LONDON – Name Collision
Monday, June 23, 2014 – 17:00 to 18:30
ICANN – London, England

FRANCISCO ARIAS: Hello, this is Francisco Arias, Director of Technical Services within the Global Domains division at ICANN. This session is about the name collision occurrence management framework, which is a component of the mitigation plan on name collision [inaudible] approved by the NGPC on last year.

I have here to my left Patrik Fältström, chair of SSAC. Jeff Smith, [inaudible]. Did I get it right?

JEFFREY SMITH: Yes.

FRANCISCO ARIAS: Thank you. So let's start. The agenda for today, we're going to have a short introduction to the topic, then we're going to have Patrik talk about the SSAC advisory on name collision, SAC066. And then we're going to introduce the ICANN proposal. Then we're going to have questions and answers.

So first thing, what is name collision? This is the [inaudible] of name collision. It's not intended to be technically correct, just to provide a general idea of what we are talking about.

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So name collision for what we are interested here is, for example, when a company that has a private network and they configure domain name that does not exist in the DNS. For example, they are using a top-level domain name that has not been delegated in the root. If they are leaking queries, meaning they are [inaudible] sending queries for that domain name to the root, they are potentially vulnerable to this issue.

The issue will be presented when that TLD that is being used in this private network is delegated in the [public] DNS, because then the user that was previously receiving response that the domain name does not exist now [inaudible] will receive a response that the domain name exists. I'm going to the public DNS one day intended to go to the private network.

Like I said before, this work is coming from the name collision plan that was adopted by the NGPC, the New TLD Program Committee within the ICANN Board on 7 October last year. The plan, in general terms, contained the following elements. First is that there are two strings that will be [inaudible] indefinitely. That's .home and .corp. And commission a study to develop a Name Collision Occurrence Management Framework (or, in short, "the framework). That is what this session is about.

Then the plan talks of this framework would be used to develop an assessment that will be provided to each new TLD registry.

The plan also contains mechanics that is currently being used to delegate TLDs into the root. That's called Alternate Path to Delegation. That measure allows a TLD to move forward with delegation without having the frameworks in place by requiring the registry to block certain

strings that were encountered during [inaudible] captures of packets in DNS work for several years.

Finally, the last element in the plan is to conduct an outreach campaign to alert potential people that will be affected by name collision.

So what's the development process for this framework? On November last year, we engaged JAS Global Advisors to develop a report with recommendations for this framework. JAS drafted the first version of this report and went for public comment on 26 February until April.

As you can see in the slide, we're calling this the Phase I Report. As you may know, during the study JAS encountered vulnerability that following ICANN's procedure, we are withholding some information regarding the [tests] that were done in order to avoid attackers to know what they can use, what they can [inaudible].

Following with the timeline, SSAC issued an advisory on the draft JAS report on 6 June, and then JAS published the final Phase I report 10 June. And the next step, which is where we are now, ICANN has developed a proposal that is to be considered by the NGPC as the framework. So this is a graphic showing the different important dates I already mentioned.

So highlights from the JAS report. The report concludes the addition of new top-level domains do not change fundamentally or increases the risks associated with DNS name collision, and supports the two – [inaudible] the delegation of the two strings, .home and .corp, but also recommends to do the same with .mail. It also recommends to use a

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mechanism called control interruption, which I'm going to describe later, to mitigate the risk of name collisions.

Finally, one thing that is also included in the report is that the assessments and recommendations in the Phase I report will not change with the Phase II report. Like I said before, the Phase II report will simply contain the same information on the tests that were done, and that will contain information about the vulnerability that has currently been addressed by the [affected vendor].

So with that, I will turn the microphone to Patrik to tell us about the SSAC Advisory.

PATRICK FALSTROM: Thank you very much. One thing I would like to add regarding the timeline that you have is that everyone do believe – you can see the timeline is very short overall. I just want to remind people that the first discussion on namespace collision actually started when SSAC released a report on the topic on the 15th in November 2010.

So in reality, there have been discussions on namespace collisions all the time since then, so it is not something that is new. Of course the stress has, of course, increased lately.

So we already heard about namespace collisions. We very explicitly talk about namespace collisions as something that is much broader than the DNS. It is about the use of a domain name – the use of a name in one namespace may also appear in another namespace. So it's a generic name collision between two different names – sorry, collision between the use of the same name in two different namespaces.

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So, for example, there are some namespaces that look very much like domain names and might very well be used instead of domain names in, for example, browsers or applications, etc., but they're actually not domain names. So the collision might actually exist whenever you have the same kind of token that you are using in two different ways. And not only for example in what we just saw, the example when you have a collision very explicitly use in the DNS when you have a new TLD. A collision can happen elsewhere as well.

So what is important, though, and where we agree with what we just saw is that the unexpected behavior may result when the intended use is not possible just because of something that's happening in another namespace.

What we are doing here, what is also very important to know, is that we are given – the comments in SAC066 is very explicitly only on the report which is the JAS Advisor's Phase I Mitigation Report, not about other data that might exist that we gathered by, for example, interacting with ICANN staff or the JAS advisors. The report we have – the SAC066 is on the JAS Advisor's report and nothing else.

We started working early April. It took about eight weeks to reach consensus. And just for all of you, to give you an indication on what this means for SSAC, we normally produce six reports a year when we prioritize them. It takes between three and six months to write a report. This was a report that we produced in eight weeks without prioritizing it while we were doing other things, like the IANA transition issues. So although we hear that people think that we could have delivered this faster, unfortunately just because of how ICANN works and how our

process reach consensus, this is how fast we, just like many other groups, are delivering things within ICANN.

So some background, some specific background on what we are talking about in the report. We are doing various different evaluations. And when talking about evaluations and the conclusions of evaluations, it's very important to separate between when you are going to do a calculation or risk that you're using some kind of formula to calculate the risk and you have certain input and certain criteria.

There is one thing if two parties disagree on what formula to use. There's a second thing if it is the case that you agree or disagree on the result of applying that calculation.

So, for example, if it is the case that you have multiple variables that might imply risk, it depends on how important you think each one of those variables are. Depending on what risk you [set] on the various variables, you get different output.

