Transcription ICANN Singapore
IPC Meeting
Tuesday 10 February 2015
13:15-16:30 SGT

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On page: http://gnso.icann.org/en/calendar/#feb

Greg Shatan: Good afternoon everybody and welcome to the meeting of the Intellectual Property Constituency at ICANN 52 today Tuesday February 10, 2014.

Do we have a recording? If we do we should start the recording. Okay. So, welcome everybody here to Singapore ICANN 52 and the IPC Open Meeting, a pleasure to greet you all here. I'm Greg Shatan and this is my first open meeting as the President of the IPC. I'm very excited to move forward together.

A couple of housekeeping notes. Alex Deacon is taking our notes.

We have, because it's overnight in the relevant jurisdiction, which is not here, the Adobe Connect is undergoing maintenance. So we don't have Adobe available to us.

So even though it's 2015, in order to get any slides or the like on to the presentation laptop we have to use what's been referred to in the past as Sneaker Net which means putting something on portable media and moving it from one laptop to the next. So welcome to the future of the Internet.

Since this is a public meeting I thought it would be great if we could get introductions from everyone. As I said, I'm Greg Shatan, IPC President, in private practice at Abelman Frayne & Schwab in New York practicing IP and Tech Law.

Steven Metalitz: Steve Metalitz, Vice President of the IPC. I represent the Coalition for Online Accountability. And I'm a partner at Mitchell Silberberg & Knupp in Washington.

Greg Shatan: And why don't we start at the front row?

Man: (Unintelligible).

KT Young: Hello?

Man: Yes?

KT Young: KT Young from IFPI.

Phil Marano: Phil Marano from Katten Muchin.

Heather Forrest: And Heather Forrest from Australian Catholic University and IPC Councilor on the GNSO.

Kiran Malancharuvil: Kiran Malancharuvil. I'm with Thomson Corsearch MarkMonitor.

Alex Deacon: My name is Alex Deacon with the Motion Picture Association of America.

Griffin Barnett: Griffin Barnett, Katten Muchin.

Val Sherman: Val Sherman, (Smith, Gambrell & Russell).

(Frank Ritman):   I'm (Frank Ritman). I'm with the Motion Picture Association based here in Singapore.

(Dick Cherny):   (Dick Cherny), IP Twins Paris.

(Steve Varios):   (Steve Varios), IP Twins Paris.

(Luke Aberro):   Luke Aberro, (Unintelligible) Associates.

Marc TrachtenbergMarc Trachtenberg: Marc TrachtenbergMarc Trachtenberg, Greenberg Traurig.

Michael Adams: Michael Adams, Mayer Brown, IPC Treasurer.

Jan Janssen: Jan Janssen, Crowell Moring), Brussels.

Petter Rindforth: Petter Rindforth, FICPI.

Susan Payne: Susan Payne, Valideus.

(Dutchen Patrig):   I'm (Dutchen Patrig), ICANN Fellow and IT Law Professor from Serbia.

(Martin Krishan):   (Martin Krishan), (Telemark) and my colleague (Ritzer).

(Kim Stellar):   (Kim Stellar), (unintelligible) from Vietnam (Vic).

Sherri Falco: Sherri Falco, General Counsel, ICM Registry.

(Peter Octiv):   (Peter Octiv) from the (Ziti) Central Registry and the .africa project.

(Zach Tun):   Hi. My name is (Zach Tun) from (Lia Lee) private practice in Singapore.

Ellen Shankman: Hi. Ellen Shankman from Israel and IPC NomCom rep.

Russ Pangborn: Russ Pangborn) from Marksman.

(Esa Sial):   (Esa Sial), Consultant and Director for the Center for Content Promotion.

(Rita Talam):   (Rita Talam) from Sky.

Jonathan Zuck: Jonathan Zuck from ACT, the App Association.

Man: Hi, (Mark Sean) and (Manders) and others from The Ministry of Law Singapore.

(Johannes Len):   (Johannes Len) from .Berlin.

(Ukin Share):   (Ukin Share), (unintelligible) Singapore.

(Antoinette Angicotti):   (Antoinette Angicotti), ICANN staff.

Brian Winterfeldt: Brian Winterfeldt, Katten Muchin Rosenman.

(Aaron Dozman):   (Aaron Dozman), Winston & Strawn.

(Luren Ballman):   (Lauren Ballman), CEO of farfurther.music.

Andrew Barrett: Andrew Barrett fromenCirca.

Tom Barrett: Tom Barrett from enCirca.

Mary Wong: Mary Wong, Senior Policy Director ICANN Staff. I guess I hand this back to somebody.

Greg Shatan: Yes, Kiran's our mic girl.

Woman: (Unintelligible).

Greg Shatan: Let's go to the remote and see who has called in remotely. Is there anybody participating remotely?

I guess not. Maybe the adobe has made that difficult. In any case I can't run the agenda and put the agenda up on the presentation laptop. If somebody wants to come up and try to do that that would be great.

That takes care of our first item, introductions, agenda review. Well we're going to take care of agenda review right now. We have our scribe.

After this - it's on the slide. We'll review the activities to date at ICANN 51, any particular action items, anything that people would like to highlight in terms of meetings that are of particular interest to the IP constituency, try to identify any issues that we need to deal with during the remainder of our stay here and beyond, but particularly here.

At 2 o'clock we will be joined by Allen Grogan, Maguy Serad and the contract compliance team for a briefing and discussion regarding compliance.

For those of you who were in the session between the CSG and the Board, compliance was identified as our hot topic. Steve Metalitz very ably presented why it is so hot for us. So I expect that this will be a hot discussion with Alan and Maguy.

At 2:30 we'll be having a briefing and discussion from Carole Cornell) regarding the draft five year operating plan. I saw Carole at our breakfast or the CSG breakfast this morning. And she is enthusiastically awaiting her time with the Intellectual Property Constituency.

At 3:00 PM Karen Lentz, no stranger to these meetings, will come in for a briefing and discussion regarding the new gTLD program reviews.

After that, in order to digest all that we will have heard at 3:30, we will have a discussion of the various staff dialogues that we've heard and next steps in how to respond to what we've heard.

At 4 o'clock remarks by the incoming IPC president who - and you know who that is - and discussion, hopefully not about the incoming IPC president.

At 4:20 we will be reviewing any assignments, talk about the next meeting and scheduling for that, anything else that needs to be done while we are here. And we will adjourn at that time.

So why don't we move straight into and right on time I'll see a review of activities to date at ICANN 51, Marc Trachtenberg).

I think that's a - yes, Marc has suggested a five minute break in the middle. And I think that's a great idea. I'm sure we could all use that.

You know, the good news is that we - our meeting is a little bit longer than it has been at some past ICANN meetings. The - and I think we can use some of that extra length to take a stretch and bio break in the middle of our discussions to figure out how to work it out with the middle being this selection.

Maybe after the - our - the various staff dialogues. In any case I wanted to highlight a couple of things that are of interest and a couple of things and where we have been asked where we are interested in getting more involved.

In terms of items of interest I did want to ask Heather to talk about Geo TLDs and various things that are happening here including the GAC plan for Geo domination and how, you know, we are providing our voice in that overall in moving forward in that area.

So Karen if you could hand Heather the mic that would be great. Thank you.

Heather Forrest: Thanks very much Greg, Heather Forrest for the record.

I'm also happy if you'd like to answer any questions about the GNSO working session over the weekend to follow-up.

Greg Shatan: Absolutely. Or we could ask - yes actually Brian unfortunately was unable to make some of it so why don't you do that and Brian can obviously add to that as well.

Heather Forrest: That's fine.

Greg Shatan: Otherwise I would have split you up equally then.

Heather Forrest: I'll answer your question first and then maybe take questions about the second.

