LOS ANGELES – Update on Next Round of New gTLDs
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KAREN LENTZ:	Good afternoon, everyone. If you'll take your seats, we'll get started.
	Good afternoon, and welcome to this session. My name is Karen Lentz. I am the director of operations and policy research at ICANN.
	Continuing on with the GDD-focused sessions today, all of the work that's happening within the Global Domains Division, we are going to be talking in this session about moving forward with the new gTLD program and how we review and continue to build on what's occurred in this application round.
	The session today is going to walk through the draft work plan that was published a couple of weeks ago, and I have several colleagues here who are going to help describe some of the work that is planned or already under way.
	So going down the table to my left here, Antonietta Mangiacotti is a research assistant at ICANN, and she'll be talking about some of the rights protection reviews that are under way and planned.
	Next we have Trang Nguyen. Trang is director of operations at ICANN and will be talking about the program implementation reviews that we're gearing up for.
	Eleeza Agopian is a lead researcher at ICANN. She'll be talking about some of the metrics and studies that are under way.

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We're also expecting Jonathan Zuck, who is chair of the Implementation Advisory Group on competition, consumer trust and consumer choice, who has been recommending many of the metrics

At the end of the table we have Bret Fausett. Bret is the chair of the GNSO's discussion group on new gTLD subsequent procedures.

So we will all be speaking today.

And then at the bottom, I will, of course, go through the timeline and we'll have Q&A from all of you.

So the new gTLD program, if you've been around ICANN lately, has been a number of years in the making, involving a decision to open up the top level of the namespace for new generic top-level domains in various character sets to promote innovation, to promote competition, to allow for different business models and different communities to be active in that space. Many people worked on this. There were a number of goals in the program ranging from the things I just spoke about, geographic diversity, innovation, to very operational practical goals like what kind of evaluation process do we want to have. We want it to be predictable and efficient and transparent.

So we have a range of those types of goals, and as we're planning for the reviews, we're figuring out how to allow for all of those dimensions in how the program is going forward.

So the program is built on policy advice that arose from the GNSO consensus process. And that advice called for the introduction of new gTLDs in rounds. So periodic processes whereby there would be a way to apply for new TLDs to be introduced.

What we are in the midst of and have made significant progress on is a round that came out of that specific policy advice, and it's been ICANN's commitment to, of course, open a new application process as expeditiously as we can a taking into account the fact that we have now a great deal of experience in terms of the evaluation panels, from the applicants, from the staff, from all of the people who have participated in processes, objection processes, comment processes. So we want to make sure to capitalize on all of that wisdom and experience now so that we can apply it to any future processes.

So the draft work plan was published September 22nd. You can see the link there. It describes the review activities that are anticipated to take place with respect to the program.

The work plan is very focused on reviews and review activities, and that's an important point which I will come back to later.

I will turn it over now to Trang on program implementation reviews.

TRANG NGUYEN: Thank you, Karen.

So there's been a lot of good discussions and dialogue in the last couple of days around this specific area of review, so I'd like to take a few minutes to share with you what we currently envision for this particular stream of work.

So currently, this review is envisioned to be a self-assessment by ICANN staff of the effectiveness of the implementation of the new gTLD program.

What that means is we want to take a look at the efficiency and effectiveness of the implementation of the program from the viewpoint of a team that was charged with execution of the program.

The program is -- The review will be performed on several program areas. There are -- The seven that are listed here, I know they're slightly different from what you saw in the work plan, but as Karen mentioned, it's a work plan and work in progress, and we're continuing to refine these areas of reviews. So currently we're envisioning the review to take place in seven areas. Program operations, which is a review of things like systems, you know, customer service, vendor management, financial management and reporting, you know, program communications, and any other items relating to the operations of the program. So that would fall under that review stream.

Applicant Support Program would be a review that will take a look at the Applicant Support Program, including the criteria and all of the processes associated with that program, such as the application evaluation and result processes. It may also include taking a look at the reach and awareness of the program itself.

Application processing is a review stream that will be taking a look at, you know, the -- ICANN's processing of the applications. This area of review will take a look at things like the publication of they applied for strings, the administrative review, administrative completeness review process. Let's see; what else. Prioritizations of applications, the change request process, the application withdrawal process. You know, all of those processes associated with processing applications.