From SSAC point of view, the principle requirements from SSAC point of view has to do with effective communication, specifically to the ones that are impacted; measurability; and minimum harm. So those are the requirements that we from SSAC perspective put as principle requirements.

So if another body is using other principle requirements, even though they agree with the SSAC formula on how to calculate the risk or the ultimate best solution, it might be the case that they reach a different result.

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Further, our report is pointing out a few issues in the JAS Advisor's Report where we do believe we have something to add. That implies that, of course, there are large portions of the report where we didn't feel that we had anything to add or comment on, and on those things we are silent.

The exact recommends, you can find the report, and I encourage the people that would like to know what our recommendations are and also what the rationale is to have a look at the report. But this is a summary.

You can see yourself on the screen here we talk about expanding the range of the situation that would trigger an emergency response. Regarding the controlled interruption, we are discussing in the report why we do believe that rolling interruption period is something that we believe with, once again, the evaluation that methods that we are using, we think a rolling interruption or pulse interruption is better than a continuous interruption.

We do believe that an evaluation of potential notification approaches is something that is needed, so it's important to know what the actual implications might be.

We also believe that when building these kind of notification mechanisms, having approaches which are IPv4 only is something that need to be looked at, because we get mastermind IPv6 deployment and solutions should also take IPv6 into account.

When it is the case that these kind of systems of controlled interruptions are put into place, it is really important we see from various other processes which are similar to controlled interruption,

that it's really important to think about all different kinds of events that can happen so that all involved parties know beforehand how they are supposed to act, because if you have an incident due to controlled interruption, you cannot really think about at the time of the incident who is going to do what.

We also believe, which also Francisco talked about a little bit, is the JAS Phase I report is one thing, but of course there are other things as well. For example, like we just heard, that the [inaudible] in the JAS Phase II report adds more details and the information about why certain choices have been made. So we are just pointing out the JAS Phase I report doesn't contain all information needed to be able to do proper calculations.

It's also the case that the JAS Phase I report do inform the reader the recent information that may or may not impact the result of the risk calculations, and we do believe that it's pretty important that, when possible, actually disclose all information so that involved parties do understand how and why the calculations were done.

And then we just have a warning about extrapolating findings from all situations to other situations, specifically if it is the case that there are [unknowns].

And once again, remember that we in SSAC are commenting on the report, and based on data that is in the report and nothing else. Thank you.

FRANCISCO ARIAS: Thank you, Patrik. So now I'm going to introduce the ICANN Proposal for the Framework. The proposal was developed using as a basis the JAS report, but also incorporating input received in the public comment forum from the Phase I report, and also of course incorporating the advice from the SSAC.

This is our proposal. It still has not been considered by the New TLD Program Committee. The intention is to present it to them after London. And as I mentioned before, this is going to serve if adopted as the Name Collision Occurrence Management Framework that is an element of the Name Collision Plan approved on 7 October last year.

So let's talk about the proposal. The proposal is divided in two main sections. One is the requirements for the registries. The other is what ICANN will do.

In terms of requirements for registries, the first element is the name collision report handling. This is a measure that already exists. All the new TLD registries are required to do this. This is the way it works. ICANN has [inaudible] in the name collision section of the website where a party that is being affected by a name collision caused by a new TLD can report such issue, and then ICANN will process a request and pass to the registry for action. That action could be, for example, temporary suspension of the domain name that is causing that name collision so that the party that is affected can make the changes necessary in that network and then the suspension of the domain name would be lifted.

So the changes, like I said, this is a measure that is already in place in the New TLD Registry Agreements, specification six to be precise. The

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change will be that there will be an SLA, a service level requirement, so that the registry responds within two hours. We'll be using the emergency contacts that the registry already has to provide to ICANN. The emergency contacts are used, for example, to notify the registry when the service level agreement monitoring system identifies an issue with the services provided by the registry.

The other change is that currently the registry agreement says that this measure put in place for the first two years after delegation of the TLD and the change will be to make it available for the life of the TLD. So that's the first measure.

Second is the controlled interruption [mechanism] that has two flavors, which I'm going to explain in the next slides. This measure will be available for 90 days, and the [inaudible] that we are proposing is to do a continuous interruption, meaning it starts during the 90 days. The records are going to be inserted and the DNS will continue to be for that whole period without making it intermittent, which is the other option that has been pointed out.

The other element is to use an IP address from the loopback address block in IPv4. This is a special block that is reserved that is not to be routed in the Internet. The idea here is that in the DNS if you receive this IP address, the communication would not leave your computer. The idea here is to avoid the possibility for potentially sensitive information to leave the computer of an affected party.

The other thing we are saying in the proposal is that we will add an IPv6 option when available. [Unfortunately] the way IPv6 is defined, there is [inaudible] immediate [archival] into the loopback address block. But it's

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a loopback address, but not a loopback address block and we would like to have that flexibility to have a block not just one IP address. There are potential issues with using the loopback address as defined in IPv6.

So I said before there are two flavors of controlled interruption. The first one is what we call the SLD Controlled Interruption (Second Level Domain Name Controlled Interruption). This is the interruption that would be the default option for TLDs that were delegated before this proposal is adopted.

So in this case, the registries will have to insert DNS records as specified here for SLDs that are in the block list. They are going to insert MX, SRV and A records for those names. And remember the idea will be that this will remain in DNS for 90 days continuously.

After those 90 days, the registry will be free to release those names and activate in the DNS as necessary. It's important to note that a registry can now allocate the names, even though in Sunrise the only reactions that currently exist is that the names cannot be activated, and this can only happen until this control interruption period has passed.

Also a clarification that has been provided before is that according to [RPM] requirements, there is no current requirement that names have to undergo Sunrise only claims. That is, if the names are not allocated during the period. So when they are released, the only [inaudible] for the registry is that the names have to go through claims. So that's the first flavor of controlled interruption.

The second flavor of controlled interruption would be using wild cards – wild card records in the DNS. This is the option that would be

mandatory for TLDs delegated after the proposal is adopted. This option will also be available for those TLDs that were delegated before the adoption of the proposal, but only if the TLD has no active names from [inaudible] parties. It could be still if they have nic.tld, that's okay. That's a name of the registry.

