talk about concrete applications by people. Thank you.

LORI SCHULMAN:

Thank you, Flip. And I'm very quickly going to go to Charles. Do the best you can. We're almost a time. When Charles is finished speaking, we won't take questions for Charles. You can grab him in the room. We'll have a bigger talk about UN processes and them relating to ICANN in an online meeting.

So, Charles, please take it away, and close us out.

CHARLES SHABAN:

Thank you very much, Lori, and very happy to be back to the IPC in my new capacity with the INTA. I'll make it very short and special in some points about the IGF in Kyoto. In fact, it was a really good meeting to participate in. Of course, as you know, we should now think more than just the IPC, of course. So let me start directly.

As you all know, we start usually in day zero, which is mainly high-level panels. And this time there was a new declaration for the future of the Internet. It was the declaration, I think many of you heard about it, which started with from the founders of U.S.A., EU, Japan, and Kenya governments besides of course, some other stakeholders.

But mainly, it was a big session, almost half a day with some breakout sessions where private sector and civil society governments met in between, let's say, the start and the end to talk what should be the

priorities to add to the declaration, what to concentrate on. I think I was able to add the priority, which is the intellectual property rights because, as you know, IGF usually doesn't, let's say, give the IP the needed attention.

And moving on, some of the other high-level session. I think I need to mention to you that many high-level people from governments and other stakeholders, including ITU, they stated a lot about the importance of the IGF. I'm not sure if this means this is mainly a support statement to make sure that IGF should continue. So, hopefully, it is in fact, as we all heard about the [Global Compact] [and the forum], it may be established after the IGF in 2025 when [it finishes its] term.

But I think the speeches I heard was supported by Jeff, at least, if not continued the same way to be a main player in the coming new forums, whatever it will be, of course.

After that, it was clear that the next IGF will be in Riyadh in Saudi Arabia next year. After that, it could be in Norway, and most probably. And of course, after that, we will have to wait for the UN General Assembly to know if it will continue with the same way, another way, and so on.

The Saudi telecommunication minister was there, and he tried to put something maybe to prepare people to have something like a framework or the declaration. It's clear they want to do something, hopefully, next year. We'll see something. We need to make sure the IP is still maybe one of the main and important issues.

Maybe just because not to take too long, good to mention the Manga Workshop, which are a new members, I heard, in this meeting from Lori.

And they were really good in having a very big workshop, and one of the few, of course, who discussed IP specific. And they were concentrating on anti-piracy impact, as we can all expect. It was very well attended, maybe more than one other people. And everybody who knows IGF, usually these workshops is very poorly-attended. But this one was really good with more than 100, for sure. Many of them were youth.

The bad, maybe, side that some of the youngsters from Brazil, in specific, they were talking against copyrights in a way in their interventions, that they thought that copyright stops knowledge share.

I tried with another one from the movie industry, as I understood, to make it clear that, no, copyright is not against this. Maybe this means you don't understand copyright correctly, fair use, and so on. So hopefully, it was good.

LORI SCHULMAN: Charles.

CHARLES SHABAN: Yeah.

LORI SCHULMAN: Yeah. I have to cut you off. I'm sorry. But you leave on a great note that our newest member, the Japan Manga Association, will be a great contributor and that we should think about programming and propose programming for those who are interested. We can do it as individual associations or interested parties without it necessarily being the IPC, per se. And that's what I think we should do.

And I'm getting all kinds of messages from Devan, and we like to keep Devan happy. So the meeting is adjourned until next time, and we'll continue all of these conversations. Thank you.

CHARLES SHABAN: Thank you, [everyone].

BRIAN KING: Thanks, everyone. Bye-bye.

DEVAN REED: Thank you all. Thank you, Lori.

LORI SCHULMAN: Thank you.

[END OF TRANSCRIPTION]