Application evaluation, in that string we'll be taking a look at the seven evaluation streams. So that's background screening, DNS (indiscernible) string similarity, registry services, geographic names, technical capability and financial capability. We'll be taking a look at both the operational aspects of managing those work streams and reviews as well as the -- whether or not, you know, the scope of the evaluation met the intended goal of those evaluations.

Contention resolution. This area of review obviously will examine the contention resolution process overall, including the community priority evaluation as well as the auction mechanisms.

Objection and dispute resolution. This area of review will examine the overall objection and dispute resolution process of the program, and we will also be taking a look at each of the objection ground as well as its respective dispute resolution process. We'll be also examining the role of the independent objector in this review work stream.

Contracting and transition to delegation. In this review, we'll be taking a look at the contracting process, the pre-delegation testing process as well as the transition to delegation process.

So if you're keeping track, we're kind of following the guidebook pretty closely. You know, application processing is module one, application evaluation module two, contention resolution module four, and objection modules three, and contracting and transition module five. So we're trying to structure our review somewhat along the lines of the Applicant Guidebook.

Next slide, please.

So in performing these reviews, we'll be looking at each area along six dimensions. They're listed here on this slide. Efficiency is essentially to what extent resources such as time, cost, and effort were well used for the intended purpose. We'll be looking at effectiveness, which is to what degree the process was successful in producing the desired results or achieving objectives. We'll be looking at fairness, which is to what extent the decision-making was consistent, objective, and adhered to documented policies and procedures.

We'll be looking at predictability, which is to what extent the program process, procedures, timelines provided predictability.

And the fifth dimension is security and stability, which is to what extent the process, procedure or framework supported the security and stability of the DNS.

And then lastly, we'll also be looking at each of the review areas to see whether or not they align with policy and implementation guidance, which is to what extent the implementation of the program criteria, requirements and execution ad here to policy and implementation guidance.

Next slide, please.

So as part of the work plan that was published, it's anticipated that the implementation review work will take place over the next nine months. This slide shows at a high level what we anticipate the work to be for each of the next three quarters. So between now and the end of the year, what we intend to do is define all of the subreview areas. The seven that I mentioned to you earlier obviously are very high level. We

need to define each of the sub-areas that we're going to be taking a look at. You know, what specifically are we going to be looking at under objections and dispute resolution, what exactly are we going to be looking at under contention resolution, et cetera. So we'll be doing that over the next two and a half months.

And then concurrently what we're working on is finalizing a report template. It's important to have a report template because we want to make sure that the review is done consistently and that the depth of the review and analysis is consistent across all of the reviews areas. So we're working on the report template to hopefully help achieve that.

Once we have that report template nailed down, what we're going to be doing is test it out. We're going to try to do one review using that template to validate the template format as well as our review approach. And then in Q1 and Q2 of calendar year 2015, we anticipate that we'll be deep down in performing the actual reviews and writing all of these reports. And then at the end of Q2 2015, we anticipate posting all of these reports for comments.

Thanks, Karen.

KAREN LENTZ: Thank you, Trang.

I will talk a little bit about the reviews that are described in the work plan related to security and stability and the impact of the program on the root zone.

There were, in the development of the program, a number of studies that were undertaken that looked at things like how many TLDs can there be without concerns about performance, what about all of the operational processes surrounding updates and changes, what about the rate of change, as well as some other related technologies that were being deployed at the time such as IDNs in the root and DNSSEC, for example.

So there's been an ICANN commitment that we would do a thorough assessment of the impact of adding many more gTLDs on the security and the stability of the DNS.

The previous set of studies and the recommendations from those heavily emphasized monitoring and building tools for us to monitor for any issues or potential issues. And so part of this review will be to examine whether any issues were identified or as well as identifying any additional steps that should considered or undertaken before moving forward with the new phase of the program.

So this review, as described in the work plan, is targeted to begin by Q2 of 2015, although we're actually -- have started discussions on what the criteria should be and what sort of consultation and outreach we need to do in this area. So that's ongoing.

And I will turn it over to Antonietta for rights protection.

