LOS ANGELES – Thick WHOIS Implementation Working Session
Thursday, October 16, 2014 – 08:30 to 09:45
ICANN – Los Angeles, USA

UNIDENTIFIED SPEAKER: This is the Thick WHOIS Implemenation Working Session in the Constellation Room on Thursday, October 16th 2014. This session will run from 8:30 to 9:45 local time.

FABIEN BETREMIEUX: Good morning everyone. Sorry for this late start. We were having a little sound issue, plus we've just shared the dialing details for the remote participants. So thank you for coming to the Thick WHOIS Implementation Working Session at the ICANN 51 meeting on October the 16th, 2014. My name is Fabien Betremieux. I'm a member of the registry services team at ICANN. For those who do not know me, I've joined ICANN recently and I will be involved in this project. As a little bit of a background, I've been in the community for the last five years working with new gTLD applicants.

Before we get to the agenda, I just want to take care of a few housekeeping items. If you like to speak, please don't forget to state your name for the purpose of the transcript and recording. Remote participants, please raise your hands with the Adobe Connect Room. There is the possibility for IRT members to access the audio conference through details that were just sent on the mailing list.

And before we start, can I ask people around the table to introduce themselves and then the RP manager to introduce who is in the Adobe Connect Room. Can we start with you, Francisco?

FRANCISCO ARIAS: Francisco Arias, ICANN.

ANTOINIETTA MANGIACOTTI: Antoinette Mangiacotti, ICANN.

THOMAS: Thomas [inaudible].

UNIDENTIFIED SPEAKER: [Inaudible].

JOE WATER: Joe Water, I'm from ViriSign.

ALAN GREENBERG: Alan Greenberg, At-Large Advisory Committee.

UNIDENTIFIED SPEAKER: Sorry, what did you say?

MIKE ZUPKE: Mike Zupke, ICANN Staff.

KRISTA PAPAC: Krista Papac, ICANN staff.

JONATHAN DENISON: Jonathan Denison, ICANN staff.

HOWARD LI: Howard Li, ICANN Staff.

VALERIE HENG: Valerie, ICANN Staff.

ANN YAMASHITA: Ann Yamashita, ICANN staff.

STEVE SHENG: Steve Sheng, ICAN staff

FABIEN BETREMIEUX: So, the remote participants, those that are identified as working group members, it may be useful to just state your name to make sure we know that they are with us. Are you able to do that? Is it too complicated? We can move on. That's fine. Okay. Let's move on.

So they'll let us know that they're here if they need to I guess.

So, moving on to the agenda. So here's our agenda for today. It was shared on the mailing list. I'm not aware of any suggestion or question

for clarification of it, so please if you have any, let's do it now. What we're going to do is go through quickly the background of the policy, and that's really intended to provide some basic information for people who would be new to this topic in the room today. And very quickly, provide us all a reminder of the background, and I'm sure you're very aware of all this, so we'll go fairly quickly through that part. We'll come back very quickly also to some of the implementation considerations that were provided in the final report of the working group.

We'll look at the impact of the recommendations and affected parties and how they can inform the implementation. We will review the current status of the implementation before we get to the core of our session, which is discussing, propose, next steps. If there are any comment including in the remote Adobe Connect, then we can move on.

So quickly a little background around the policy recommendation, you may want to know or remember that the work on thick WHOIS policy emanates from the inter-registry transfer policy working group, RTPB, which recommended that Thick WHOIS should be a requirement for incoming registries to improve the predictability of the main transfer processes. This lead the GNSO to start a PDP that was in March 2012, and the working group to be formed and arrive at full consensus on each recommendation on October 2013, and the adopted the GNSO's recommendation in February of this year. It should be noted that we are working together with an implementations review team, sorry, on these work as the GNSO requested, and the board followed up. In terms of the recond, okay oh that's a previous version.

Okay so let me jump to the recommendations. So the recommendation of the working group, really the core of the outcomes that are expected from this implementation work, are in recommendation one and three. Recommendation one provides for the provision of Thick WHOIS services, with a consistent labeling and display of WHOIS output as per the model alighned in specification three of the 2013 RAA for all GTLD registries.

And recommendation three calls for a legal review of the applicable laws to the transition from thin to thick model, taking into consideration the input that was provided in the EWG memo, which will come back in to second. And also called for, monitoring potential policy issues that would not have been considered in the working group to be referred to GNSO consult as needed.

The EWG memo was a staff paper that was produced that in the context of the expert working group on GTLD registration data. And the purpose of that paper was to share some thinking on the general principles of international   data protection laws, with respect to use processing and transfer of personal data, this was in the context of the EWG work, but there were considerations that definitely are relevant to our work in the Thick WHOIS policy implementation, and those were mainly for take aways. The first one being that any working this area will involve the laws of, three types of laws: the laws of the country where the WHOIS database is located, the laws of the country of the data controllers, or in our case the registrars   and the laws of the countries where the data subjects are located, so our registrants. So that's fairly obvious but is worth keeping in mind. We also indicated that generally speaking, the most   comprehensive and stringent

framework of standards in this areas is the EU directive on data protection. And two other important points are that, what usually matters in these considerations, is the purpose for which data is generally originally collected that has the influence on whatever can be done with data later on. And finally, transfer personal data usually require data subject consent, and so these are conclusions that were already available and that we should be aware of and integrate into our work.