The reason for this restriction comes from the history on the wild card records. There is previously existing recommendations from several parties. I believe SSAC provided advice at the time. There is a report from ICANN that was published together with the Applicant Guidebook that summarized some of that advice, and it states something to the effect that – it not only talks about TLDs, but domain names that are being used as a registry that offers registration to third parties should [inaudible].

The records [inaudible] would be required from registries to be inserted in the DNS will be wild card records for MX, SRV, TXT and A records. Also for the Apex. Apex is a technical term to refer to the TLD itself. So the TLD and the wild card record for these different types.

Another thing to consider is that during this period – this is for the wild card control interruption, not the SLD control interruption – the registry will not be allowed to activate any names from third parties.

Other obligations will remain in place. For example, the obligation to provide WHOIS services under whois.nic.<tld> since this is a service that is being used by other parties like the Certificate of Authorities in order to cope with the interim names certificate issue.

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Now, the second part of the proposal talks about the things that ICANN will do. First, .mail will join .corp and .home and will deferred for delegation indefinitely. ICANN will also work within the IETF to reserve those names so that they are not delegated.

Another thing that ICANN will do is produce informational materials on the subject and make them available. For example, suppose assistant administrator has been affected or her network is affected by name collision and [inaudible]. This special [inaudible] says that we intend to have during controlled interruption and they go and do a search in the Web.

The idea will be that we will work to make those searches to provide information that is useful for that party to make the changes necessary in the configuration.

As I said before, there is not currently a good IPv6 option for the controlled interruption as we intend to use, so ICANN will work with the IETF to identify a solution for this. And once this is available, we will of course integrate it into the measure. I should be honest, this is probably going to take a long time.

Another thing that ICANN will do is to work with the root server and TLD operators to measure and store data that can be used for name collision study and prevention in the future. This is something that the NGPC, that was already part of the plan. We are just making emphasis on this component of the mitigation plan.

ICANN will also limit the emergency response in name collision reporting. So when a party reports that it is being harmed by name

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collision, ICANN will only limit the emergency response to cases where there is a clear and present danger to human life.

We will also develop a mechanism similar to the EBERO that already exists for [SLA] monitoring purposes. Assuming the case where a registry is unwilling or unable to affect the changes necessary in the DNS to stop a name collision that, like I said, is creating a clear and present danger to human life, then ICANN will take over the operation of the TLD and affect the changes necessary in the DNS. This is a last resort measure. We're talking about an extreme measure.

Similarly, there is another extreme measure that should only be used as a last resort mechanism. Suppose in the case where the name that is causing clear and present danger to human life is the TLD itself, meaning there is a dotless record that is being used in some private network, and again is creating a clear and present danger to human life – there is a high bar there – then there will be a last resort procedure to remove that TLD temporarily until that issue is resolved.

The last section of this presentation is about covering the alignment of the ICANN proposal with the SSAC Advisory. There are a couple of recommendations of SSAC for which we are not completely aligned, but most of the advice that is being provided by SSAC is [inaudible] by ICANN and I would like to explain a bit on that.

So there are eight recommendations in the SSAC Advisory, and in the ICANN proposal, we are adopting [inaudible]. Recommendation three which is to evaluate potential notification approaches following the SSAC requirements defined in SAC066 prior to implementing approach.

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As Patrik mentioned before, in the case of ICANN we have certain information that is not publicly available that makes us go through the option of the loopback, and supposed to the [inaudible] which is another option that is available.

Another recommendation that we are also adopting is to implement a notification approach that supports IPv5. Of course, as I said before, this will be once. There is an option available, and like I said, it may take some time.

Another recommendation that we aligned with SSAC is to provide clarity to the registries on those [inaudible] allocating names once they are at the end of the control interruption period, and we intend to provide that clarity as necessary.

Next recommendation is to consider the input beyond the Phase I report before acting, and if action will be taken, communicate this clearly to the community. So the intention is to act on Phase I report. That's what we are saying. I hope the framework is clear in that respect.

Then next recommendation is to publish the information in due course. We take this to refer to the vulnerability, and indeed we are planning to do this once the conditions are right to provide that information, meaning once the effected vendor has provided a solution so that we avoid impacting two parties.

Lastly, provide a stronger justification for extrapolating findings. This is something that we are relying in JAS description that is in the final paper explaining why they extrapolating information the way they did. So we think we are aligned with the SSAC advice.

Like I said, there are two recommendations in which we are not completely aligned. The first one is SSAC is saying expand emergency response beyond clear and present danger, and the use of the rolling or intermittent controlled interruption. And I'm going to explain the rationale that makes us go in the way we are proposing to go.

So first, the clear and present danger to human life. Like I said, SSAC is recommended to expand [this beyond that]. We think – and I believe this is something that Patrik also mentioned before with different words I guess – the severity can be measured from multiple points of views.

So when you are making a decision about impact to two parties – for example, someone that is affected by name collision – there is another party that registers a domain name in the public DNS that is also affected.

So if you remove or suspend that domain name for a certain period of time, there is an impact to that party. So we need to consider the two points of views.

The other thing to consider is that there is a potential for gaming. We have a [bar] that is based on [inaudible] economic criteria. If we were to have a [bar] that is based on certain economic impact that could be used to game and, for example, affect a competitor.

There is also some of the [inaudible] that are based just as potential concepts to be adopted to expand emergency responds – concepts of national security, law and order, key economic processes and so on, that we think are not easily agreeable in a global basis.

When you try to apply this to different countries, different systems of thinking, loss, etc., it is not an easy way to find something that is available for everyone to act.

And finally, we think that focus on human life is potentially the only thing that nobody is going to debate there is something that should be done.

The other recommendation where we have some different thinking is the recommendation to use rolling controlled interruption. That is DNS records that are required for controlled interruption will appear in the DNS for a period of time, then disappear, appear, and so on.

And ICANN, what we are saying is let's do a continuous controlled interruption so that the DNS records appear for the 90 days without interruption.