ANTONIETTA MANGIACOTTI: Thank you, Karen. So I'm going to give a brief overview on the rights protection mechanism overview. It will look at some of the key areas of the new gTLD program which include the trademark clearinghouse, the

Uniform Rapid Suspension system, and the post delegation dispute resolution which are key features of the new gTLD program. So, in accordance with the GAC requirements for of an independent review of all trademark protections as well as the GNSO's request for an issue report on the status of all rights protection for both current and new gTLDs, ICANN is currently conducting an initial review and analysis on rights protection mechanism by gathering quantitative and qualitative data on -- and as well as gathering feedback from users. The goals of this review are to establish the effectiveness of RPMs and meeting their intended objectives to consider whether their -- the interaction of rights protection with other key parts of the new gTLD program, and whether there's a need -- whether there are areas that might need initial -- whether there are areas that might need initial policy work or implementation improvements.

Activities that will take place for this review, we will look at -- we will compile and analyze data provided by third service providers, which include the geographic distribution from the clearinghouse, outcome of your * ASCIIs, sunrising claims transactions. We will also look at the strategic communications efforts in launching the clearinghouse. We will coordinate with service providers to determine the key issues and questions that were most raised in customer service submissions as well as gather feedback from users on their perspective of how the rights protection mechanisms worked in meeting their protection objectives.

Also, the GNSO requested for a review of the URS one year after the first date of operation as well as establishing data for use in the review.

This review should be available to feed into the GNSO issue reports as well as to sort of inform the discussion and determine whether there's any need to initiate policy work in these areas.

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So here we have an overview of the timeline on the rights protection mechanism related activities. The staff draft report on the rights protection mechanism should be posted for public comment in the current quarter. The public comment period should close in time to allow for discussion on this at ICANN 52.

And then the draft will be updated and revised based on the feedback we receive. The final draft should be posted -- should be published in the first quarter of 2015.

This report that we're working on will be -- will be used to establish terms of reference for the independent review of the trademark clearinghouse. That report has a target start date during the first quarter of 2015.

In addition, this report that we're working on will also feed into the delivery of the issue report to the GNSO. And that report has a target date for during the second quarter of 2015.

Lastly, it will also feed into the independent review. It will also feed into the review team for the competition, consumer trust, and consumer choice. And this team is charged with assessing effectiveness of safeguards and whether they met their protection objectives.

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Also, please join us on Wednesday from 1:15 to 2:45 for the rights protection mechanism user feedback session. This is intended for users of rights protection mechanisms to share their experience and also for us to ensure that we have everyone's feedback incorporated into the final review.

KAREN LETZ: Thank you, Antonietta. I'll turn it over to Bret who will tell us about was going on in the GNSO.

BRET FAUSETT: Thank you, Karen. So I am the temporary chair of a temporary committee of the GNSO that is responsible for gathering issues related to new top-level domains and how we might carve a path forward for our subsequent rounds. As some of you know and all of you should know, the GNSO has primary responsibility for the development of policy related to new top-level domains because they fall within the GNSO's primary responsibility for generic top-level domains.

In 2005, they started a process to create the new top-level domains that were launched in 2014. And that policy process culminated in 2008 with a final report that had 7 guiding principles, 20 policy recommendations, and 29 implementation guidelines.

So, as we look back now, if we want to change anything that was in that policy document, either something in the guiding principles or inside the policy recommendations, it's going to require a policy process through the GNSO.

Now, some of the things that were in there were -- one of the guiding principles was top-level domains should not be confusingly similar. That was the level of detail that the GNSO provided. And there were policy guidelines that ICANN staff went through, and we published multiple iterations of a guidebook that would try to implement that. But I think, as we look back now, we see that there were decisions by contention resolution providers that came to opposite conclusions based on similar facts.

We see that there's widespread dissatisfaction on both sides of the issue as to what confusingly similar means. So that's the kind of issue that we may need further policy development work on.

So that's when this discussion group is doing. Next slide, please.

The policy work in the GNSO goes through multiple iterations. It typically starts with a council request for an issue report and goes through all the other bullet points. You can see that the "You Are Here" sign shows you where we are with the discussion group. We're trying to identify issues for future policy work. Things like confusing similarity. Do we need more detail on that? If we do need more detail on that, what should it look like? What should the standards be possibly for contention resolution providers to look at when they're trying to decide what is confusingly similar?