I'm gonna come back very quickly to the deliberations of the working group just to say that the working group had very extensive deliberation on work in each these areas where it looked at what would be the impact of Thick WHOIS on each of these dimension, and for instance, it was identified that the implementation of Thick WHOIS would improve response consistency and accessibly to WHOIS data and this is why it was recommended to move forward. Yes.

UNIDENTIFIED SPEAKER: We have a question, sorry its couple of slides. Just asking if agenda item, oh shoot where did it go? Agenda item number two includes the document we recently received regarding the legal review?

FABIEN BETREMIEUX: Yes absolutely. It's actually going to be, I think, it's going to be on the 4th section current status of the implementation, that's where we'll talk about it.

That's fine, no problem. So, you may want to refer back to the final work report if you want looking to more of the deliberations of what kind of, yes.

UNIDENTIFIED SPEAKER: Can you go back again? Just for qualification this is the EWG working groups deliberation. Is that correct?

FABIEN BETREMIEUX: Sorry this is the thick WHOIS work.

UNKNOWN SPEAKER: The Thick WHOIS. It's important to be clear on that.

FABIEN BETREMIEUX: Yeah. Absolutely

UNKNOWN SPEAKER: Okay.

FABIEN BETREMIEUX: So this is just a summary of all the points that were discussed in terms of   deliberation of the thick WHOIS working group.

So moving on to the implementation considerations…

ALMER: Hi! This is Almer I'm participating remotely also, but I have comment on that previous slide, if I may.

FABIEN BETREMIEUX: Sorry we are not hearing you very well, can you please repeat your question and you identify yourself?

ALMER: This is Almer, I'm a working group member and I have the comment on the previous slide.

FABIEN BETREMIEUX: So was it the working group deliberation or the EWG memo side.

ALMER: That's it, the working group deliberations.

FABIEN BETREMIEUX: Okay.

ALMER: Just on the bullet concerning privacy here, those private issues are much larger than the policy issue of migrating to Thick WHOIS. I do not recall this accurate thumber of that we discussed on working group, I think what we discussed was privacy issues specific to the Thick WHOIS transition that were beyond the capacity of the working group [inaudible]… commended the legal review, I think those are two different things that [inaudible] help to point that out.

FABIEN BETREMIEUX: Yes. Thank you for bringing it out and I specifically recall what you're mentioning about the work, the function of the working group in this areas, so this may be and mis-writing in a sense of that conclusion so will correct this base on you comment. Thank you.

So if there are no other questions. I propose we move on. Steve.

STEVEN SHENG: This is the Steve Sheng from ICANN staff, just I guess just to point out, if there's anybody in the audience that wants to join us at the table, particularly if your in the IR two it'd probably good if you're actually up at the table. That's all, thanks.

FABIEN BETREMIEUX: Thank you for that. All right. Let's move on. So I wanted to take us back also to some implementation considerations that are of importance in the implementation work and in particular… So these are the main implementation consideration that we're including the final report. I'm not gonna speak to all of them, they are here for reference. I want point at a specific one which is, two ones actually that are guidelines for conducting the transition. The first one is the implementation of one part of the recommendation that is transition from thin to Thick WHOIS should not necessarily delay the implementation of another part of the recommendation which is consistently labeling of display of data. So we'll come that come back to that in a minute. But this is something

we should beware of. As well as the notion that the guideline from the working group that a team of expert from parties most effective data transition should work out the details with ICANN staff, the implementation details.

So   we want to   also make sure   we are in line   with that recommendation. So if there are no questions, I'll keep moving on. so the reason why   I believe   if the working   group talk about these separation of two parts of recommendation, number one is that we are looking at different impacts to different party so for instance when we are looking at the provision of Thick WHOIS services, this really applies when we are talking about provision of Thick WHOIS services for all GTLDs, this really applies to .com, .net, .jobs who currently are thin WHOIS registries that would need to transition to Thick WHOIS.

And so when we're looking at the impact, obviously this impacts all the chain of the registry, the registrars and the registrants where there is no impact on all the other GTLDs relevant parties. And when we're looking at the second part of the recommendation which is the consistent labeling and display of data as per the 2013 RAA, here we're talking about another scope of affected parties which are all the registries, all the GTLDs, current and future, and all the relevant registrars that are involved in registering these GTLDs.

 And so this is why when we're looking at the expected outcomes there are two different outcomes that are expected out of this work. On one part the transition from Thin to Thick WHOIS for .com .net .jobs which as the working group mandated, should include the legal review of laws applicable to the transition of data, due consideration to privacy issues

that may arise. and careful preparation in implementation given the scale of that transition.

And the second outcome is the consistent labeling and display of WHOIS data as per the model in the 2013 RAA. So I wanted to make this clear because this is the foundation for the discussion that we need to have on how we're going to implement this policy. Before we get to that let me just remind ourselves on the current status of the implementation. We've been discussing different implementation documents that we'll come back on very quickly in a minute, leading us to a deployment of the transition plan in 2015 2016.

For 2014 and 2015 we have two other pieces of work that are important, the legal review, that started in August and whose conclusion is expected next month as well as the thinking around the community outreach that we will need to conduct. I will not delve into too much detail but we've been discussing the implementation with the IRT, a potential implementation plan which goes through a series of steps over the next two years.