The update is this. You've seen the email traffic on the list. And forgive me, this is awful with having my back to you. And now I have my back to you folks. This is terrible.

So really the short version of this is this. The GAC lead now by Vice Chair Olga Cavalli is presenting I suppose representing its proposal and the comments received on its proposal in relation to geographic names.

You'll be familiar with the proposal because we submitted lengthy comments on it just before the end of the year and of course stood up and publicly gave a summary of those comments in LA.

A panel was convened in mid-January and the invitation went out to four parties and it specifically identified the four and only invitees.

And not a single stakeholder group or constituency of the GNSO was included in that list of invitations.

And it seemed rather concerning given that this will have an inevitable result on gTLD policy. And given that the registries and the BC and the IPC all submitted comments.

So within the GNSO council there was a fair amount of consternation about this. And Olga has made to try and rectify the situation.

And it really ultimately came down to a face to face discussion between myself and Olga earlier this week in which I quite simply asked I suppose a question that no one else at that point had been brave enough to ask which is why weren't we invited?

That has resulted in an invitation. In a very strange turn of events -- and I've sought IPC leadership advice on this - I ended up receiving the invitation from Jonathan. That wasn't my intention from the start.

My point has really been as a GNSO councilor the process of it to make sure that the GNSO is represented. But I take the council's point and Jonathan's point that I'm really probably the best, the most knowledgeable on council about the issues to be able to speak.

So as it stands now myself and Carlos Gutierrez who's the NomCom appointee to the GNSO council he has also volunteered to speak on procedural aspects of this in his role as co-chair with me on the CWG country and territory names.

Some of you -- and I thank you for your support - were in the CWG meeting yesterday. I supposed if I speak very frankly I don't think it went terribly well in some aspects. We've moved forward in our work.

But we're having a very difficult time on pining down the GAC's use of terminology, questions arising around use versus protection and how our comment was characterized as we don't like it and we don't want to talk to you and these sorts of things.

So the dialogue is fairly difficult at this stage and I'm interested to see what happens tomorrow in the panel which is run by the GAC is chaired by Olga Cavalli. So we'll see what comes out of that.

I know a number of you are participating in other areas, BRG for example or it will be in the room and I think that'll be very helpful.

So I encourage everyone with an interest in this issue to attend. If anyone has any questions I'll be happy to answer them.

Well as I say, this is an area where I'm learning. I'm finding my feet and I'm finding the diplomacy difficult because the engagement with the GAC has been fairly combative.

So, you know, the lesson to me is to figure out how to engage with that and be effective. We're not getting our voice heard and I think that's something for me to work on personally and all of us to figure out how we get heard. At the same time I'm being told by others we're not going to be heard so there we are.

As for GNSO council I put out some notes on at the end of Saturday and Sunday. And thank you very much for the feedback that I received. I'm grateful for that.

I remind you that I'm here for you so if I'm not providing you with the information that you need I would hope that you would say so and Brian as well.

If anyone has any questions about my notes I'm happy to acknowledge (Ann)'s comment that was made on the list about further clarification in relation to the SCI.

But if there are other points of clarification or questions I'm happy to take those, very happy.

Greg Shatan: I see no hands up. Heather I would just ask you in terms of the Cross Community Working Group on Geo names is there anything further that the IPC can do or any particular IPC members can do to provide you with greater support?

Should there be more, I don't know if it's a closed group or if there can be participants or observers or others who should be in there? And if that is the case if they are kind of overloading it, you know, with the technical full seats on the group are, you know, were narrowly assigned.

But as we see in many of these Cross Community Working Groups the game is such that the participants and observers who are in the stands can get down on the field and play the game just as hard on the attack those who are technically members.

And if that is happening and we're understaffed so to speak I think we need to recognize that we're all learning how to work in the Cross Community Working Group environment. And there are a number of learnings and that's one of them.

So...

Heather Forrest: Great. I'll buy you a drink for.

Greg Shatan: A little under (unintelligible).

((Crosstalk))

Heather Forrest: Okay good. I'm super happy that you've asked that question. Quite frankly we're in situation disaster.

The membership of the group is not at all closed. It's not all fixed. We have two new members to the group here at the ICANN meeting.

There were a number of observers in the room. In terms of membership of the actual CWG it was a bunch of CCNSO folks and Olga Cavalli and myself. And that's not helping.

When we jump up and down and say the GNSO is so interested in this issue and that's really why I ended up having to carry the flag alone yesterday and felt a bit overwhelmed.

We have got to get not just more IPC people in the room but we have got to get more GNSO people in the room.

GNSO members not attending calls. I really and truly am the only GNSO person attending with regularity. And that's a problem. And when this goes further and we say we don't like the outcome, as best as I've tried I won't know what to say frankly.

Greg Shatan: I think this is an area where the Registry Stakeholder Group has put in comments which were largely congruent with ours and where the Non-Commercial Stakeholder Group or at least elements within it are also inclined perhaps for different reasons but with the same result towards concerns about some of these issues.

So, I think we should reach out to those other groups to get them in the room so that this isn't kind of Heather versus the world.

And in addition, you know, IPC members I know that we have - we're all stretched thin. But it would be - this is a critical issue and maybe the - one of the critical issues between the first and second rounds.

And I encourage us, and especially those who have kind of international, transnational expertise to get more involved in this.

Susan's hand is up. I don't know if we get a mic. There we are.

Susan: I was - is this - oh yes, I was just going to say Heather has persuaded me to join her working group. So I will be there flying the IPC flag as well.

Greg Shatan: Good on ya. I think that takes care of those - of that topic as well as Brian is there anything you wanted to add in terms of the GNSO meeting and also with regard to the Webinar and the NPOC where you represented our interests?

Got a mic? Yes mic coming back.

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Brian Winterfeldt: I know I think Heather did an excellent job summarizing our exiting working weekend. And I appreciate her carrying the load this time on notes. It was nice to have that assistance.

But if people do have questions or if there's any follow-up that they'd like from Heather I'd also encourage them to feel free to reach out to us and use us as a resource.

The Webinar turned out to be very interesting. So I've done a version of a similar Webinar for at the invocation of the NPOCNPOC in DC around the same time as our intersessional.

And then it was some additional speakers here. But my kind of stick with the same which was basically trying to explain to the NPOC really at their

invitation really to explain to their membership why IP interest are actually not adverse to them and why they actually were actually aligned and that brands and brand protection and other types of intellectual property are very important to non-governmental organizations and non-profits.

And it's a message that's really resonating. And the - there was a lot of interest for follow-up after the last Webinar. And it seemed very well received today as well where they actually really want us to start giving them more education about how they can handle their intellectual property in a smart way, how they can put together programs.

And so I think we're really actually building bridges and building allies within a constituency where traditionally we've not always seen eye to eye or had support. And so I think this is an important thing.

And Fadi actually came to the session today and was actually able to hear the end of my talk and the summary and the dialogue we had where there was basically an ask for really IP specific targeted educational sessions for NPOC membership and maybe even getting together some kind of best practice materials and checklists and things to help them out.

Because - of course – the resource issue, they don't always have the funds like larger for-profit organizations do to, you know, hire outside counsel.

So I think this is a good start and they were very appreciative of the IPC providing this education and support. And again there seemed to be a lot of interested for more of this type of support and dialogue. And it's something that Fadi also expressed he thought was very constructive and very positive. And he was very happy to see this kind of sort of cross constituency outreach going on and support.

Greg Shatan: Thank you Brian. I think that while it's our next intersessional is quite a ways away we should keep in mind that we can have discussions at the

constituency level with NPOC as well as having it kind of house to house discussion or rather, you know, discussion stakeholder to stakeholder group.