So the reasons why we are – we think this is an issue of trade-offs. We think this is something of considering the option, and if you ask these different experts, they will give you different judgments, different advice. What we think here is by having a continuous controlled interruption, we have a mechanism – remember, controlled interruption, the whole point is to make things to fail in a safe manner, let's say.

So we think by doing a continuous interruption we make things easier for the affected parties to diagnose and troubleshoot the issue that they are seeing.

We think it's easier for someone [inaudible], for example, to realize that a service is down. If it's a continuous period as opposed to up, down,

up, down, that is usually something more complicated to understand what is happening.

We also think doing a continuous controlled interruption provides lower operational risk to implement, meaning it's easier for all the parties involved, the registries to implement, ICANN to monitor, etc.

One of the justifications to do the rolling controlled interruption is to provide a period of relief to the party that is being affected so that when you turn off the DNS records, the potential harm to that party is stopped for a period of time until it's back on.

So we think there is already a mechanism we provide in ICANN by having this reporting mechanism for name collision. So if a party is affected by a name collision at any moment during the 90-day period, they are able to report this issue to ICANN, and then ICANN will go with the registry and quickly act on the DNS as necessary to relieve from that issue.

Finally, we think given what we mentioned before, provide a better way to indicate the need for changes in the affected parties network configuration. When they see that something stopped working, they can more easily realize that they need to do something. So this is the short explanation of why we are going the way we are proposing to go.

Finally I just would like to say that the next step here is – except this is still a proposal, and the next step is to put it in front of the new TLD program committee to consider and hopefully adopt as the framework within the plan, the name collision mitigation plan.

So with that, here are some important links to the JAS final report – the SSAC Advisory and the public comment forum on the JAS report. We have not yet published the ICANN proposal. And with that, if there are any questions, please.

UNIDENTIFIED MALE: My name is [inaudible]. I've been observing this. As the son of a doctor, I'm just baffled. I've never seen a doctor refusing to look at [inaudible] patients and just saying, "Statistically, we have this."

Now, there's a danger. Suppose there was a health hazard here in the United Kingdom, and as of now, the borders are closed. Nobody is going to go home. But the specialist said, "Let me not look at individual patients." The couple of ministers here, they stay here. They're not going to go home. Oh, there's proof that this person has absolutely nothing to do. No, no. Stays here. Nobody to go home.

I can't imagine that it is not possible to look at all the data. It would not be possible if you had a health hazard here to analyze the situation of 80 million people in the U.K. Probably not. But if there are a couple of people who, such as ministers, who do have to travel, the couple of people who are necessary for society, whatever, that should actually constitute exceptions, the most elementary aspect of a policy is to include a provision for that. We don't have it. I just don't see why this is missing.

The proposal is good. It can be [workable] just so long as there is a provision for exceptions, at least to the extent that there is one for

nic.something. They can do checks whether nic was okay. [inaudible]. It should be okay for nic and [[inaudible].

So if it is okay for nic [inaudible], probably okay for a couple of closely analyzed strings, and say, "These ones [inaudible]." I can give you an example. But if they do [inaudible] real, it's the prefecture. It's the place. Just analyzing, we come to the same conclusion for that one as for nic [inaudible]. There's no risk. Let's go ahead with that one. If really there is something, we can do the two hour response at that time or something, but this is really no reason to block everything. This is bad policy.

[applause]

FRANCISCO ARIAS: Thank you, [inaudible].So on nic.tld what we said is – this is coming from the plan, so from before, is that the name will be active because it has a use in providing the WHOIS service, which is for the Internal Names Certificate mitigation.

And we also said that in case there is a name collision identified under that SLD, then the name collision reporting mechanism can be used. So if a party's affected by that, then we will of course act. So there is a mechanism to provide for that. Thank you.

JIM BASKIN: I have a couple of, I hope, quick questions. I've looked at both version one or the initial Phase I report and the final Phase I report, but I didn't go through and run any comparison software to see if there was many

major difference between the two, but I didn't on the surface notice anything significantly different between the two reports.

I was a little bit concerned that there weren't any changes. I thought that the next version coming out would include all the data that was redacted, and now we find that that's going to be the Phase II report.

I also looked through the summary of the comments that was published by the staff, and I saw that the comments were summarized, but the analysis, the final section on the analysis, said that it will be analyzed and information will be passed on to the board. There was no analysis actually provided, which I found a little bit unusual, although I haven't looked at a whole lot of others to see if other reports of this nature have any better analysis in them.

But without the analysis for us, it's hard to tell whether any attention has actually been paid to the comments that were made. I saw a little bit about potentially there being some things out of the staff report, or the staff proposal, but you've summarized the staff proposal. You said it's going to be published, but can you tell us when?

FRANCISCO ARIAS: So I think that I heard three different questions, so I will let Jeff to talk about the question on the report, and briefly to answer your other two questions, when the proposal is going to be published, we intend to do that when it's adopted by the NGPC as is usually done after this public comment.

Regarding the analysis, what we have done in the past – for example, for the name collision mitigation plan approved on 7 October, that's

exactly what we did. If you look at the public comment report, you will find that the [inaudible] says the same text as the analysis for this [inaudible] be provided. In that case, we provided analysis in the plan. There is an appendix provides analysis of the public comment.

We suspect that the intent that the proposal will explain the rationale what we are doing, why we're doing what we are doing in the proposal.

JEFFREY SMITH: Thanks. I'll comment on how we process the public comments. We did take the public comments seriously. And if you recall, we actually kind of a public comment period before the public comment. Most of the material on our report was published on an industry blog. It's been discussed on mailing lists and such. So we took a lot of the feedback into consideration, even prior to the ICANN public comment period.

The first section of our report contains about a page with bullet items that talk about the specific things that we reacted to in the public comment period in the second draft of the report. I would encourage you to take a look. There's probably seven or eight bullet items in there that talk about specifically what we did as a result of the public comment period.

[JIM BASKIN]: Just for clarification, the report – or the recommendation to the New gTLD Program Committee is not going to be made available to the community until after the New gTLD Committee has acted on the report and made a decision.

FRANCISCO ARIAS: I think what we presented here is the proposal as we intend to put it for consideration to the New TLD Program Committee. This is the proposal. Of course there are not all the details here, but I believe this is the most important elements of the proposal. What is missing is some details that I believe are not material regarding the proposal.