So in terms of the legal review, we've started work in August, as I just mentioned, the conclusions will soon available and we wanted to share with you the scope that is structuring this work. Obviously the scope is in line with recommendation number three of the working group. It pertains to the issues associated with the transition from Thin to Thick WHOIS with a specific focus on new risks, if any, that may be posed by the transition to a Thick WHOIS model for the three impacted TLDs. We shared with you a document which we hope helped you to get a better

EN

understanding of what will be the expected outcome of the review. So we've asked specific questions.

The first set of questions was around the type of personal data issues that may arise in the transition from Thin to Thick WHOIS and these are around the data protections, registrants' consent, whether there will be a right for registrants to require correction or erasure of their data, and if the transfer of data would be permissible from registrars located in various jurisdictions to the registry operator in the United States, and if so, what would be the mechanism that would need to be put in place. So this is the first set of questions related to the type of personal data issues that we may face.

The second set of questions we asked specifically are relating to the practical solutions that we will have available to implement the transfer in terms of cross-border data transfer, and that talks about the need for potential standard clauses in the registration agreements, the use of safe harbour frameworks, the potential use of regionalized data stores if for some reason it was determined that data transfer is not possible in some jurisdictions and all types of other possible solutions to solve the issues. Are there any questions on this detailed scope of the legal review?

JOEL WALER: Joe Water from VeriSign. I'm not sure if I just missed it but is there also a data retention component of the legal review? I'm asking that from the perspective of how long the registry itself retains any of the contact data.

FABIEN BETREMIEUX: It's a very good question. I'm not aware of that specific dimension but I think it's a very interesting question and we'll take that back and get back to you.

KRISTA PAPAC: We have a question from the chat pod from Dan Rogers regarding privacy legal concerns. Was this not addressed with the .org transition or is it assumed that privacy laws have changed and that's why it needs another legal review?

FABIEN BETREMIEUX: I'm not aware personally of the legal aspect being addressed specifically during the .org transition, I believe this would have been taken into account during the working group's work. I think we're base lining when we were doing this legal review. We're looking at the current state of the legal framework, and again specifically with respect to the transition of data. So I think we're trying to make sure we're connected with what is the current state of legal requirements in the need for the transition. I hope this answers the question.

JOEL WATER: Joe Water again, so this was addressed during the working group discussions, specifically going back to the .org transition and using that where it was applicable as a reference point for a previous GTLD that had done a Thin to Thick migration. I think there were some high level lessons that were taken away but there were some concerns over the

EN

fact that it was done so long ago, it's more than ten years ago now so there are some things that have changed from a legal perspective as well as ICANN has changed. I mean the whole community has changed and certainly the scale of the transition that we're talking about is different.

KRISTA PAPAC: We have Amir and then Mikey on the audio.

AMIR: Thanks. I just want to say I think the questions in the document on the legal review is sculpting the work that the legal review team are going to perform seem really great. I was just wondering when we would get more details on how the legal review team plan on answering those questions, considering that in the schedule this is supposed to be concluded sometime next month, thanks.

FABIEN BETREMIEUX: So if I understand your question, you'd like to understand more precisely when we will be releasing or when we'll have the conclusions available for that legal review, is that right?

AMIR: Actually my question is how do you plan on going about answering those questions?

FABIEN BETREMIEUX: Ok, thanks for the clarification. I think we're asking relevant legal experts to provide to us answers to these questions in the sense of what would be the type of privacy issues we would be running into. So the questions we've asked are examples of what we could expect as potential impacts. Same thing for mitigation measures or for potential solutions to address cross-border transfer of data, where we've listed a few possibilities we thought about. But we expect the legal experts to provide us with more relevant mitigation measures that they've had insight. So, our goal is to share those conclusions once we have them. I hope that answers your question.

Mikey, do you want to ask your question?

MIKEY O'CONNER: This is Mikey. I'm gonna talk and see if you can hear me okay. I think you can, I can hear the echo. And Joe Waldren actually gave exactly the answer I was gonna give. So now I've proven that the phone works, and I'm gonna sign off. Great job Joe, thanks.

FABIEN BETREMIEUX: Thank you, Mikey. Should we move on? I don't see any objection, so let's move on.

So, implementation, documentation, we've been working over the last few month on a series of documentation, the guideline to registries and registrars and transition, the transition of verification document, the post transition problem resolution plan. This work is still ongoing. I'm not gonna spend too much time on these. We've had a chance to work on these document. Unless there is anybody that has a specific question

or suggestion for these, I suggest we move on. I just wanted to remind ourselves that we're currently working on this.

I don't see any hand raised here in the room or on the Adobe Connect. So, in terms of proposed next steps, I believe we have, so our session ends at 9:45, is that right? So we have another 40 minutes to discuss these next steps, and I hope this is enough. These are the four discussion points we'd like to have with you. The first one is the decoupling of the implementation of the two expected outcomes. We'll come to that in detail in a minute.

The inviting experts from parties most affected by the transition to work out implementation details, discussing the opportunity of synchronizing thick WHOIS implementation with RDAP and a potential rollout of RDAP, we'll get to that in more details, too. And then we'll need to talk about our next meetings.