And so we can find greater ways to work with NPOC because they have - many of their concerns are the same. They're - they are businesses. They are just, you know, businesses with different goals and structures. But they all have intellectual property concerns and natural overlap.

The next item that has been mentioned to me now several times mostly by the same person in Singapore and before as an area where the interest of the IPC should be gauged is in relation to PICS, Public Interest Commitments and the request that was made by ALAC to freeze the highly sensitive strings in certain of the GAC safeguard lists and generally speaking to try to deal in a more planful and careful way with the PICs and the PIC specs and the PIC DRP which, you know, doesn't exist yet.

But as a matter of fact they have been recruiting for panelists up until a little while ago. I was thinking about volunteering until I saw that you could not be part of any supporting organizing or advisory committee at ICANN. So that kind of took me off the list and everybody in this room.

In any case I don't know how much people know about the PICs or if they have opinions. I'm sorry, I don't have any kind of slides or presentations. But would like to hear, you know, some thoughts.

You know, Ron Andruff has been kind of leading the charge from within the business constituency on this area and approached me and John McElwaine to see what the level of interest was.

And I was certainly not going to speak for the IPC or even necessarily for myself on this issue.

Clearly it's kind of - there's consumer safety and consumer trust issues related to the PICs. But we may or may not want to, you know, kind of step up and take the level of involvement that some of the other groups are. I see Kiran and Steve.

Kiran Malancharuvi): Hi, Kiran Malancharuvil from MarkMonitor. I would like similar background I think in detail about what you're talking about.

I have not read the ALAC letter. And I don't know that I've been privy to the same conversations that you have I guess from Ron.

So is the issue that there isn't adequate safeguards in PICs, that they're not being enforced, that, you know, that important policy things and applications are being dropped from PICs? What's the issue?

Greg Shatan: As I understand it the issue is that the compliance setup for PICs is unclear, that the level of commitment to the PICs by those who entered into them may perhaps be unclear that strings are being delegated that are subject to PICs and that this is premature for these reasons.

There's a lot more there that frankly I have not had. If we may want to have not at this meeting but ha- you know, look at this more in-depth. I don't expect us to make a decision here. There's definitely materials that could be circulated. Ron Andruff could, you know, prepare something specifically to try to, you know, get us onboard.

But I think that's most of the issue in a nutshell. You know, confess it hasn't been one of the things that I've studied deeply. Steve?

Steven Metalitz: Yes, Steve Metalitz. Let me try to put this in context. We have been very deeply engaged with the PICs. But we've been focused on those PICs that apply to all new gTLDs, PIC 3.

And we'll - in about 11 minutes I assume we'll have some more discussion about what ICANN is doing to enforce those PICs, the requirements that registrar - registries take on some obligation to make sure that the registrars and the new gTLDs are keeping infringing activities out of the registries if I can paraphrase very generally what's in that PIC.

What Ron is working on his other parts of the - those PICs are - Spec 3 is in there because the Governmental Advisory Committee said this should apply to all new gTLDs so it does.

Then they had a bunch of others that only apply to sensitive strings and then a great synthesis ones that have professional qualifications of a high level of consumer protection interest. And the GAC wants to see much greater control over who can register in those gTLDs.

Well ICANN never really - I mean you have to get into the details of what the GAC advice was and ICANN's response.

But ICANN did not do as much as a log of people think should be done to putting these consumer protection safeguards into the - into those - that subset of the new gTLDs that were subject to the PICs so to this - to the heightened public interest commitments on consumer protection.

So let's be careful that we're not saying that the issue is the PICs. It's a certain subset of those.

My concern - and by the way this came up as those of you who were in the meeting with the board know that it came up and apparently there was a long meeting that Ron attended along with GAC and ALAC. And they're all the contracted parties. They're focused on 39 sensitive strings. They're' going to continue discussing this.

So it's certainly important. The question I would have is - is there an intellectual property interest there as contrasted with, you know, the making sure that people who register in .doctor and doctors and this type of thing and, you know, and making sure that what we - anything we did in that area wouldn't interfere with what we're already doing to try to get ICANN to enforce the PICs.

I will also say that I think at this point the discussion about the PIC dispute resolution process is a bit of a red herring. Because I think Allen Grogan in the responses that ICANN board gave to the GAC and in presentation I saw Alan gave yesterday it was - he was pretty clear that dispute resolution proceeding is a bit peripheral in this whole area and that ICANN is very clear that if it's in the public interest commitment it's part of the contract and they will enforce it.

What they will do is another question. But I think that the whole DRP idea is getting a bit marginalized now. So it looks like a too fired about that although I know the GAC is still fired up about it. Thank you.

Greg Shatan: So the last part of it is just do we want to? We could have had we wished to been in the meeting that Steve described last night. It didn't sound like something we wanted to jump into and that nobody here was, you know, given the specific nature of that as Steve has clarified that we didn't necessarily need to get involved.

But the invitation is open for us to get more involved should we see the need.

I think probably the best thing at this point is to put some materials on the list so that we can all take a look at this, have a dialogue on the list to see how what our level of involvement should be if we have any level of concern about where this may be going and see if we want to have any involvement if anybody here is particularly interested in running point on this and being, you know, someone who's more deeply involved.

You know, raise your hand or come see me afterwards and get you more involved in it. Otherwise we'll just, you know, see what develops on the list.

I'll open the floor now. I see that we're beginning to have our next session of presenters come in. And a little bit early. They can get a sense of the room see if - just open the floor to anything that anyone has felt to date that has come up on our - as we've had a few days of ICANN now under our belts that should be under consideration, kind of any current events that have not made their way to the list and generally might be something to start thinking about. KiranKiran?

(Kiran Malancharuvil): Hi, Kiran again from MarkMonitor. I - this has been on the list a bit but I wanted to highlight it again. The RPM Review staff paper was published just a few days before most of us left for Singapore.

I would encourage this group to look at it. It's an extensive document. I actually haven't even read it myself I'm sad to say. I was on a flight but I was sleeping.

The paper is very extensive in laying out the issues. The staff have identified them. And I think that as part of our RPM review activities of which I'm co-leading with Michael Graham and John McElwaine we should make sure that we look at these issues, see how staff has presented them, see, you know, how we feel about how the issues have been outlined. I think that's very, very important.

It's obviously that the document is open for public comment. We can talk about it more with Kiran who I think is here already.

And I think it's going to be really important to understand that document as we move forward and the activities that we have discussed on the list in our calls earlier.

And Michael and I are both really open to suggestions about how we as a constituency want to move forward on these important reviews.

I see a lot of faces in the room that aren't necessarily corresponding to traffic on the list about this issue. But I suspect that this is a pretty important one for all of us here in this room.

So I would - I just really want to encourage everybody to get involved to grab me or to go on the list.

My email's really easy, Kiranm@markmonitor.com if you want to send a private email about the RPM reviews. So please, please get involved or consider to get involved in that issue. It's huge. Thanks.

Greg Shatan: Thank you. And that points out more generally we have a number of open public comment periods that we need to deal with. I'll get a list updated and out to the group so that we can see what they are. A number of them are in mid-stream.

And that also just highlights very quickly something I'll revisit at the end of the meeting which is that I can no longer or should no longer serve as participation coordinator. And I will be looking for expressions of interest for those to be considered to be selected under our bylaws to serve as the participation coordinator.

And as well we'll be looking for expressions of interest to represent the Intellectual Property Constituency on the Standing Committee on Improvements of the GNSO and on the Cross Community Working Group For Internet Governance.

I think we'll take Heather next.

Heather Forrest: Thank you Greg. One final point on activities to date for us to keep our ear to the ground. Fadi tells me he's putting together one of his swift and light task force type things on the meeting schedule in advance of BA and how to make that better.