So we're trying to gather those issues now. And, you know, if you're the kind of person who wants to come in at the end and provide comments, you can go to sleep for a few years. If you're the kind of person who wants to get in on the ground level, you're at exactly the right point.

Because we're starting right now trying to gather all the issues. And right now I think we've got 75 to 80 issues that people have identified.

We're going to meet again on Wednesday of this week. There's an early morning session on Wednesday morning.

I'm going to lead it in conjunction with Steve Chan from ICANN staff who is our staff member appointed to the committee. We're going to talk you through the work we've done so far, where we need to go from here. And I think we're also going to make it a working meeting and try to, you know, have people look at the issues we've identified so far, tell us what we're missing. And then, while we're never going to close the issue gathering function that our group has, we are going to try to pivot the group fairly quickly at this meeting to start identifying which of the identified issues is a policy issue, what's going to require a policy development process and start thinking about do we want to have multiple policy development groups to identify and work on specific issues that have been identified? Or do we want to put everything into a very large group? So, at the end of this -- and I'm hoping that we'll end our work by the end of this year and certainly no later than the Marrakech meeting, we want to be able to give the GNSO Council something so it can go to the second bullet point and then start creating issue reports.

So that's where we are, that very beginning, the very bottom-up part of the policy development process. And we're cognizant of all the work that's going on in the other things that Karen and her team have talked about. But we're going to try to work with them, but also take seriously the GNSO's responsibility for the policy work and see what we can do.

KAREN LENTZ: Thank you, Bret. I think we are still missing Jonathan, unfortunately. Are you in the room, Jonathan Zuck? Do you want to talk about this? Eleeza?

ELEEZA AGOPIAN: Thank you. I can talk about the competition, consumer trust, and consumer choice review or CCT for short. I'll just use that to save time.

                      This is a review as anticipated as part of the Affirmation of Commitments under section 9.3 to judge how well the new gTLD program has performed in the areas of competition, consumer trust, and consumer choice.

                      In 2010 the board asked a group of representatives from the GNSO and the ALAC to recommend some metrics that could help us measure our performance in these three areas.

                      That group came up with 70 metrics, which were then forwarded to an implementation advisory group that spent about the last 10 months going through these metrics one by one determining whether data sources are available. And there are feasibility and utility and cost effectiveness really in determining whether or not the metrics could actually help us define some of these terms.

                      The group has just recently finished their work in the last month and submitted their report to the board.

                      Of the 70 metrics, they've recommended adoption of 65 of them. Five of them were moved from the recommendation. And they added one metric on the incidence of name collisions.

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So, of the metrics that were adopted -- we'll talk a little bit about some of the things that we're looking at -- they range in difficulty, I guess you could say, from number of gTLDs that have been adopted to things that are a little bit more difficult to measure, like consumer trust.

In those -- in the category of metrics, there were two specific buckets of metrics related to a consumer survey and an economic study. These were deemed to be sufficiently important enough to go for an earlier board recommendation in March where the -- at the Singapore meeting where the board agreed to approve funds and allow us to put out an RFP to look for firms that could conduct such a survey.

The consumer survey will look at 12 metrics of these 70 that I had mentioned, actually of the 65 that have been recommended for adoption.

That will measure things such as trust in the DNS on -- in different ways. One of the questions is related to how often do you reach your intended destination in the DNS and things of that nature. There's a separate three metrics in another bucket that we're calling an economic study. We published an RFP on this not too long ago. And we've received proposals and staff are now working through those proposals and talking to the firms that have been on the consumer survey or close to reaching an agreement with one firm and hope to be beginning work on that survey soon.

So, as I mentioned, the remaining metrics cover a range of topics from registration data, compliance issues, and cases and numbers, SLAs, and

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the use, of course, of the rights protection mechanisms that Antonietta talked about just a moment ago. We're hoping to have a good set of baseline data available by the first quarter of 2015 to share with you.

And I think that would be it.

KAREN LENTZ:	Thank you, Eleeza. By the way, anyone who is standing in back and would like a seat, there are great seats up in front.

I wanted to add a couple things related to the CCT review. If you'll notice that the slides in here are about preparations for the review. That review has not actually started.