So let's start with the first one, the decoupling of the implementation of the two expected outcomes. So that's, you know, the guideline we've talked about in the working group final report. What we mean is that, in our implementation plan, we would paralyze the work in these two areas. One would be the transition from thin to thick ways for .com, .net, .jobs and the other one would be the consistent labeling of and display of the WHOIS output.

So what that would mean, if we're taking a higher level perspective on the timeline, not as detailed as what we currently have, this would be what we'd be looking at during 2015. We'd be preparing for the implementation and we'd be implemented over 2015 and 2016. That would be kind of the rough timeline we could be looking at. As far as the

labeling and display of WHOIS data, we could take a shorter timeline, as the work is of a different nature, and we expect it not to take as long or a comparable effort.

So this would be the benefit of this decoupling. It could allow for an incremental and more timely delivery of outcomes from the policy implementation. This comes with open questions. We definitely would need, so this is not considering the work that we specifically need on the transition from thin to thick WHOIS, which we'll come back to on the next discussion point, but here in terms of implementing more rapidly the consistent labeling and display of WHOIS output, we need to do more analysis on the impacts on affected parties, so that we can come up with a detailed implementation plan that's relevant and effective.

And there will be a question, which will be what should be the requirements, in terms of display of WHOIS output for the thin WHOIS registries, which will not have transitioned by the time we would be delivering that part of the outcome. So if we are decoupling the two outcomes, and we are delivering on the consistent labeling and display of WHOIS output faster than the transition from thin to thick WHOIS, then there needs to be a decision that is made on how that requirement or that implementation of that part of the policy and the consistent display, consistent labeling and display, affects the thin WHOIS registries. So I would like to open it for discussion on the specific point. If anybody has any comments, suggestion, question, let's discuss it. Sure Joe.

JOE WATER: Joe Water from VeriSign. So, on this point, I think we have to take into account a number of factors. While I understand and it makes sense to decouple the work, we did hear earlier this week, in several sessions, comments expressed by a number of people about the number of WHOIS initiatives that are underway, and understanding how they all fit together. So I think we have to take that into account as we do this. I mean, we've got the AWIP and the 2013 new GTLD agreement, as well as the recommendations that will be coming up from the EWG, so we are interested in making sure that we have a coordinated overall approach, as well as addressing the specific requirements of this police.

FABIEN BETREMIEUX: And I think it's our intention to implement, or plan implementation, in that sense. It seems to us that outcomes of the EWG are still far remote in time, because the conclusions of whatever comes out of the EWG will need to go through PDP, one or several PDPs. So, here we are talking about implementing thick WHOIS in the next two years, which we expect is a much shorter time frame than whatever comes out of EWG. But so, we've already been discussing in the AWIP, or WHOIS qualifications, that has been implemented in the last few monthS. We are starting to consider aligning any of these implementation on a schedule that is synchronized, and that would make sense and provide enough time for registers and registrars to implement. So we're very conscious of it, and we're very willing to discuss with you a scheduling that makes sense.

JOE WATER: Yeah, thanks. That does, and I'm not proposing that anything be delayed or anything else. I think we do want move forward and get this completed, but we also don't want to put ourselves, registries, the registrars, and users who are going to be interfacing with the outcome. You don't wanna continually have rework done as we move forward with some of these other initiatives.

FABIEN BETREMIEUX: Thank you for your input.

UNIDENTIFIED SPEAKER: We have Mikey O'Connor on the line.

FABIEN BETREMIEUX: Mikey, do you wanna go ahead?

MIKEY O'CONNOR: I always… Sorry, did I talk right over somebody?

FABIEN BETREMIEUX: Sorry, I was giving the floor to you, Michael. Mikey, sorry.

MIKEY O'CONNOR: Sorry about that. There's pretty substantial lag here. I love this so far. Fabian, you and your team have done a terrific job with the deck so far, and hopefully Joe is comfortable with this. If Joe's comfortable, then this is quite lovely. But let me take us up one step. It seems to me that the need to get the registries, the thin registries, converted to the

consistent labeling is less important than getting the registrars to that consistent labeling in the thin registries.

And where we were going in the IRTBP discussion, and what one of the underlying drivers for all of this was, so that a gaining registrar could learn WHOIS registering data from a losing registrar. And in thin registries, as an intermediate thing, consistent labeling would make that job much easier. And since the registry is thin, the gaining registrar will not be able to get data from the registry yet anyway, because the WHOIS data will not be there yet, so one way to look at this is to say that the need for thin registries to be at consistent labeling is somewhat less important than it will be once the registry is thick. I don't know if that makes sense, but I thought I'd give it a try. Thanks.

FABIEN BETREMIEUX: So you're suggesting two things. You're saying that we should focus on consistent labeling of registrars that are providing WHOIS for these thin registry TLDs? That's the first takeaway I get from your comment. And the second one is, that we shouldn't worry about registry at this stage, the registries of these TLDs, because what matters is to bring them to the think WHOIS model. Right?

MIKEY O'CONNOR: Perfect. Then I'll defer to the other members of the working group, they may not agree with me, but that certainly is exactly what I was thinking. Thanks Fabian.

FABIEN BETREMIEUX: I see Frederic going into deep thought.

FREDERIC: Why yes, it's early in the morning. And I'm Frederic from ICANN. I'm trying to understand. So that would mean that, the priority would be to have the registrars do the job? If I'm too short, or, so that would mean the priority of the job would be first implementing things on the registrar site?