So yes, the intention is to do as you said, put the proposal for consideration to the board and then publish.

JIM BASKIN: And not to stay too much longer, but the emergency response, when we use the term emergency response – and that will only be taken in the case of clear and present danger to human life – is emergency response strictly the full shut-down of a TLD or is it potentially other things as well instead?

FRANCISCO ARIAS: Yes. In fact, the main use will be to suspend a specific domain name in the second level. So if there is a collision that has been reported with, let's say, www.company.example, then what will be suspended is company.example, not the TLD. The only case where there will be consideration for removing a TLD is if there is a dotless domain name (say .example) but it's causing clear and present danger to human life, but extreme case [inaudible].

JIM BASKIN: Thank you.

JEFF NEUMAN: Aloha. This is Jeff Neuman for the record. Just on the last comment that said there was no significant analysis, I think it says a lot to say that there's been hundreds of TLDs delegated and zero cases of reported collisions. I think that's pretty significant. I think that is the most significant type of analysis. The reason there's no analysis is because there's no cases report. People should clap for that, right?

[applause]

Yet we're here now 15-16 months after the first time we discussed this in a public way. I think it was March of last year. And still no cases reported.

So I appreciate the SSAC the report, the response. I appreciate all the work and the fears that are out there, but until anyone comes with any kind of example of this happening in real life as opposed to make-believe land, then let's move forward.

I just want to make sure, Francisco, when it's presented to the NGPC I'm assuming the proposal is not to do another public comment period. Is that correct?

FRANCISCO ARIAS: Yes, correct. The proposal already went to public comment in the form of the JAS report. So this is would be the final.

JEFF NEUMAN:

Okay, that's great. So what I want to really focus on – and often this is not focused on until actually after a policy is adopted, but I want to focus a little bit about the process to start the controlled interruption.

Normally the way ICANN does things, it'll pass a policy and then ICANN staff will decide how to implement it. What I do not want to see happen here is what's happened with things like Spec 13, where all of a sudden you adopt it, the NGPC adopts it, and now all of a sudden ICANN staff takes about month or two months to decide, okay, well how is a registry actually going to start controlled interruption?

So like Spec 13, the ICANN staff went back in and said, "Okay, we're going to send a note to all of the applicants. We're going to ask them to basically submit to us a letter that describes how you're in compliance with Spec 13. Then we're going to post that for public comment for a period of 30 days. Then we'll sign an amendment. And then we'll let you start."

You can't do that this time. What you have to do this time, we've been waiting way too long. You've already killed a lot of our business models, or we have to resuscitate it back to life. What you have to do in this case is – in fact, I want to start controlled interruption today just for the heck of it. But what you cannot do is make us go through a long drawn-out process, which actually delays us for another three, four, or five months.

We need to, as soon as that decision comes down, you also at the same time come up with a document that says, "Okay, registries, you can start now." No application process. No ask us to prove that we're going to do things that we say we're going to prove. No written amendment that we have to sign that we have to wait weeks for ICANN staff to

actually send us the amendment. Let's get it done, because it's already too long. It's time to actually move this into production.

And then the question I have, on the slide you said that registries will have to have a reporting process to respond within two hours. What does that mean from your viewpoint? What does ICANN staff expect that response?

So if someone sends a note to support@xyztld – oh, I shouldn't use that as an example. Sorry – ABC TLD. What do you expect out of that response?

FRANCISCO ARIAS: Thank you, Jeff. I hear a couple questions. So first, the last one you said, the two hour delay is to say that we will report to you, and then in two hours, you will take the action necessary. For example, suspend a domain name.

So we use the two hours, given that [inaudible], and you are [inaudible] required to update DNS within an hour, and [we thought] it will take another bit of time to act when you report an issue with a specific SLD.

JEFF NEUMAN: Sorry. So it's ICANN reporting to the registry that an action must be taken, and then that action must be taken in two hours? Not someone contacts – I got it. Okay, thanks.

FRANCISCO ARIAS: Yes. The way the process works is the [inaudible] party contacts ICANN and then ICANN will relay that report to the registry. That's when the clock starts, once we relay that to the registry using the emergency contacts.

There is something that I should mention. In regards to the whole proposal, we obviously discussed this with members of the Board during this weekend, and one of the things they asked, they said we should present it to the community to hear what the community thinks about this and they are hearing what you are saying.

JEFF NEUMAN: Thanks.

UNIDENTIFIED MALE: [inaudible] with .fans. A comment and a question. So, comment first. I think we're facing some kind of communication problem here, because the way you communicate this looks like it's kind of purely technical problem. At the same time, the issues have much broader implications in particular, just for the business side, for the investors.

And I really ask that you communicate the business implications much clearer. I would, for example, suggest that you put up some FAQ page saying, "If your TLD is delegated after date X, that means for you that you'll basically have to delay your launches for three months." It's as clear as that.

But at the same time, what I'm saying here is that these parameters are buried somewhere just in the middle of the multi-page report.

The question from me basically is a project management question. When is the triggering date? I believe you envisage some scenario, but you put this report in front of the Board, the Board will accept it. And basically, when is that? Is it 26? That doesn't mean that if our TLD is delegated after 26, then we'll have to wait for three months before we can activate any names, or not.

FRANCISCO ARIAS: I hear two questions, and I believe you're repeating the question that [inaudible] to Jeff that was about when the measure can start. So this is something that we have discussed internally. We understand what you're saying about this should start as soon as possible. These measures will be available as soon as possible.

So one of the things we have been discussing internally is that we could potentially go quickly on the implementation of this if we use mechanisms that already exist. For example, we already have a requirement for the registries to provide their zone files, and we'd unload those daily. So we could use the zone files that we already are collecting from you to measure the period of the 90 days, so we could use that mechanism to measure the compliance, let's say, with that measure and you could start the controlled interruption as soon as this is a mechanism that is available. In other words, when it's adopted by the Board, by the NGPC.

And there was another question, which I forgot.

UNIDENTIFIED MALE: Just once again. So you think that the proposal will be adopted at this London meeting, right? It's their envisaged scenario.