As Eleeza mentioned, that is a review that was anticipated in the Affirmation of Commitments. And the work that the IAG-CCT has been doing on recommending metrics -- and they recommended the survey and the study -- is all about making sure there's some helpful baseline information to look at to help assess competition, choice, and trust at an early -- at a baseline point versus when the review team convenes and continues to get data to look at.

And I should also mention that the CCT review that is in the Affirmation of Commitments is recurring. So the one that we're talking about and preparing for now would be the first one to occur. But it also -- the affirmation also calls for a recurring review I think two years after the first and then every four years thereafter. So it -- we're not only going to look at competition, choice, and trust once. That will continue to be a part of ICANN's work. Okay.

Finally, this is the time line of the activities that was included in the work plan.

So I said earlier that the work plan is very focused on reviews and review activities.

That is the emphasis of our work right now.

I would describe -- I think the work plan is intended to be descriptive rather than prescriptive, if I can say it that way. It lays out these are the reviews that -- these are the activities that we know are taking place. These are the reviews that we know need to happen or are already under way. So it's describing those. And, essentially, how long that we think it will take.

There's not a -- I was describing this to somebody. And I said, you know, there's -- all of this is vertical. Or sorry. I can't even say it right. So I was saying all of the work described is horizontal. So you have these reviews going forward I. Said there's not a vertical line. And they pointed out to me there are actually vertical lines on there. But what I meant to say by that was that there isn't a milestone as far as this is when next round preparations could start.

This is very focused on reviews. And part of the reason that we wanted to put out the work plan and make sure that we have accounted for all of the activity that's happening, you know, we think that there's -- it's probably more activity going on or groups that are interested in doing work that is related to this area. So we want to make sure that we have accounted for all of that before we kind of set a target. And we've

talked about a lot of areas and a lot of, you know, things that we're committed to doing.

And we don't -- we haven't at this stage come up with a sort of, you know, drawing a line around these are definitely the things that we would need to be completed before you could move to a future round.

And I think that's for all of us to define.

And that's what we're -- the conversation that we are trying to start by describing what we know about.

So, with that, I will close the slide deck and open it up for any questions or comments. Thank you.

REMOTE INTERVENTION: We have a question in the Adobe room that was raised at the beginning of the session from Anne Aikman-Scalese, Lewis, Roca, Rothgerber, IPC member.

In this morning's high intrasession, a "remedial round" was suggested. Assuming the problems with applicant support and community applications are addressed, could we not just prioritize these apps as we did IDNs? Is there a good reason to exclude business applications given that competition and innovation remain in the goals?

KAREN LENTZ: Thank you, Winnie. And thank you, Anne, for the question.

So I was in the high-interest -- the SO/AC high-interest topics session this morning as well where this was discussed. Some -- a couple of

participants suggested that there could be, you know -- before you would be doing a next completely open round, you could try to, you know, define it with a particular purpose in mind or a particular type of applications that you would be seeking.

I think that is -- you know, it's something that was proposed or could be proposed by the community. I think, you know, regardless, there are certain commitments we've made to reviews that would need to be, you know, fully addressed in any case.   You know, if there is, you know, interest and support in creating this type of -- call it remedial round or limited round or some type of purpose-specific application process, I think that could be, you know, would have to be carefully fit into all the other review activities and how you would prioritize, you know, a particular group. But thanks for the question. Thanks. Avri?

AVRI DORIA: Avri Doria, NCSG and a consultant for an applicant. I wanted to sort of build on some of the stuff that Bret had said and I think you're probably one of the few people that was there when we were developing the policies in the first place in a very old tradition and therefore this sort of ambiguity. At that time, though, we had many, many sessions, many subgroups that produced content and we had many working sessions with the implementation staff that tried out everything we -- we came up with. This is long before the first Applicant Guidebook draft. And basically, you know, they tried everything out. Then as the Applicant Guidebooks kept going on, things kept changing and changing and staff changed -- changed and sort of at a certain point many of the things that I believe were understood at the time were lost. You know, things

like support of communities as opposed to condemnation of communities, things like, you know, how things were protected. Things like what -- we actually had a semi policy process on, you know, intellectual property rights when there had been different things like geographic names and how many would be protected. So there were so many of those changes, both of what was written and what we believed was understood, that I believe at this point more than just the changing of policies. We need to go back and clarify the policies, which is indeed a policy activity, to make sure that what we intended then as understood now in the light of everything that has happened is actually a -- a reasonable and a coherent policy.