FABIEN BETREMIEUX: So I think here, we're talking about the decoupling the two aspects of the policy recommendation. So we're separating the schedule of implementation of transation from thin to thick and consistent labeling and display. So here, what we're talking about is, when we do the implementation of consistent labeling and display, because we will do that faster, or we would anticipate to be doing that faster than the transition from thin to thick, the question is, what is the expected impact of consistent labeling and display on registries and registrars of the thin GTLDs. Does that make sense?

So, for the registrars, registries and registrars of .com, .nets, .jobs, what are we requiring, in terms of consistent labeling and display of data? Because it's clear that, for all thick GTLDs, we require spec three of the RA 2013. So that's the outcome. But we have an intermediate step, with respect to the GTLDs that will not be, at that moment, thick yet. We will be working the transition, but they won't be there yet. So, for these registries and registrars, what are we expecting, in terms of consistent labeling and display of data?

And what Mikey's suggesting is that we not worry too much about the registry of .com, .net, .jobs, but the registrars, and that we have an intermediate point in the transition from thin to thick WHOIS in effect, where registrars implement a consistent labeling and dispay of data. Joe, I see you looking at me. Is that correct?

JOE WATER: I did wanna clarify one point, which is that the labeling is consistent in the 2013 registry agreement that all the new TLDs are under. But any legacy TLD would have that same requirement at that point. So, I think it's more than just .com, .net, and .jobs, when we're talking about the consistent labeling.

FABIEN BETREMIEUX: Exactly. I did not mean to say that, or, I did not intend to mean that. And I definitely agree, and thanks for the clarification. Francisco, you wanted to say something?

FRANCISCO ARIAS: Just one thing. The recommendation and the thick WHOIS policy, it only talks about consistent labeling on registries. It doesn't talk about registrars. It will seem like the policy is focused on registries. And, however the 2013 RA has, it's the standard to which the registrars are being required to apply. So, I think and I don't see, what is the need to do with registrars? They already have to implement that consistent labeling.

FABIEN BETREMIEUX: So maybe, Mikey's referencing to registries of these GTLDs that may not have transitioned to the RA 2013 already. So they may be a smaller subset of registrars that may be concerned, affected?

FRANCISCO ARIAS: Registrars, you mean.

FABIEN BETREMIEUX: I meant to say registrar.

FRANCISCO ARIAS: Right.   They are not mentioning the policy, that's the point I'm trying to make.

FABIEN BETREMIEUX: Mikey, do you wanna respond to this, or contribute to the discussion?

MIKEY O'CONNOR: Yeah, this is Mikey again. And I'm with Francisco. I wasn't trying to joggle the elbows of the people implementing the registrar accreditation agreement requirements that is a parallel track, but rather highlight that the need to bring the thin registries, it's really the last bullet on the page, which is, what requirements for thin WHOIS registries.

And my reaction to that one is that that's probably not as important because, the goal of the consistent labeling, is to enable that communication between registrars, and they're not gonna be looking at the thin WHOIS registries, anyway. So, I don't think that it's that

important that we get the thin WHOIS registries anywhere beyond where they would have to be. And I'm also agreeing with Joe. I don't wanna get out of sync with broader issues there. But, just in the very narrow thick WHOIS split two pieces of work apart thing, I don't think that last bullet is something we should work terribly hard to meet, because I think the other stuff is gonna supersede it.

JONATHAN DENISON: Hey, this is Jonathan Denison. I think what I'm getting from Mikey is he's coming from the IRTP perspective. So I'm guessing that his concern is the immediate necessity for consistent labeling. I think one of the issues with transfers is, when other registrars are querying other registrar WHOIS databases, they might run into issues obtaining the registrant data. Whether there's some kind of issues, like rate limiting or something, so they can't pull the information. So, I think, or maybe the formatting is off, but I think in that respect, compliance does actively monitor WHOIS format output for registrars under the 2013 RAA. So, we do try to, if we do see any issues, we do go and attempt to resolve those matters. So I think that's something that we do address on the side.

FABIEN BETREMIEUX: So thanks, Mikey. I think your point is well taken, and I'd be happy to hear other members from the IRP's thoughts on this. So you're saying we shouldn't worry too much about thin WHOIS registries when we move to the consistent labeling of data. You were talking about the actual registreies. There still may be an open discussion, with respect to the registrars in those GTLDs that are still operating under the 2009 RA.

Barry, I saw in the Adobe chatroom, is mentioning this. Francisco, I hear you say that it's not in the scope of the recommendation, or you think it's not in the scope of the recommendation so we need to kinda clarify that and see if that needs to be something we work on. I mean the specific scope of the registrars that would not be on the RAA 2013 and that would be redistributing names of these Thin model GTLDs.

Are there any other comments on this issue before we move to the next one? All right, we're moving on.

So the second discussion point is around these recommendations from the work group to invite the relevant expertise from the most affected parties by the transition from Thin to Thick WHOIS to work out implementation details. So the idea here would be that in this overall timeline of implementation we would include a step specific to the transition from Thin to Thick WHOIS, were based on what comes out of the legal review, and based on the most affected parties' assessment of the implications and their expectations in terms of operationalizing this transition.