FRANCISCO ARIAS: I don't think there is any scheduled meeting of the NGPC, but I cannot speak for the NGPC.

UNIDENTIFIED MALE: All right. So you don't know the exact date, right?

FRANCISCO ARIAS: Correct.

UNIDENTIFIED MALE: Okay, thank you.

UNIDENTIFIED MALE: Francisco, this is Reuben [inaudible] with New gTLD Applicant Group. First, a comment. Since this presentation is called "Name Collision Framework" I think we can say that it already satisfied the [inaudible] requirement, so we can implement it right now. Don't have to wait for the Board to actually sanction that. So we already have something signed by ICANN, so it can implement by now.

I have two questions. First one, if the name collision framework proposal by ICANN staff read to be analyzed by NGPC? So if this minute NGPC walks into this door, would you be able to give them the framework?

FRANCISCO ARIAS: Like I mentioned before, we already presented this proposal to the NGPC during this weekend. They hear it. There was feedback. Like I said, one of the things they requested is to hear what the community has to say about this proposal before they consider it for adoption.

UNIDENTIFIED MALE: Okay. Second question is since we have a two-hour SLA on acting on the communication, let's say we figure out that there could be a risk in implementing that action, and then we need to ask ICANN to consider that risk as well. Would ICANN have an SLA to answer to that?

FRANCISCO ARIAS: Thank you very much. I think this is a great question and is something that we need to consider.

UNIDENTIFIED MALE: Okay, thank you.

UNIDENTIFIED MALE: ARI Registry Services. First of all, the irony isn't lost on us that the two things you're asking us to do to help mitigate these collisions, wild carding and dotless domains, two things that you told us we couldn't do because they had significant security and stability implications. So that's something that I want you to think about.

But a clarification please. If you could go back in your slides – keep going back, back, back – to the bit where you start talking about the two-hour response window, registry response.

So name collision report having responded within two hours available for the life of the TLD. Can you just clarify what I understand this to be? As you answered the other question before, somebody who thinks they're experiencing a name collision will get in contact with ICANN. ICANN will make some sort of evaluation of that, and if you determine that there is a name collision and there is – and I think you're saying the threshold for that is a clear and present danger to life – you will then…

UNIDENTIFIED MALE: Human life.

UNIDENTIFIED MALE: Human life – oh, okay. Right. So, not my cats. Okay, clear.

You will then contact that registry who has two hours to respond, and by respond you clarified to mean take the action that ICANN's requesting you to take. Have I got that understanding correct?

FRANCISCO ARIAS: Yes. When we report to you, you will have two hours to suspend the domain or [inaudible].

UNIDENTIFIED MALE: And that's only in the case of where there's a clear and present danger to human life.

FRANCISCO ARIAS: Yes.

UNIDENTIFIED MALE: Yes, okay. And this is available, as it says, for the life of the TLD. So from now onwards.

FRANCISCO ARIAS: Yes.

UNIDENTIFIED MALE: Okay. So 20 years from now, if a name collision is now created because somebody produces a new – I don't know – heart monitor that just happens to try to use an internal name and now collides with something in my namespace that's been delegated for 20 years, I now have to turn around and turn that person's domain off that's potentially a multi-billion dollar business for all we know, go around and turn off their name now because someone 20 years from now who should know better by that point in time has created a device or done something that they shouldn't have done that now has created that clear and present danger.

And if we are doing that, then that should, in theory, retrospectively apply to com, net, info and any other TLD that's already out there. I think you're available for the life of the TLD doesn't make sense. There needs to be an end date on this, whether it's one year or two years or something that, after that point in time, we don't take action anymore. Having this go forever, it doesn't make any sense. It's not workable.

Everybody who registers a name in a new TLD now has to take that risk that one day somebody might invent a situation that causes their domain [inaudible] to be suspended. And who's to say that I don't maliciously go out there to create one of these situations to hurt a competitor or something like that? I think we really need to think about this available for the life of the TLD statement, and I think we need to cap that.

FRANCISCO ARIAS: Thank you. Regarding the use of the wild card, I just wanted to respond to that. We do acknowledge that this is something that has been highlighted before us potential issue. What I mentioned, there was this ICANN report that was published four years ago or something like that within the material second point in the Applicant guidebook that summarized the different advisories available on the subject.

And what it describes is the issue of wild cards is not something that's black and white. It is something that is a bad idea to implement it in a domain name that is used as a [inaudible] domain name. That's the concept that is introduced that's in that paper. Meaning there is domain names that have been provided to [two] parties. It's something that is only used by one potential party, there is no specific recommendations on that topic in that paper. Which is the case that will be here for the wild card or controlled interruption since there will be no activation of names during that period.

I don't know who was first.

UNIDENTIFIED MALE: He was first.

JIM BASKIN: Just one more clarification on the process that you're going through now. I thought I saw or heard you say that the staff report recommendation on what the New TLD Committee should do or should approve was going to be presented to them at some point in the future, possibly after the end of this meeting.

But then I thought just now in answering another question you said that the report has already been presented to the TLD Committee this past weekend. Which is it?

FRANCISCO ARIAS: Oh, I thought I mentioned it during the presentation and in the previous question. We presented to the NGPC last weekend as an informational paper, not requesting our solution. We show the proposal just like we are doing now, and they provided feedback. And like I said, one of the things they told us, they'd like to hear what the community has to say about the proposal.

JIM BASKIN: Okay. Have they seen the entire proposal or just the slides like these?

FRANCISCO ARIAS: It was a presentation pretty much like this.

JIM BASKIN: Okay. So the full proposal has not been given to them yet, okay. I understand. Okay. And they also ask you to get comments back from the community. I'm taking it that this one hour is that comment period, basically, to get comments back from the community that I don't think anybody realized that this was the comment period on the staff proposal.

FRANCISCO ARIAS: So I just wanted to clarify again that the proposal already underwent public comment in the form of the JAS report. This is adopting that final JAS report.

JIM BASKIN: I'm sorry, but this proposal is not the JAS report. It's a separate document that was created by staff based in part, or mostly, on the JAS report. It is not the JAS report. That has had a public comment, but the staff document has not. This, you're telling us, is the public comment period for the staff report by us seeing a several-page presentation on the highlights on the report.