Somehow I've become the poster child for not killing Tuesday. But we need to make sure that we get on to that task force and that we ensure that the meetings that we have interest in aren't as terribly clashing and as overlapping as we've experienced this time around.

So if anyone hears of the task force would you just get yourself on it I would say.

Greg Shatan: Thanks. If there are any volunteers I guess, I don't know Heather are you going to take it to the list or bring it - tell me and Heather if you're interested and we'll figure out how we can do that. And I would say that I've noticed INTA meetings for those who've been to those, I think, you know, resolved the situation somewhat better or they have over time learned some lessons to try.

So if there are people who were involved in INTA or better yet involved in planning in the INTA annual meeting maybe they can provide them. Or if there are similar other meetings that people have been involved in and have gotten into the belly of how to avoid putting people into four places at once I know MarcMarques's meetings for instance of other meetings or the like, anything that - anybody with actual prior experience as opposed to just strongly held opinions and complaints would be even more welcome.

But if all you have is strong held opinions and complaints that's great too.

It is now 1:59 and I think it's time to invite up the Compliance Team for their briefing. I put the - it's on a stick here if you want to get them up.

Steven Metalitz: While they're moving up here...

((Crosstalk))

Steven Metalitz: ...is the yellow sheet still circulating, the sign-up sheet? Actually I've got another one if you need it. Okay is it - could you - people that - the folks who arrived later probably haven't signed that so maybe we can - if you haven't signed it could you raise your hand? Okay.

Man: (Unintelligible).

Steven Metalitz: Just keep it moving.

Man: Okay.

Man: Do you want anybody else up here?

Greg Shatan: And just technically do we have the Adobe Connect room back? Can we get that up on the screen?

Steven Metalitz: And do we have anybody who's dialed in?

Greg Shatan: We can run it off of the laptop you're on a stick if somebody can just get it loaded on.

Maguy Serad: Good afternoon everyone. It's Maguy Serad, Contractual Compliance. With me in the audience I have our Singapore staff and some travelers with me from LA compliance team. Raise your hand so people know. Yes.

                   Also have Allen joining me officially that ICANN 51. Allen's my new boss. It was his first day as my new boss at ICANN 51.

So before we - we have a slide deck prepared. I'm going to give you a homework. We're only going to give you a brief update since ICANN 51. But we provided extra slides for you to refer to.

If your time permits we would like you to join us tomorrow morning.

Every Wednesday at every ICANN meeting we host a overview of compliance update and program where we present for a brief presentation. But it's mostly Q&A.

We would like you to joins us for one reason. Because this meeting on Wednesday is attended by all the stakeholders at ICANN, the public and the different stakeholders.

It's not just about compliance. It's about all of us coming together to discuss the compliance challenges, opportunities as perceived and as experienced by the different working by the different groups at the ICANN community.

And it really has brought a different light to it. We have contracted parties sometimes answering to ALAC, to IPC. So it's really a good session to engage and have a dialogue on and get an appreciation for each other in this space.

Before we start presenting again I would like Alan to address the audience and then we get on with the brief presentation and a Q&A.

Allen Grogan: So I'm just going to do a brief introduction and then after you - presentation I'll talk a little more about a couple of issues that I know are bubbling up.

Just want to thank the whole Compliance Team. I think they're doing a great job. They're a very professional group and enjoyed working with them.

I took on this role in October at meeting in Los Angeles. And my role really consists of two pieces, contract compliance and also a role as consumer safeguards.

And I will let Maguy finish her presentation. Then I want to talk a little bit about how I envision that role and what I see going forward.

Maguy Serad: All right, so your homework is to take Bullet 2 and down. I'm taking Bullet 1 and bullet - the last one Q&A. So with that if you don't mind please go on to slide - oh, can I drive too?

Man: Yes, absolutely.

Maguy Serad: Oh thank you. I can be Vanna White also. All right, what have we done since ICANN 51? You are all familiar with this fee a program, or the program.

We are on the third phase of it. At the completion of this third year we baseline the legacy TLDs as far as compliance is related, but mostly the registrars.

And this registrar audit is based on the 2009 RAA. I know many of them have moved to the 2013. We are in the process of putting forth now the next set of compliance controls that relate to the 2013 RAA.

And pretty soon we will kick off what we call more generic audits where it's like a buffet. We might take registrars from the 2009 if any remain 2013 RAA and registries in both legacy and new world.

But we are in the process of finishing year three because we need to baseline as we committed to all of you in the community.

Also since ICANN 51 we have completed the new registry agreement or this program. This was the first round of the audit. We only audited 14 TLDs.

The report is already published on our Web site. Please take a look at it. And if you have more questions again tomorrow join us at the Wednesday session. It will allow us more time to discuss it. If not, send us an email and we'll be happy to address your questions.

We have completed the annual report. This is an activity we've taken on for the last three years.

If we do more of a calendar annual report to the community. It gives you an idea and an understanding of all the efforts that went on in compliance. Plus it provides statistical data for the entire year.

Both reports can be found at the link provided in the presentation.

Continuing improvement, continuous improvement, that's an effort we take very seriously. We all know we need to keep an eye on it not just from the quality of the complaint but quality of us as staff to continue to learn.

We are presented with two big new contracts, the 2013 RA and the new registry agreement. There are a lot of opportunities, a lot of new things happening. And our readiness doesn't stop by saying hey, we've - we know what we're doing and we've built the templates and the communications.

We continue to learn and improve on our processes because there are so many cases out there that are kind of like evolving and help us have an appreciation of what it is we're dealing with.

But most importantly we do a quality review on the complaints but what we learned in the past some things get corrected we turn around and then it's not again there.

So we do sampling on the closed complaints. We revisit them to ensure that they are continuing to be in compliance.

And the last one as it relates to remediation efforts many of the things we discovered requires our contracted parties to implement the plan. As you all know from your businesses sometimes you put a plan together but the opportunity tests that remediation plan doesn't come till later.

And that's what we've implemented a process to come back and reset that.

Public interest commitment, very high topic across any ICANN meeting that I've been in for the last few ones.

They are enforceable. Compliance has not received a PIC DRP. In one audience they referred to it as PIC Drip. I thought that was cute.

But we have not received a dispute resolution complaint report. So we're not sitting and waiting and to receive one.

We launched a proactive monitoring effort that we've been communicating everybody in our monthly update but also at ICANN 51.

The effort was for 264 TLDs. And as you see here the compliance is in the mandatory and the selected voluntary PICs.

Again join us tomorrow. We will provide more detail slides as to what was the effort about and what was discussed.

What you see here is the chart. You still there is still some 99%, 96% or 98% compliant. That's because there are remediation efforts underway to address the efforts that were identified as deficiencies in that review.

They're not in red. They're still just a green pie chart here with white because the plans are solid and we have dates that we're monitoring what is being put in place. And we will revisit those remaining steps to ensure that they are aligned with obligations.

Going to turn it to Jennifer on our team to describe a little bit. There is always a challenge with abuse reports requirements. We want to share with you the sections and the process for compliance. And with that we're going to open it for discussions with the team in the room.

Jennifer Scott: Thanks Maguy. Hi everyone. I'm Jennifer Scott, Manager of Contractual Compliance.

As Maguy said there have been a lot of interest in the way ICANN processes abuse complaints and the requirements in the 2013 registrar accreditation agreement regarding the handling of abuse reports.

This slide here shows the requirements of both the relevant sections in the agreement and the differences between them as they relate to reporters from anywhere in the world or any jurisdiction versus those that might be law enforcement type agencies reporting.

And Section 3181 is the section that applies to reporters that are reporting from anywhere, any jurisdiction without being designated as a law enforcement agency.