I would suggest limited time effort in which we would try to work out an implementation plan that would cater for the needs of all the parties involved, registrars, registries and ICANN. And then move on and then move on to the implementation and implement it. So that's the core of the proposal there and the discussion then is, who should be invited? How should we reach out to these people? Should these experts be assembled as a specific team? Should they simply join the IRT? Do we already have these experts in the IRT? These are the questions I would

like us to discuss and address. If you'd like to comment, please feel free.

Mikey, do you want to go ahead?

MIKEY O'CONNOR: This is Mikey, I'm happy to go ahead, I was just getting in the queue. Just quick first reactions to that series of questions. My answer to the first one, who should be invited is sort of anybody who feels like they want to be there. But certainly the way to reach out to them it seems to me is through those two constituencies, the registries and the registrars. We put together a group of experts in the working group which might be a good starting place.

Many of the people will remember that, and we certainly still know where those people are, and they would be, I think, a great beginning. The way we did it in the working group is we used them sort of on demand. We said, "We don't know whether we're gonna ask you questions all the time or not, but if you could stand by and be available to us when we need you, that would be terrific."

And to a person, they agreed to that sort of working arrangement. And you could certainly do it that way. I would think that they would not want to be a part of the IRT, which is more of an ongoing periodic scheduled meeting kind of thing. I would think that they are mostly very busy and would want to be asked specific questions or perhaps go through some short, as you say, limited duration activities as a team but I don't think they'd want to be involved in IRT all along. Although if they

did, I think that the IRT should welcome them. So those are my thoughts there.

FABIEN BETREMIEUX: Thank you very much for your insight, Mikey, I think it's very helpful. We were indeed considering reaching out through the registry and registrar constituencies, that's definitely a natural reaction and again thanks for providing your insight on how you guys did that in the working group. That's very helpful. Alan, did you wanna comment?

ALAN GREENBERG: This is one of these things I don't think we need to really over think. I think the experts we're talking about here are not really the same experts that we used on the working group itself. I think we're looking at the nitty gritty people who have to implement this. Whether it's programmers or people who manipulate the data. And I believe that all of the ones that we probably need are gonna be obtainable from people in this working group.

So it may not be the person from VeriSign in this working group who is the expert in the actual data but they have a vested interest in finding the right people. A call to the registry and registrar stakeholder group in parallel, either by staff or by the representatives on this group certainly wouldn't help in case anyone else wants to get involved just to do sanity check. I don't think it's gonna be very hard to find people that have a vested interest in putting the right people on this so it doesn't come and bite them in the end. I don't think it's gonna be a particularly difficult or onerous thing and I don't think we need to agonize over it.

FABIEN BETREMIEUX: Thank you very much, and I think we wanted to open the discussion to get to these conclusions, or what you think is relevant, so that's very helpful.   And I guess the next action is to, I would say, for the IRT member to come forward with their proposition of who should join this effort and maybe our action would be to reach out to a secular group and just make sure that the message is going through there.   Please excuse my ignorance of the exact structure of the IRT at this stage, but I'm not sure of what's the nature of the representation of registrars in the IRT right now and it feels to me that's it's an important piece of the expertise we need to make sure that we're all working together with the relevant parties.

JOE WATER: Joe Water. So, I don't think that the IRT is closed to new members. If you just look around the room, we have a much smaller audience this time than we did in London but we've had, I would say, pretty good representation on the monthly phone calls. So I do think that a simple outreach to the registrars and registries is a good idea and if anybody else wants to join, they certainly are welcome. But I don't think that we have any specific goals in terms of percent representation or anything else. I think it should be based on interest levels.

FABIEN BETREMIEUX: Thank you, Joe. Any other question or comment on this discussion? I see Mikey commenting that James Blader would be a good person to work with in recruiting registrar.

MIKE ZUPKE: This is Mike Zupke from ICANN Staff. And I just wanted to let you know we did put out the word to registrars inviting them to come, but unfortunately at this very moment there is a compliance session geared towards registrars so that's probably why you're not seeing them in the room. Please don't take that as a lack of interest, its competing interests.

FABIEN BETREMIEUX: Thank you, Mike. That's a very useful reminder, thanks a lot. Ok, so let's move on to the next topic of our discussion. We have fifteen minutes left in this session, it should be enough. What we would like to discuss with you is the opportunity to potentially synchronize the work or the implementation of Thick WHOIS with a potential roll-out of our ARDAP.

Just a little bit of a background, the registration access protocol is expected to come out of IETF in the coming month as a standard that could be applicable, so I would not go through much of the history of the protocol because Francisco will hold a session right after this session on this very topic so we can get all our details there. But I just wanted to share with you that there may be potential synergies that could be useful to be considered, in particular, because RDAP has features that could, redirect feature in particular, that could potentially help with the data transfer issue that may be revealed by the legal review and the analysis that we may conduct after those conclusions. And then RDAP, in a sense, could be an incremental step towards policy outcomes that

may come out of the EWG work. So this may be more speculative than the first proposition, but these are the two main areas of potential synergy. So, if you have ideas or questions on this subject, please, let's discuss them.