UNIDENTIFIED MALE: First, I'd like to thank JAS and the SSAC for their thorough reports – JAS in particular for incorporating and listening to the public comments and all the public feedback that they did.

                       Second, you mentioned that the NGPC wanted to hear what we had to say here, and at that [inaudible], we think that the solution effectively balances the risks, if there are any.

Insofar as we're part of the community, we endorse its adoption. Thanks.

UNIDENTIFIED MALE: [inaudible]. VeriSign maintains the positions in our previous comments, so I won't reiterate those here, but I have a question on one particular aspect that I think has the longest-term impact, and that is the measurement of the controlled interruption period.

You had indicated that you accepted the SSAC recommendation, which is consistent with JAS report recommendation to take measures of the effectiveness of the controlled interruption technique. Can you elaborate on how that measurement would occur and how you expect any analysis of the data obtained during that measurement to take place?

FRANCISCO ARIAS: I'm not sure which recommendation of the SSAC report you're referring to.

UNIDENTIFIED MALE: It is the recommendation both in the JAS report and the SSAC report for a sustainable measurement capability, to understand broadly in the name collision issue, but in particular, in the effectiveness of the controlled mitigation technique. That is, does the technique work to notify affected parties? How are the parties acting?

There is only one opportunity to make that measurement of an intervention. And to go back to an earlier comment on medical

treatment, if there is a novel medical treatment applied, it is a good idea that someone is studying the application.

So I understood your comment about measurement to be an endorsement of the principle of measuring what you do, consistent with the [inaudible] activity, but taken to the next level in these 90-day periods, measuring effectiveness. Do you agree with that or not?

FRANCISCO ARIAS: I'm still a little bit unclear. I'm trying to understand which one of the SSAC recommendations you're really talking about here, because we don't have a recommendation on measurability. We talk about measurability, and one of the parameters that you're using when you're evaluating what kind of mechanism you are going to use.

UNIDENTIFIED MALE: I may have misunderstood what I thought you were agreeing to in supporting the principle of measurement. So if that is not an SSAC recommendation, then we could go back to the JAS report indicating the significance of measurement. Is part of the proposal to ICANN to NGPC to include measurement during the controlled interruption period?

FRANCISCO ARIAS: What is included in the proposal, I believe that you're referring to is the last bullet to work with root server and TLD operators to measure and store data that can be used for name collision is [inaudible] in the future and not during the controlled interruption period.

UNIDENTIFIED MALE: Okay. So I'll focus on that one remaining point. This is the one opportunity to understand whether this never before tried technique actually works. And so without the proper apparatus, without participation of some observer in the process, it would be similar to missing one of the root servers within the [DITL] activity. This is a decision you can make or not make at a particular period of time, and so I would encourage you to make that decision. Thank you.

UNIDENTIFIED FEMALE: We have a question from a remote participant, Maxim Alzoba. "What is going to be done in a hostage situation where a bad guy threatens community with someone's death if TLD A is still alive in two hours?"

[laughter]

[KELLY SALTA]: I'm [Kelly Salta, Data Group Registrar]. It's a request, really. When you finally make a decision of how you're going to handle name collision, can you please include a summary at the end on how we, as registrars, can explain this to our customers that actually want to buy one of the domain names on the block list exactly what it's going to mean to them and how we help them through this process. Thank you.

FRANCISCO ARIAS: Yes, thank you.

EN

AMADEU ABRIL I ABRIL: Amadeu Abril I Abril from [CORE], name collision specialist.

[laughter]

[inaudible] nobody has seen any of them, but here we are all specialists. Now, thanks to all of you for the participation support in this problem. Some of us still have some doubts about whether or not we have been [inaudible] the natural, the scope, the spread, and the consequences of all this.

But having said that, and also taking into consideration [inaudible] claim for exceptions and the need for thinking whether this should be forever or something, and the analysis of the quality of the analysis of the comments.

As you put there that the NGCP wants to know what the community thinks, my summary would be please move ahead and let us start counting the 90 days now. All those in favor please say, "Aye."

PARTICIPANTS: Aye!

JIM PRENDERGAST: Yeah. Hi, Francisco. Jim Prendergast with the Galway Strategy Group. I just did a quick check. It may not be accurate, but there's about 30 different applications for .mail, .corp, and .home. So over $5 million in application fees. What's going to happen to those applicants as a result of the recommendations to sort of park those?

FRANCISCO ARIAS: Thank you. So this is something that we need to define. I don't have an answer for you [inaudible].

JIM PREDERGAST: I'm sure lots of other folks are interested, too.

UNIDENTIFIED FEMALE: The next question comes from Francisco Obispo. "What if taking down a TLD generates new threats on human life because it will take down a system that legitimately registered their name?"

FRANCISCO ARIAS: Thank you. I believe this is similar to the issue that was raised before and this is something that we need to take into consideration.

JIM GALVIN: Just a clarifying question, especially in the context of a two-hour response time that exists for the life of a TLD. Does that service only apply to names that are on the blocked reserved list that have been identified as bad, or could that be something that might apply to any name that might come into existence in the future at any time?

FRANCISCO ARIAS: Any name.

MIKE PALAGE: As someone 15 years of seeing how different processes have been gamed, what you just proposed there is the ultimate gaming process,

because all I have to do is wait for a small TLD when their executive team is flying ICANN to start setting up these name collisions that will automatically be generated and sent to them while they're probably in an airplane, and then the people that want it could just meet with Maguay and say, "Please…" It is so fraught with gaming. Just please think about how this could be abused. Please.

UNIDENTIFIED MALE: Hi, John [inaudible] with Google. I have a couple questions and a comment. First question is there were public comments in the original response to the JAS period that talked about the fact that there doesn't seem to be any specific implementation around the provision for Sunrise for names that come off of the block list, and then become released, even though ICANN documentation seemed to indicate that a Sunrise period would apply for those. I don't see anything new in either the analysis or the framework, at least on these slides, that seems to cover that topic. Do you guys consider that idea rejected, decide it was already dealt with or did I just miss it?