And registrars must investigate and take prompt steps to investigate any reports received about abuse under that section.

Reasonable steps varies. It's on a case by case basis. And we'll get into a little more detail about that in the next slide. But what is appropriate response will depend on the circumstances of the abuse report.

For instance, a response to the child pornography complaint might be different than a spam complaint.

There's also Section 318 2. And that is the one that is about handling abuse reports that come from law enforcement type agencies. There's a little bit of a different standard there. And it's that those reports must be reviewed within 24 hours by the registrar.

And they also must have a dedicated abuse contact both email and telephone number for receiving law enforcement type reports.

And here we detail how ICANN process abuse complaints. The first threshold issue is that must've contacted the registrar out there abuse contact. And so we confirm this before ever sending the registrar complaint from ICANN about an abuse report. And then ICANN's notices that do go to the registrar could request a number of things depending on what the report was about.

So we'll request what the steps are taken to investigate and respond to the abuse report, the time it took for the response, any correspondents with the complainant and the registrant about the abuse report, a link to the registrar's website where the abuse contact information and their abuse report handling procedures been published and location of their law enforcement dedicated abuse contact information, as well as a check of the Whois output for the abuse contacts that are also required there.

At the bottom of the slide are some examples of the steps that we've seen registrars take in response to these reports and includes contact in the registrant about the abuse, asking for evidence that support any kind of response from the registrant, providing hosting information for the content on the website of the domain that's being reported, performing a Whois verification of the information of that particular domain and possibly transferring the domain or suspending it.

And then similarly the reasons why registrar complaint would be closed by ICANN is that the registrar has demonstrated that it's taken these reasonable and prompt steps to investigate or that the law enforcement report was also respondent to appropriately. And the complaint was about missing abuse contact information that's now published or put into the Whois.

That's the reason for closing the complaint and also evidence that the abuse contacts are monitored properly. So thank you for allowing us to present a brief update with this. We're ready to take on some questions.

Man: Thank you, start in the front. You've got a mic?

Man: Thanks for that summary. I have to say it looks great but we've tried it out, at least our lead organization in America tried it out and so far the response has been quite disappointing but I think perhaps I'll give you a bit of information.

We wrote the registrars on three separate cases and the registrars essentially responded to say that they have no obligations to do anything because they don't host the site in question (unintelligible) to ICANN. And ICANN said that well, you know the registrar has taken appropriate action. So I think our problem right now is - it's looks great but we believe actually that more has to be done because if you look at a fair reading that (Claudia) posted, it requires registrars investigate when we complain about the abuse and to respond in the appropriate manner.

So in this case it was simply paper and email exchange. We wrote to them. They wrote back to say we don't host it. We have no obligations to ICANN. ICANN responded. They believe registrar acted appropriately and that was the end of the matter. So to us, that's again (unintelligible) and then I can take it.

Man: Thanks. Before we get a response from the team, could you just identify yourself for the transcript records?

Man: KT Young from IFPI.

Allen Grogan: So for the record this is Allen Grogan. I've had discussions with a number of constituents over the last several months and here in Singapore at the meeting about the contract compliance role and also the consumer safeguard roles. Let me just take a couple of minutes to outline what we're doing and where I think that's going.

In some senses the contract compliance side is the easier side in the sense that there we're talking about enforcement of terms of contracts and then maybe disagreements over the interpretation of the terms of those contracts and what the terms of those contracts require. And I know there are disagreements. I hear very different interpretations from registrars than I do from the IPC members and from others in the community.

I do think that it's reasonable for the community and for the contracted parties to ask ICANN for more clarification on what ICANN's position is on appropriate interpretation of the agreements and how we intend to enforce them. And I've reached out to the registrars and the registries and made that clear to them.

I've actually asked them because they've complained - they've made similar complaints about interpretation of contract provisions and believe that ICANN compliance doesn't interpret those provisions the same way they do. I've asked them to please come forward with specific examples so that we can sit down and talk through them.

We've had some high level philosophical discussions but we've never drilled down to the level of actually having discussions about how individual provisions of agreements could be interpreted. Some of the meetings we had in Singapore in the last couple of days, it was made clear to us that one of those reasons is because they're in a room full of competitors. They re-elect

them to discuss specifics of some of the compliance actions that have been initiated against them.

So one of the things that we talked about here was asking some of the individual contracted parties to approach us informally, give us some examples that we could then build into case studies. We'd sanitize any identifying information (unintelligible) and then use that as the basis for engaging in discussions of case studies so that we could understand how they interpret certain contract provisions, how we interpret certain contract provisions and how we intend to enforce them.

I'm willing to have that same dialogue with other constituents in the community. I think the contracted parties are in a somewhat different situation because it's a contract between the contracted parties and ICANN and there's a history of negotiations between us and how we arrive at certain contract language that's a history of negotiations between those two parties. But this is an open and transparent organization and I'm happy to have those conversations with the community at large in terms of how we interpret certain contract provisions.

And I do think in the coming weeks particularly on some of the more contentious provisions we need to be more open and forthcoming about how we interpret those provisions and how we intend to enforce them. I'll commit to doing that.

On the consumer safeguard side when Fadi and the board asked me to take on this position a few months ago, one of the things we recognized is that there are problems, some of them quite intractable that law enforcement and regulatory agencies and civil society and other people have trouble solving and addressing that may not fit within the four corners of the contract.

It may or may not be a breach of the agreement but it may still be a problem that the community as a whole needs to figure out how to address. And I

think ICANN as one of those community members can play a role in doing that. One of the roles that I think we can play is to facilitate communication and dialogue between different interested parties in the community.

So one of the things that I'm thinking about and thinking about rolling out in the coming weeks is some kind of forum where we could get the various parties who are interested in trying to solve difficult problems that may be outside the scope of the contract to get together and talk about what can we collectively do and what role can each of us play in trying to solve those problems.

And ICANN may not be able to fix all those problems but we may be able to point the complaining party to somebody else in the community who can help them fix it or we may be able to play one role in trying to solve those kinds of problems.

(Ken Gentrall): This is (Ken Gentrall). Let me just take a minute to talk about one other issue quickly because there's been confusion about this too and it's come up in other meetings so I want to make sure that I convey the same message.

On the (Pinix) and the PIC-DRP, a lot of people have been very concerned about the potential timetable or delay in enforcement of picks and I think of that is the result of misunderstanding or miscommunication. So the public interest commitments that are embodied in specification 11, some of them were mandated as a result of NGPC resolutions in response to GAC communications.

In some cases for individual applicants they submitted so called voluntary PICs. But "voluntary PICs" may have been an unfortunate choice of words because I think that's caused some confusion as well. Voluntary PICs simply means it wasn't mandated by ICANN but it was submitted the applicant and is embodied in the registry agreement. It's a binding and enforceable provision

of the contract as are the mandatory PICs, the ones that were imposed by the NGPC.

And if ICANN gets a complaint from anybody -- law enforcement, regulatory agency, citizens of community -- about a violation of public interest commitments in specification 11, ICANN compliance can and will pursue those the same way that we'd pursue any other complaint for breach of an agreement. So while the PIC-DRP process, if you kick that off it starts with an initial consultation of 30 days between the complaining party and the registry and then could go on for a period of time.

The average time for compliance to resolve most issues is 9, 10, 11 days. I think in December the average time was 11 days from initiation of investigation to closing the complaint. So I'd anticipate that most complaints about non-compliance with PICs would follow a similar pattern, that ICANN would pursue those as a routine compliance matter and resolve them before they ever got through a PIC-DRP panel.