JOE WATER: Joe Water, and I'll go again. So I think that, in a number of agreements, there is discussion about implementing what is, ultimately, the RDAP specification. But I guess my question, I'm gonna ask this in the form of a question, but an RFC that's finalized in whatever standards track or whatever that ends up, doesn't necessarily have all the implementation details. So, are you suggesting that we take on the implementation components? Because RDAP is much broader, I think, than what we're talking about for the scope of this team. So, are you talking about incorporating some portion of an RDAP implementation with this initiative, or where would the decisions about the complete implementation be done? So, I don't know if that's done as a separate GNSO initiative, as part of EWG, that's just not clear to me right now.

FABIEN BETREMIEUX: Thank you for your question. I think Francisco will be, probably, the best person to address it.

FRANCISCO ARIAS: Francisco Arias. So, I agree with you, Joe. There are more details that need to define before implementing RDAP. The term that I kept in the slides for the next meeting, it's we need an operation, a profile that needs to be defined. And, I think at this point, RDAP is just a starting

discussion, there is nothing immediately to say, "Yeah, let's implement it by next month," of course not. But, what we are seeing is a thick WHOIS implementation, at least the time that I've seen, are in the order of a couple years. Right? It's a complex issue that will take some time. And, it will seem, if RDAP is indeed ready in a couple months, then we will, perhaps, use that as a benefit from the things that RDAP already offers, and to do a synchronized implementation of these two things that are the next in the queue for implementation, in regards to WHOIS related stuff.

JOE WATER: Yeah, thanks Francisco. I think that's helpful, but maybe what I'm thinking is, is there a WHOIS czar that's coordinating all of this? Because, within this working group, we have a specific task. And I do appreciate that, just like we talked about earlier, that you're looking for places where we can integrate and coordinate all of these initiatives; where is the coordination happening globally across all these different WHOIS efforts?

KRISTA PAPAC: Hi Joe, thanks. Krista Papac, ICANN staff. So, we are coordinating WHOIS efforts internally. It's an interesting question. It's a little bit more difficult to do than it sounds, because WHOIS is in different phases. All things WHOIS are in different phases, some are working groups, some are expert working groups, some are policies that are already established, some are in a policy development process. And so, there's not a single person, but there are a couple of people who are working

closely together to oversee and manage these processes so it's more coordinated.

FABIEN BETREMIEUX: So I see, Alan wanted to talk, Don wants to talk, and I see that Mikey has his hand raised in the Adobe chat. So, let's start with Mikey, and then to you Alan, and then Don. Mikey.

MIKEY O'CONNOR: Thanks, this is Mikey. Let me go really quick, with a queue behind me. I'm very cautious about this one, for several reasons. First, it's a gigantic scope increase based on a protocol that's not done yet. Second, because the working group worked very hard to limit the scope of this work, so that it would not be delayed by the other moving parts of the grand WHOIS discussion. And third, because, if I were to pilot something like RDAP, I probably wouldn't pilot it on the biggest domain; and that's essentially what would happen here. If we drive RDAP into the scope of this project, we're essentially saying that we're gonna use .com as a pilot, and I think that's not a good plan. So, just my initial reaction, certainly willing to be talked out of it, is negative.

FABIEN BETREMIEUX: So, Mikey, this is Fabian speaking. I wanna make sure that you get our intention with the discussion right; we're not trying to suggest that we extend the scope of the WHOIS implementation. We're really talking about synchronization and potential synergies, so it's really a very early discussion of the topic. Definitely not trying to extend the scope of this implementation, that's for sure. We're very appreciative of your

mentioning it and of the difficulty of scoping such work. Mikey, you wanna talk again? I see that you raised your hand again.

MIKEY O'CONNOR: Yeah, just a really, really quick comeback. I'm not throwing my body on the tracks, but anything that slows down or takes the eye off the ball of the thick WHOIS initiative will make me cranky. If there's a way to do this, essentially, with zero impact or minimal impact, certainly that's something I wouldn't wanna be the only opposing. But, I'm really cautious about this idea, that's all. Thanks.

FABIEN BETREMIEUX: Thank you Mikey. Alan?

ALAN GREENBERG: Thank you, Alan Greenberg. I will throw my body on the tracks, or maybe I'll throw Mikey's body on the tracks, we'll see. Mikey's right. We went through this knowing that, if we wait long enough it'll all be moved, because someone else will come up with the great new WHOIS system in the sky. We decided to go ahead with this against some people's better judgement, but nevertheless, we did go ahead with it, because we didn't want to wait for the next implementation. The implementation plan that has been arrived at is significantly longer than most of us imagined in our wildest dreams.

Let's not elongate it. There is currently a board GNSO committee being put together to try to figure out where the next steps are in the EWG process. There is a PDP on hold, which may migrate into multiple PDPs,

that whole process may involve, somewhere in the middle, a major software development. There is the issue of internationalize data, WHOIS data, which is going on in parallel, completely in parallel with all of this. There's the issue of translation transliteration, which is going on in parallel with all of this.

There are many, many thigns which might interact with us if the timing is right. Let's go ahead and keep our ears to the ground, there's enough people in ICANN who are watching all of this, that if suddenly things come together, that by waiting 2 months, we can do something better, fine, then change the plan. We can't plan on something with completely unknown time frames at this point, and I think we just need to be alert to changes and go ahead and get this done as quickly as we possibly can. Thank you.

FABIEN BETREMIEUX: Thank you Alan. So I have Don and Francisco. Do you want to have Francisco explain something particularly?