So I think the policy work is actually bigger than just what went wrong or what we want to change, and I think there are plenty of good reasons for remediation. So thank you.

KAREN LENTZ: Thank you, Avri. Jeff.

JEFF NEUMAN: Thanks. Jeff Neuman. Two points. Number one is when we started down this road back in, gosh, 2005, I think it was, the original thought would be there would be one new round and then after that we'd have a rolling process to introduce new gTLDs, that it wasn't going to be this kind of big bang, round two, and then three years later round three and five years later round four, whatever it is. It was initially supposed to be a rolling process for the accreditation of registries, just like we have for registrars, albeit with more due diligence and, you know, everything

else has to go into the checks and making sure there's stability and security and all that stuff.

I want to make sure that that concept is included or still thought about, that we don't just go into the mentality of okay, there's going to be a round two as something discrete. That round two could actually be for the rest of our lives. It could just be, you know, this ongoing process. I want to make sure that gets kind of incorporated into the whole concept because that was the original intent behind -- way back, was that you didn't have kind of this land rush of TLDs applying all at once. That you could apply when you were ready and you met the criteria. So that's number one.

The second point I have is on the reviews of the ICANN processes and the actual implementations. I think it's great you guys are doing a self-review. I think that's absolutely -- you guys are the best people to provide that input and certainly valuable lessons learned. But is there a plan for an external review of the processes and procedures that ICANN followed in terms of, you know, someone to have access to all of your documents, to have access to all of your communications, to look at your methods and procedures to see if there are truly best practices or ways that we may be able to reduce costs for a future round? Was everything that ICANN did actually necessary? Did we spend a lot of time focusing on the theoretical as opposed to the reality of what actually happened?

So again, I think the self-reviews are important, but I think equally important is for an outside company that had no skin in this game at all, maybe it's an accounting firm, to come in and kind of look at all those

methods and procedures and give the community some feedback or more importantly give ICANN feedback of, you know, how to do this, especially if it's going to be on a rolling basis. Thanks.

BRET FAUSETT: Jeff, I think you're right, that the end state is supposed to be applications accepted any time, but -- and I can read the whole thing because it's very short. Policy principle 13 is applications must initially be assessed in rounds until the scale of demand is clear. So I think we're -- until we change that, I think we're actually policy-wise committed to rounds until we sort of see demand taper off.

KAREN LENTZ: Bret, do you have the rest of that? I think -- there were actually a couple more points, and it said something like that the GNSO would evaluate the point at which it would move from rounds to steady state, something like that so --

JEFF NEUMAN: I just want to make sure that's still being looked at.

KAREN LENTZ: Correct, and I -- to respond to that point, when we talk about rounds, it's sort of shorthand for, you know, procedures going forward. It doesn't necessarily -- I don't think anybody has, you know, precluded the idea that it could be a steady state process.

BRET FAUSETT: I go all the way back to 2000. I think it was the end of November 2000 meeting, and I'm probably quoting him badly here, but Vint Cerf said, "I look forward to the day when creating new registries is as boring as creating new registrars." I think that's still the goal, 15 years later.

KAREN LENTZ: Thank you, Bret. I also wanted to note, Jeff, on your comment about bringing in some independent party to perform a review, we have talked about that from a few different angles, and I think your suggestion is more -- is around specifically operational efficiency and cost. Is that your particular focus on that?

JEFF NEUMAN: Yeah. I mean, that's one of them. I think, you know, part of the problem that we have in evaluating is that we don't have access to all the documents. Even things like in working with the evaluators and, you know, what did ICANN do to review those evaluations and we just don't have access to that. That's not made public. But someone should have access externally so that they can provide the recommendations.

KAREN LENTZ: Okay. Thank you. Werner.