There may be circumstances where a complaining party complains to ICANN. ICANN investigates, determines that we don't believe there's a violation of the PIC and the complaining party isn't satisfied with that and decides to initiate a PIC-DRP. And in those cases it'd go through that procedure but we - compliance doesn't intend to sit on the sidelines and wait for the PIC-DRP to conclude before pursuing enforcement of PIC.

Man: Thank you Allen. Steve?

Steven Metalitz: Thank you, Steve Metalitz. Thank you Allen and thank you Maguy for the presentation and I'd second your encouragement by the way for folks to go to the compliance session tomorrow. We're just talking about all of the scheduling problems that we've encountered here but I think people should make that a priority.

And Allen thank you for what you said about taking steps to clarify the interpretation of these agreements. I think we're focused on one or two provisions frankly and the ones you up there, 318.1 and KT has given you a good case study I think I hope will be brought into that process. But please let us know what we can do to participate in that process because you are correct at this.

We weren't a party to the contract. We were - although we attempted to have input into the negotiation process we weren't allowed to do that. But I think it was as I think some board members were saying in our meeting with them this morning, the resolution of this and clarification of this, I think we do need to be involved in that.

So we look forward to working with you and your staff on that and trying to get greater clarification which I think would serve both us and the contracted parties. Obviously we have our view of what these provisions and theirs is going to be different. Right now it's a black box from our perspective and I think any light we can shine in there would be great.

Allen Grogan: I've been getting the same requests from the contracted parties to clarify various provisions of the agreement. You're right. I'm not sure that there's agreement on your interpretation and their interpretation but I think in fairness to all parties we need to be more transparent about how we interpret it and enforce it.

I think that's - in terms of transparency I think that's - we need to do that and that's important and I commit to do that in terms of how we handle individual investigations of individual complaints, also willing to engage in a dialogue about that. But our approach has been when a complaint is submitted and we investigate it and resolve it without bringing it to a breach, we don't disclose the details of that.

And I think that's consistent with the way that most contract compliance organizations work because you want to facilitate cooperation, collaboration and you lose cooperation and collaboration if the first communication you have with a contracted party ends up on the front page of The New York Times or in Domain Incite or something. So we try to encourage people to solve problems and fix the issues before we send out breach notices.

In the coming week after Singapore I will reach out to some of you to schedule some meetings or dialogues or conference calls or something to talk about these issues.

Greg Shatan: Thank you Allen. Before we go to - back to questions we only have time for a couple more. We have a tight schedule. One of the things that's particularly of interest to me and many of our members is your discussion of the consumer safeguard side of your role and we're looking forward to seeing how your team will be filled out in that regard.

Since that's an area of particular concern there are things that go on that aren't strictly within the four corners of the contract even in our best interpretation of it and yet create serious consumer trust and safety and economic concerns that really are central to our country to the mission of secure safe stable (unintelligible) the Internet. I'll turn to Marc Trachtenberg.

Marc Trachtenberg: I'd just make an initial comment that I agree the framework looks excellent but I've had similar experiences of not really having much cooperation from registrars in practice even in situations where you have clear evidence of actual ongoing fraud. You can send them declarations. You can send them evidence of the emails showing that people are currently being defrauded and they still generally are unwilling to help you or do anything. So it'd be helpful to have a better idea.

Obviously you can't account for every situation but with certain known situations to have a clear idea of what steps you need to take and what

timeframes they need to take them. I guess a couple other quick comments which is one, based on the RA there's no obligation for the registrar to keep records of the responses to abuse complaints but my questions is should there be. Without any obligations into - or is there?

Woman: We didn't highlight it here but in RAA section 3.18.3 there's a requirement for registrars to maintain abuse documentation for two years.

Maguy Serad: This is Maguy. Bullet 3 on ICANN could request -- again it's on a case by case -- we do request correspondence with the complaint and the registrant in some cases.

Marc Trachtenberg: Just one other quick question. I'd be curious to your view of what's the reasonable response is for registrars in other countries in particular for IDN domain registrations and new gTLDs. Would your view be that if you complain, you have to complain in the language of the IDN or what would you reasonable obligation of the registrar to be in those situations to respond to your complaint?

Maguy Serad: I don't know if we have a view. We haven't seen a case of that nature. But we have in the past Marc worked with different filing complaints bilingual. It's still more English but we always translate if there's a need. And our staff is fluent in nine languages and if we don't have a language we can pull into the services from the translation team. But if you have a specific scenario in mind let me know what it is and we can look at it but we don't have a view at this point. We haven't seen one.

Allen: I was going to say if there are - just as I said in talking to the contracted parties that I encouraged them to submit information that we could build into case studies that we might use to greatly talk about issues. If you have similar case studies that you'd like to use to inform our discussion of contract interpretation I'd encourage you to communicate those to me or Maguy and

we'll put that into the mix and try to use that as a basis for formulating our responses.

Greg: Just one follow up question and we're at the end of our time. Where there's no satisfactory response from the registrar, what's the next level of recourse?

Allen: Yes. I'm not trying to duck the question. It's actually a hard question to answer. In the abstract that depends on what the nature of the complaint is and what the response was and what the action is, you want it. And sometimes when you say there wasn't a satisfactory response, sometimes what that means is it wasn't the response that you've viewed as satisfactory but the registry may have viewed it as satisfactory.

What your next step is I think depends on all the facts and circumstances. It may be that you have remedies you could pursue against the registrar and it may be remedies you could pursue against the Web hosting company and maybe that there are regulatory agencies and law enforcement that could get involved. It all depends on what the nature of the complaint is and what remedy you're trying to achieve I think.

Greg: I should've been more specific. What recourse is there within the ICANN compliance structure?

Allen: So again I'm trying to figure out what the question really is. So complaint is initiated. ICANN compliance closes the complaint because we believe the registrar contracted party, registry or whoever it is has taken appropriate action. You believe that was an inappropriate response by the contracted party. You're unhappy with ICANN and you're unhappy with the contracted party. What's your next recourse?

Greg: Yes basically is there an appeal from this and also go to KT and Marc in their situation or do you have that ICANN's closed the case saying it'd been

responded to satisfactorily or is it just open? They closed it but you're not - you don't believe it was a satisfactory closure.

Marc: Well some of the cases KT has referred to it was simply an auto generated email from ICANN and said we're closing the complaint. There's no violation. Do not respond to this email. That's the rejection we're talking about and the question I think is is there appeal from that.

Maguy Serad: KT do you mind sending an example my way? Either send it to compliance@ICANN.org or send it to me if you have my name. It's Maguy, M-A-G-U-Y dot - Steve has my email.

          But if I may just at a high level - I know we need to run to the next meeting also. In general again it's about expectation. If I was to ask you if we had enough time what would you expect to happen there or what would Marc expect to happen there? Expectations are different and diverse. In this case in general based on what I know - and again I'd like to open that ticket again and view it.

          Normally if it's a Web hosting and it's not provided we ask that the contracted party at least provides that information so you can reach out to the Web posting because we don't reach out to them. That's a whole different level of model. And as we all know there's so many business models of services. So we try to facilitate but again as Allen referred to we do have some constraints within the contract. So send me that email please and if you don't mind we'll get back in touch with you to discuss.

Allen Grogan: Thanks everybody. We need to run. We're late to our other meeting.

Greg: Thank you Allen. (Unintelligible). I apologize we weren't able to get to all the questions in the room or on the screen. I think we're back to ADOBE CONNECT so maybe we can put that on the screen and run the next presentation from ADOBE CONNECT. If not I'll put it on a stick.

Next up I'd like to ask Carole Cornell to come up and speak to us about the five year operating plan. Is Carole here in the room? We have Xavier Calvez to fill in.

Xavier Calvez: Thank you. I'm sure Carole is on her way. We've been running around a little bit. Thank you. If you don't mind I'll stand because I'd like - do we have the presentation loaded? Yes. Yes that was really unfortunate. We tried to have this Adobe maintenance pushed out but they weren't able to reschedule it. It was for all their clients at the same time.