DON: Just real quickly. After the all Thins WHOIS discussion the other day, there was some discussion at the request of somebody to at least, even if there's no coordination, put together chart, with circles and arrows and boxes, trying to at least show the different projects and how they might interrelate. So, I'm hoping that would be helpful. As far as the scope, I don't think we're expanding the scope, but I think we'd be foolish not to keep alert to RDAP and other efforts. As an example, EWG report called for tiered, or I guess it's called differentiate access now,

that's not feasible, in my opinion, at a scalable level without RDAP. So, we need to keep mindful about the things going on. And as far as .com, we can always use .jobs if we wanna test.

FABIEN BETREMIEUX: I refrain from suggesting that. Francisco and then Mikey.

FRANCISCO ARIAS: Just a couple points here. I think what we are saying here is something like, what's being done with AWIP and WHOIS clarifications documented there. There are two efforts that were synchronized to have a common implementation target date, so that the registers could plan better in the implementation without having to start with four, and then one month later, another four, and then another month, another four, and so on. I think that's what we are trying to identify here.

The next things that are in the pipeline for implementation with registries and as Fabian said, we have, internally, a list of all the things WHOIS related, and the next things that are coming up out of this thick WHOIS and RDAP. Maury is in the audience, he's one of the co-chairs of the ITF, a working group on RDAP, and he's going to talk about the start up. But basically, they are very close to a final, they are in, what in the ITF is called the last call, and process I believe at the end of this month, if everything goes well by convince…

UNIDENTIFIED SPEAKER: Can we get the mic?

EN

MURRAY KUCHERAWY: I can just go to this one. Thanks. Murray Kucherawy, I'm the co-chair of the WEIRDS working group, which developed RDAP. The timeline is that it is in ITF last call for about another week, during which the entire community has an opportunity to review it. It also goes through a more formal review process where the IESG will approve it. That is also supposed to happen and wrap up by October 30th.

Shortly after that, if there are any results that need attention and the documents need revision, there's a period of time when that's gonna happen, then it goes into the editor's queue. The editor's queue, lately, has been about a month. So, realistically, you're not gonna see RFCs until early December. It would be extremely weird for them to take beyond the end of December to publish. Rather than, I heard someone say November, it's more likely it's gonna be December.

FABIEN BETREMIEUX: Thank you very much for your input. Very helpful, thank you. So, I think Mikey had a question or comment. Mikey?

MIKEY O'CONNOR: T   wo names: I talked to Steve, Earl, the feedback's on. If the guy running the sounds could turn off the feedback, that'd be good. I talked to Steve Crocker about it a long time ago. Oh my. And, Steve said, "Pay no attention to all that other WHOIS stuff just drive your schedule." Because I was saying to Steve, "Look, you know, we've got this thing, very narrow, very focused on one thing. Should we wait?" And he said, "No, don't wait. Go ahead and get this done. In fact, getting this done may help the transition to those other things."

And so, to the extent that we can get something for free, that's great, test it on .JOBS, that's great. But in terms of anything that delays the thick WHOIS schedule, please don't. And then finally, the second name I'll mention is Gerald. I mean, I always look to Gerald on this kind of question and will tend to follow his lead on this stuff. Thanks.

FABIEN BETREMIEUX: So Alan, and then, what does Joe think?

ALAN GREENBERG: I'll let Joe go first.

JOE WATER: I think we're almost out of time.

FABIEN BETREMIEUX: We are, thank you.

JOE WATER: Yeah. So, just one quick comment, and I know you've got the session on RDAP right after this. So I think, we're not talking about a complete implementation of RDAP, we're looking for the right components that make sense to be done simultaneously, is I think the important point. So, I don't look at this as something that's going to delay anything, we just wanna look for where there are synergies where we can pull things together.

ALAN GREENBERG: At this time, it's Alan Greenberg speaking. At this time, there are enough unknowns, I don't know whether it will require PDP to implement RDAP. I'm not sure. If it does, that adds another year to the process; if it doesn't, there's some other way to go forward. There's so many things going on that we could address each of those. Let's plan to do this work; if something else appears along the way that sets a moderate delay will benefit the overall community, fine, we can adapt.

FABIEN BETREMIEUX: Thank you. Francisco?

FRANCISCO ARIAS: Yeah Alan, I will kindly invite you to stay to the RDAP session where I am going to explain, this is not something new, this is ongoing work since 2010, I believe. There is an SSAC recommendation of our solution, etcetera. And they already conducted provisions in both GTLDs in 2015, our registers, and legacy GTLDs. So I think this a matter of opening plans.

FABIEN BETREMIEUX: Thank you very much for your discussion. So, last point we had was the schedule of our meetings. We are on the regular schedule, which would lead us to have a meeting in two weeks. I think it's appropriate, because we could keep this discussion ongoing, in particular, on the assembling or recruiting of the experts; That's, I think, a major agenda item for next meeting. In any case, we'll circulate an agenda. There was this question about whether we need to plan for expert meetings; we'll talk about this next time, I believe. So, if there are no other questions or

EN

comments, I think we can wrap this up and wait for Francisco's session. Yes? So Mikey, I believe, likes the meeting in a couple weeks? Thank you Mikey. So this session is over. Thank you very much for coming this morning and for your participation. And we look forward to keep the work moving forward. Thank you very much.

[END OF TRANSCRIPTION]