WERNER STAUB: Yeah, and I would like to put -- add more to what has just been said about the rolling process and the big bang paradigm. We knew that the big bang was bad and we tried to avoid it and because we wanted to have review we end up with the big bang and lots of delays. We knew

that if we had a big bang, which was inevitably going to be big, big bang and inevitably if it was big, going to be followed with a big delay, then there would be more people say it's going to be a big, big bang hence unless we jump now we won't be able to jump, you know, for a long time. So they jumped when they actually didn't want to jump and made the big bang even bigger, you know, and clogged everything.

Now, we've learned that -- we knew that we were going to learn that the lesson was don't do big bangs. We knew that. And we learned the lesson, and now we're starting a new big bang. We should be starter than that. And it burns down to interpreting what evaluation means.

If we started a big bang, we have a result so strongly influenced by the big bang paradigm that whatever we read from it is the effect of the big bang mostly. The destruction wrought by the big bang paradigm is enormous. So many people -- so many good projects have been crushed, or almost crushed, or have been weakened to a point of making very difficult. Then the entire process of using TLDs, people -- people are overwhelmed right now with the, you know, sudden roll-out of so many that the actual use of those TLDs is very difficult to understand because people are just overwhelmed and our processes are overwhelmed.

So the idea that Avri put forward, you know, whether remedial or not is a very good idea. Whichever way -- especially let's try to diminish as much as possible this -- this, you know, this distortion that we have in the current data which actually makes it, you know, for research a very bad sample that we're looking at.

And above all, whatever we do after, let's be sure that the -- the original idea that we had, it was abandoned very late, that we would announce in a subsequent, you know, round that you could use as an alternative to the next one, the over next round or whatever we call it. At the same time, the people knew they did not have to take this one, they would be able to take the next one, if it is something like rounds or something rolling a little bit faster than once every ten years.

KAREN LENTZ: Thank you, Werner. I think, you know, timing -- as you alluded to, timing has a lot of elements to it and within, you know, advance communications and people developing plans. And as you said, in launching, you know, TLDs out to the market. So that's important. So thank you. Jonathan Frost.

JONATHAN FROST: Jonathan Frost with the .CLUB registry and member of the RSG. This is a question. I guess it goes to Bret, and Karen might be able to answer it, too. You mentioned the plurals issue and you had a roadmap and, I mean, it's very encouraging that we're getting in so early on the roadmap. But at what point on this roadmap is the community going to be able to come together and say either we really want to have plurals of every TLD or we don't want to have plurals of every single TLD. Like at what point on this roadmap are we going to be able to definitively give our input and make a decision, say, you know, we don't want all -- we don't want .ORGs and .COMs and .CLUBs. I mean, it might go either way. But, I mean, I know what I think, but like where's the point?

BRET FAUSETT: The point would be at the policy development process. If the GNSO decides to act. You know, one possibility here is the GNSO decides not to act, and so everything is left to ICANN staff and then you would have to make that comment to Karen and her team. But I think there will be a policy development process that comes through the GNSO and I think there will be a policy development group, and those are going to be open to anyone who wants to join so that would be the appropriate point. And I think that will come, if I were guessing, I would say Q2 of next year.

JONATHAN FROST: Okay, one quick follow-up. So if that policy development process comes out with the same sorts of recommendations as the previous ones you read, then we could have the same thing. But if it actually gets specific and says here's the criteria, then we're going to get something a little bit more clear.

BRET FAUSETT: Yeah. One of the things that happens when you have a policy development group is that you get broad generalities that are the lowest common denominator of what everyone can agree on. So, everyone could agree on confusingly similar but couldn't agree on what confusingly similar was so that's where you left it. That's a very common result of GNSO policy processes. And I know that kicks the ultimate issue down the road a little bit and leaves it for staff to develop, but, you know, some of these issues are -- I think we -- we ought to try to have a recommendation. It may be that the only thing the GNSO can come up with is, there should be consistent results. So

either allow, you know, photo and photos or, you know, don't but don't do it for some TLDs and not for others.

JONATHAN FROST: Thanks.

KAREN LENTZ: Thank you, Jonathan.