Carole has - Carole Cornell who manages the overall planning function at ICANN has worked on the five year operating plan public common process and has received the comments including yours over the past few weeks. The public common process for the five year operating plan was closed on the fifth of January and I believe they've all published draft responses three or four days ago.

And the next step from this point on is to be able to interact with the various organizations who have provided comments in order to be able to go further or deeper on those comments and be able to make sure we can follow up on them, next slide please.

Thank you. So this is simply a reminder of the overall planning process for ICANN which is a cycle that starts with of course a strategy plan. The strategy plan is really what we are trying to achieve. The next step is the five year operating plan which is how are we intending to achieve it. The annual operating plan (unintelligible) becomes what are we going to do and how are we going to do it next year and how much is it going to cost.

The next phase of that cycle is as we go through the actual delivery of the plan through the years to report on the activities that have happened. Here are mentioned the quarterly (unintelligible) call and other reporting processes.

We'll come back to that. And once we know what's happened we can compare that to what the plan was saying and adjust the plan accordingly and then the cycle starts over again, next.

So we'll look quickly at the five year operating plan that we'll speak a little bit later on the stakeholder presentation that happened for Q2 and we'll go very quickly over the operating plan and budget if we have time, next, next.

Three high level main categories of comments that came out of the public common process, overall public feedback on the fact that it exists on its structure as well and on the overall the format of the information. The second comment -- and we'll see more about that - KPIs mean more work put it simply either in terms of quantity, adequacy to the goals or for their formulation. So we'll go a little bit more over that later.

The third comment -- this is directed to me -- the introduction of the five year financial model helps the understanding of the plan and there's more on that that we'll produce as a result of this public comment, next. So we put - sorry.

Steve: At this point I'm sorry. I don't want to interrupt your presentation but we actually asked for this presentation to focus on answering the questions that IPC asked in our comments on December 12. And I resent these to Carole today and I see you were copied on it because I was just responding to the email from her. But in your previous slide you didn't have in there that there were a lot of factual questions about programs that we never heard of and that we're in the five year operating plan.

We're trying to understand what they even are. Can you help us to find the people who can - I know this isn't necessarily in your bailiwick but can you help us find the people who can answer those questions? Until they are I don't see how we could possibly support this five year operating plan.

Xavier Calvez: It says to me that on the basis for the specific comments that this group has provided -- notably the ones that you're referring to -- it may be easier or better to have a direct conversation with any representative of the group who hasn't made those comments or would like to be able to speak about those comments so that we're addressing them more specifically. Obviously I'm making a relatively general presentation and I'm not going through every list of every one of them.

Man: Right and that's what we've been trying to do for the last two months. And we haven't gotten any response from you and from Carole on this. So yes, you were invited here to respond to the questions that we posed, not to give a general presentation about the five year operating plan. So if we can figure out a way to get the answer to those questions that'd be great and we could follow up afterwards on that.

Xavier Calvez: So if we both misunderstood the purpose of this specific presentation then I apologize for that. The presentation that we're making isn't the one that we have made for every -

Man: I don't know how we could've been any clearer Xavier. I'll show you the email. We asked for answers to these questions. We said don't come if you're just going to give us a general presentation. So I'm sorry this worked out this way but we still would like to get answers to those and certainly until that happens we can't support this plan.

Xavier Calvez: Understood so apologies for the misunderstanding on the purpose of this session. I'll make it very quick if it's a waste of your time and second we'll make sure that we can work with you or anyone that you'd suggest to have a specific session on the specific comments and how to address those specific comments. And of course we'll use the document that's been published by Carole three or four days ago as a basis to be able to do that. We'll try - I'm assuming it'd be preferable that we can do that here while in Singapore so we'll leverage the time that's here so I'll go very quick on the rest.

KPI is where -- if we can stay there for a second KPI is where a (unintelligible) of comments that was very common, very focused on. Again generally KPIs need to be more specific, better defined, more clear to be meaningful to those objectives. The phasing of the plan was also commented upon and a few other subjects, the financial model and a few other miscellaneous subjects, next.

Each of these slides is about more specifically each of the categories that we looked at before. In the interest of time I'm not wasting your time. I'll skip over those. APS, this is what we just discussed, next.

Jonathan Zuck: I guess I'm somewhat responsible for some of our questions about the KPI. Now I just have a process question. So a lot of folks apparently made comments about KPI. I'm Jonathan Zuck from ACT by the way for the record, sorry. Really scared about the record that I'm building but the - a lot of people leave comments and that's reflected here and that's great. But if I understand the slides properly because I already read them it seems to imply that you're going to address them and then send it to the board.

And I guess given the insufficiency of it, it almost feels like it needs another round of attention from the folks that had issues with it before an assumption should be made that those problems have been sufficiently been addressed. So I'm just wondering it's a really a process question, is there a way to engage in the process of improving the KPIs as a way to or a phase where it'll come back to the community again, something like that?

Xavier Calvez: Thank you. And I think that considering the clarity of the KPI subject and the number of comments that we've received on the KPIs, this is obviously something that we need to have a specific process for. So I think your idea of coming up with another version or clarification at least of what we have currently and what are the plans and the steps to be able to improve upon it

would be at the minimum and next step prior to board approval. I think this is a completely logical thing to do and I'll make that note -

Jonathan Zuck: That doesn't mean it'll happen.

Xavier Calvez: I understand but I can't fast forward in time with all of us in the same room. What I'm saying is that we'll work on the process that we can share with the community to indicate these are the changes up on the document that's been commanded that we're going to carry out. These are the changes that may not be possible to carry out by the time we need to finalize (unintelligible).

For example you could imagine there's the allotment of KPI that could take several months to complete. On that basis we may not be able to complete everything but maybe only part of it. I'm speculating so bottom line I think that at least be able to come back to the community with a plan of action to improve upon the current operating plan. I think that what you have in mind maybe, maybe that's sufficient to even approve the operating plan. And if that's the case we'll convey with it to the board.

That may delay that approval until we have been able to bring the level of KPIs to an acceptable level as further comments. I'm speculating but I think that's what you had in mind. So I'll work with Carole and (Suzanna) to try to make sure we address that process requirement.

Man: Thank you. I think there was another question or comment. (David), do you have another mic?

(David): Worst mic girl ever, stay with me. Okay thank you.

Ellen Shankman: Ellen Shankman. I want to thank you for coming but I think I want to support Steve's comment which is you're giving us a plan. You're telling us that you're taking in the comments. We're seeing a whole lot of stats but at the end of

the day I'm much more reassured by a sense that if I've spoken or we've spoken the company's actually listening and responding.

I don't need stats about the fact that you've been contacted or stats about facts that things have been put in there but we'd like to get to real dialogue so that we can get some real process. So if you need to build in more time to do that or you need to build in more steps to do it because otherwise it's a sense of you talk and there's nobody to hear the tree in the forest so it's not happening. But it's captured in specifics and it's put in here and therefore it does meet and we've had our responses.

So what we'd like to ask is how can we speak with you in a way that allows us to have real dialogue and have input in here and feel like the concerns aren't just captured but actually heard. And to follow up with that, (Fadi) said this morning in the meeting that part of what he's hoping to get back is a sense of saying this is what - you've asked us for the following thing. This is what we can do. This is what we can't do. This is why and some explanation. And I think that it's important to understand how you're making the choices that you're making.

Xavier Calvez: So to clarify this isn't the presentation about the responses. This is simply a few slides to inform to use for the purpose of this meeting to provide a status on the plan. This isn't intended to be the response. I'm hoping that's very clear to everyone. We're not throwing that view as this is the answer to the public common process.