FRANCISCO ARIAS: It's an element of the proposal is to clarify. That's one of the recommendations from SSAC that we said we are in perfect alignment that we need to provide clarification on the topic.

And I think we have said before it's the RPM requirements, I'm told because I'm not an expert on that topic, they do not provide for our requirement to do Sunrise when a name is released after the Sunrise of the TLD has passed.

UNIDENTIFIED MALE: That's correct, but that's because the RPM requirement documents were written before the JAS report was written, so there's no way the RPM requirements could've anticipated that there was going to be this additional set of names being blocked.

And so I think what the public comment said was – there are ICANN documents out there that said, "Yes, Sunrise will apply to all these names," but then the RPM requirements don't encompass that, so it seems like as the framework's adopted, if you're going to live up to that commitment that Sunrise will apply to all of these names, you actually need to proactively introduce a new requirement that doesn't exist today.

FRANCISCO ARIAS: Yes, thank you for that. I just wanted to say that the provisions in the RPM requirements, as I understand, apply to any reservation of name that is [done] by the registry. So it's not to a specific term. But I get your point.

UNIDENTIFIED MALE: Yeah. I mean, the anticipation there was those are names that the registry would be reserving on its own will, right? As opposed to names that ICANN has come along and blocked, essentially.

FRANCISCO ARIAS: Yes. But there is no requirement to reserve the names. The names can be allocated. They just cannot be activated.

EN

UNIDENTIFIED MALE: So let me put this very concretely. Google is on a lot of block lists, and if registries would have reserved google.tld and then said, "Oh yeah, we're just going to keep that for ourselves and you guys can't have it," we would probably be upset with them. There are mechanisms that provide potential avenues for relief, like the [PVDRP] that would be available to us because if the registry was acting in bad faith or something like that, so we feel adequately protected by all of the existing protections.

But now ICANN has told the registries they have to reserve Google, so the registry's not doing anything wrong. They're doing what you're telling them to do. But now the registry can release the name without providing any Sunrise, and so some random person can go and register Google, which we wouldn't be very happy with. But we've totally lost the ability to have Sunrise protections, not because of anything the registry's done, but because of something ICANN has done and we would like ICANN to make sure that that is not the situation that emerges.

FRANCISCO ARIAS: I understand what you're saying. I just wanted to say that requirement from ICANN is to not activate a name. There is no requirement to not allocate the name. I hear you. It's just [inaudible].

UNIDENTIFIED MALE: I'm asking you to close the loophole, not to…

EN

FRANCISCO ARIAS: [inaudible] not activate names.

JEFF NEUMAN: Just to respond to that, I thought what the old documentation said was it has to be in a Sunrise. So what many registries did like the registries we support is we included these names in Sunrise. We just didn't delegate them or put them into the zone or whatever the right term is, so that when the name collision names are released, we don't have to do another Sunrise.

I think maybe the analysis is to look to see whether there was a Sunrise done that could've included those names. And if there was a Sunrise that could've included those names, then you wouldn't require them to do yet another one I think is probably the solution.

UNIDENTIFIED MALE: Yeah, I think that's exactly [inaudible]. We're not asking for people to have to do additional Sunrises if the names have already been included. But for people who opted not to make these available in the first Sunrise, there should be some opportunity for trademark holders to [inaudible].

Any case, I have one other quick comment that I'll make before I take off, which is I do think – thanks a lot, Jeff. I think the revised JAS report was great. I certainly see a lot there to proceed forward with.

I do think the one area in which I see potentially being able to maybe take some more feedback from the SSAC report is just looking at what

are the categories for – some [inaudible] of what I've heard today, which is probably a shorter time than indefinite, but maybe a slightly broader set of categories that names that could be an emergency response for, I think those will essentially never happen because there's been a lot of names delegated already and it never happens, so there's no particular reason to believe that some of these other categories that the SSAC has identified would be likely to happen in the near future even if they're a little fuzzier to define.

I'd certainly trade making this period only apply for a couple of years for making the criteria slightly broader. Thank you.

UNIDENTIFIED FEMALE: This question comes from Michael Flemming: "As far as my knowledge is concerned, ICANN currently does not have any window for communication on a 24-7-365 basis. We as registries are being asked to comply with this. I know that it's more than obvious that ICANN will be required to comply with this as well. However, what is ICANN's current plan for implicating this window of communication?"

FRANCISCO ARIAS: Thank you. We already have this implemented since last year. We have a [inaudible] that operates 24 by 7, and this is the mechanism we use to receive these reports.

UNIDENTIFIED FEMALE: And the last question from [inaudible]: "When will the Board or NGPC make a final decision on name collision?"

FRANCISCO ARIAS: This is something that I cannot answer as staff. This is for the NGPC to decide.

CYRUS NAMAZI: So let me expand on what Francisco said. I'm Cyrus Namazi, part of ICANN staff. I just want to assure you that we're extremely sensitive to getting this process on the way, getting a resolution considered by NGPC and hopefully adopted as soon as possible. It's very unlikely it'll happen in London because of what Francisco said earlier, which is we wanted to present it to the community here and make sure there's a dialogue and if there is additional input we have to take into consideration.

But the NGPC already knows that there is a time-sensitive issue here. No subsequent meetings have been scheduled for consideration of this proposal, but we're going to work with NGPC to hopefully have, even if it has to be a special session shortly after London to get it taken care of. Thank you.

UNIDENTIFIED FEMALE: [inaudible], member of the Intellectual Property Constituency, but speaking in an individual capacity. Do you consider as you reviewed these issues that there may be any policy issues involved that should be studied from a policy standpoint as the issues here are examined on an ongoing basis and whether more extensive community input on some of those issues might be obtained through some more traditional processes, including perhaps a look in not only at the things that have

been complained about here today, but also at the issue of premium and reserved names. Thank you.

FRANCISCO ARIAS: Thank you. So as describing in the presentation, this is an element of the Name Collision Mitigation Plan that was adopted by the NGPC last year. So we consider this to be an implementation element that has been implemented following that resolution by the NGPC last year. Thank you.

I see no other people in the line, and since we're close to the hour, I would like to thank everyone for participating in the session.

[END OF TRANSCRIPTION]