J. SCOTT EVANS: Hi. I'm J. Scott Evans from Adobe System. I'm also president-elect of the International Trademark Association, and I was a member of the implementation recommendation team. So to answer .CLUB's question, when I sat for months and months in a room, the answer to your question was, we thought we answered that question and there were going to be no plurals, okay? So we thought that question had already been answered. We were shocked and amazed -- I teach trademark law at Santa Clara University. I would have never, had I looked at this and been teaching my class, thought that this would be the outcome. Okay? So I thought that question was answered.

But with regards to where we are today, you know, whether it's a rolling program or whether it is a rounded program with various and sundry rounds, what -- I have been here for 15 years, and the one thing that I felt like was a fundamental failure was we had two rounds previously where I don't think -- we were told in the intellectual property community and the business community, these are proof of concept rounds. But I didn't feel like any of the learning that went into those

rounds was ever incorporated into the initial draft guidebook or any of the things. So I would say to all of you, it's time that we take the learning and we get it right. And this is our opportunity. And so we need to do that, and we're being watched very closely by people who don't participate in these meetings but have been reading the news stories and wanting to change the way government works, and we need to make sure we get this correct. We need to take that learning and be very careful, smart, methodical, and come out with better solutions.

KAREN LENTZ: Thank you, J. Scott. Next.

DAVID PAYNE: I'm David Payne with Afilias. And I -- my comments are about the timeline as well. I have a fear that as we've seen in the past things could get delayed and delayed and delayed. So I have just a couple of practical suggestions about how to avoid that problem, and this is also feedback for the presentation you gave. And to see where I'm coming from, there's two, I'd say, project management concepts. One is the trade-off triangle and the other is the critical path. And I think they're going to be important as we get involved in this. The trade-off triangle, I mean, sometimes everybody understands it as you have to choose between getting it right or getting it right now. But there's also the third part of it which is if you put more resources into it, you can get both. And so what I'm suggesting is that if what we have to do is a lot of reviews and looking at data, could we identify which of that data and which of those reviews have to be done by ICANN and which could be

pushed out to the community? An example of that is the name collision.

I think there was a lot of, I would say, some hesitation about the original timeline for dealing with name collisions, and so what -- what we both were able to do together is you shared the data with us, and we all provided the resources, and I think we came to a pretty good conclusion, and at least -- at least we're able to accomplish the goal of accelerating the time line in that way.

And the critical path, you mentioned this already, it's something that we need to define. What is the minimum; right? What is the order of things that have to be done before we get to that end goal? I noticed that on the final slide, you know, you have this -- you know, the final bar, like the evaluation just runs off the page; right? And so what are the things that have to happen and what order do they have to happen in? And can we get a straw man for that? This may be it, but at least let's get started on deciding what has to happen in what order so that we don't have unnecessary delays.

And that's it. Those are things that I think we can do that help move it forward faster.

So....

KAREN LENTZ: Great. Thank you, David.

Yeah, I should point out that the bottom bar on that is, you know -- we called it next-round development, but trying to anticipate you know

when recommendations will be coming out of the reviews and what's a dependency on something else. You know, when does it make sense to start working on something. We thought it could be as early as, okay, the GNSO has identified some possible areas that they'd like staff to look at, but, you know, does it make sense given all of these other things? So that's all kind of a dotted line that we need to -- we're trying to, as David said, make sure that we've accounted for all of the issues and all of the different activities and reviews happening within the community so that we can create a clear -- and communicate a clear path and a clear set of requirements.

So thanks.

Any other questions or comments?

SUZETTE GONZALEZ: Hi. I'm Suzette from 101 Domain registrar in San Diego.

Will you be discussing brand protection in your TMCH review?

KAREN LENTZ: So -- Suzette was it?

So the -- I'm trying to parse out a little bit of how to answer the question.

So the trademark clearinghouse is kind of a supporting entity for a number of rights protection processes. The reason that it exists is to have a source of available, verified trademark data so that it can be

used, so that it could be used in TLD startup processes, in dispute proceedings, and other things.

And so the whole reason it exists is to serve goals of trademark protection, so that absolutely is a fundamental part of the review.

Yeah, so I hope that answers the question.

Okay. Last call.

All right. Well, I really appreciate everybody's attendance and attention here and thank you for those of you who provided feedback and asked questions. That was helpful for us.

[Applause]

KAREN LENTZ: And thank you to all of our presenters up here.

Thank you.

[END OF TRANSCRIPT]