There's been document published that provides for each question the names of whether rationale as to yes, no, why and what are the plans. That's what been published three days ago. This isn't what this is. What's been published isn't this, just want to make sure everyone is clear on that. This is purely a few slides for information purposes and I'm skipping them entirely.

This isn't the public common process going on right now. This is simply communication for the purpose of this meeting. So I think your request earlier on how can we discuss our comments and ensure that we understand the plans or the steps to address them is what Steve - what your point was suggesting or requesting that we do. And I said that we'd work with you to find a way to meet whoever would like to participate to that conversation from the IPC to go one by one over the comments and the suggested response and what we can do further about it if the responses right now appear short.

Part of the - it's not specific by the way to the public common process relative to the five year operating plan. Part of the chAllenge that we from a process standpoint impose on ourselves is that by trying to produce a public common report within the next four to five weeks after the end of the public common process. We put a lot of pressure on ourselves to be able to have any kind of interaction. It's actually highly chAllenging to do.

So I think you were mentioning just now that if we need to take more time to have an adequate interaction on the comments let's do that. And I think this is one of the input that's been provided both by staff and by community members on the public common process is that it's highly chAllenging to be able to get a feedback loop closed well and substantially with that amount of time.

Just so that you understand we pedaled like crazy to be able to produce a report within the four or five weeks and that I'm sure is at the extensive quality as well and clarity. So your point is well taken. Again we'll try to schedule a meeting or several meetings if need be over the next two or three days with those of you who'd like to participate in that discussion, that we have specific review in answers of the comments. Let me skip the next, next, next.

I think we'll move directly to the end. Just here, thank you. So we just talked about a stat of the consultant engaged with a stakeholder in Singapore. The -

after Singapore an update of the draft five year operating plan will happen based on the comments on the conversation that we'll have had feedback that we'll have had to be able to address those comments to the extent possible. And I think that based on the conversation we were just having - and thank you for Jonathan's comment.

We probably need to insert a step there between number 2 and number 3 which is a feedback loop with the community on what changes have been made, what changes may not have been made and on the basis of that is it something that can move forward under board approval or is it something that still needs to take more time for rework until it can be approved, next.

This is the calendar of the next test that we just looked at, skip that as well, next. We just discard that same process. I don't want to bore you with anything that's not of interest to you so this is a few slides about the quarter (unintelligible) presentation and self history I took of the financial slides of that presentation. I'll go very quickly over it. Apologies for the format that's been - back please, one slide back.

I don't know how much of you have followed that but we've conducted now two quarterly stakeholder calls. In other worlds they're called shareholder investor calls. They're done quarterly. The first one was on November 20 for the First Quarter for our fiscal year which goes from July to September. The last one was January 29. It covered the period October through December and it provides basically a comprehensive reporting of the activities of the organization for that period of time.

It's structured as follows. (Pat), he has a November presentation for ten minutes. He's followed by David Olive for an update on the policy work that's happened for that quarterly period. Then a management update is provided by a member of the global leadership team. This - last call it was (Sally). The previous one, it was Akron. The next one will be a different global leader.

I'm doing the financial update. After that nobody else wanted to do it and we have Q&A after that. The last call lasted about an hour and 10 minutes. I have followed this by simply - the next three slides out of the few slides that I presented during the call. This is an overview of the revenue for the first six months breaking down those revenues into where they're coming from and what they're driven by.

So on the left from top to bottom you have the fees that are - the revenue that's driven by the number of domain name registrations, the fees that we collect from registries and registrars that are driven by the number of domain name registrations. Simply put the registries report their transaction numbers for the period. We advocate that both by registrees and registrar and we multiply them by the fee, 25 cents for the registries, 18 cents for transactions for the registrars and that gives us those transaction based fees.

As you can tell these transaction based revenues represent approximately 75% of ICANN's revenue. That's for the first six months of the year at the end of Q2. It's relatively consistent on an ongoing basis. On the right you have the fees driven by the number of contracted parties. Those are fixed fees per contracted party and usually per year or per event.

So for example this is simply the $25,000 of fixed fee annually that each TLD pays to ICANN in quarterly increments. The registrar fees are either application fees to become a new registrar, high accreditation fee once a registrar has been accurately dated and this is for - this is per year, the annual accreditation fee and there's also a fixed fee of 3.4 million that's distributed across the registrars.

Those are fixed fees and that's approximately 25% of ICANN's revenues. There are other small sources of revenues. The country code operators also contribute to ICANN. We have also the RIR that contribute to ICANN $823,000 per year for the past eight years, easy to remember. And we have also sponsorship revenues from ICANN meetings, next.

This slide was simply to provide an overview to during the call. How do we compare each of those four types of fees? How do they compare versus what the budget was? We had a budget expectation for the first six months of the year. Simply put, our revenue is slightly above budget for the end of the first six months. There's some puts and takes by category, but the total means that it's slightly above budget.

One element that you may want to note is that the Registry fixed fees is slightly under budget by $1 million. This is driven, as you know, by the smaller ramp-up of the number of TLDs into their root than originally planned as part of the budget. And we of course expect this difference versus budget to continue and have an increasing impact by the end of the fiscal year since the number of delegations into the root is slower than budget.

Other sources of revenue are slightly above, either driven by the number of registrations of domain names or by the number of applications for new registrars we have received in the last two months of the half approximately 430 applications for new registrars, which was entirely unexpected but drives a bit higher revenue. Next.

This is an overview of expenses. In total, expenses are slightly below budget at the end of the - sorry - at the end of the first six months, which is a good place to be when you're the CFO of ICANN.

So we are right now in a reasonably good place because we were on target but slightly below on expenses, on target but slightly above on revenue, so we're in a safe place for now.

The cost relative to the USG transition have been spent at a slower rate than what was presumed at the time of the budget, though it is expected that rate of spend will increase over the next few months.

Greg Shatan: Xavier, I hate to interrupt but it's three o'clock and we need to move on to our next...

Xavier Calvez: That's perfect; I'm done.

Greg Shatan: Thank you Xavier. We'll...

Xavier Calvez: I'm assuming there's no time for questions.

Greg Shatan: Unfortunately, at this point there's no time for questions...

Xavier Calvez: Okay.

Greg Shatan: ...but we do want to explore the questions. We'll make sure that you see that email with regard to them.

Xavier Calvez: Absolutely.

Greg Shatan: And as I think many people are not aware that are on Saturday when most of us were there traveling or here, that there was a publication of the response of the analysis of the public comment which you mentioned.

Xavier Calvez: Correct, yes.

Greg Shatan: So I think that there are - some of our questions may be answered there or there may at least be further inputs to getting those questions answered. So we'll look to that and look to getting more directed questions.

I know that one of them is a question about what happens to the SO/AC special request since - you know, one of the things we've been talking about in this meeting is how to support stakeholder groups and constituencies and taking away the way that they ask for money doesn't seem to be the way to do it. I assume there's something that's going to replace that.

Xavier Calvez: It sounds like it's a question we want to answer now. No?

Greg Shatan: Unless the answer is yes, absolutely.

Xavier Calvez: So yes, in the five-year plan, not that it's a such a significant aspect of the activities of ICANN over five years, but nonetheless we had mentioned the fact that we currently have a specific process very tailored to allow organizations to submit a request for funding for specific activities that are of particular interest to them or suit particularly well their needs and their activities.

This is a fairly complex and cumbersome process. And the idea that has translated into what you have seen in the five-year plan is to wind down this process with the intent that the activities that are currently under this process, processed through this specific application process, can be integrated into the core budget of ICANN without this process needing to happen.

Now how do we have the same flexibility and the same customization capability without the process than with the process is what we need to define.

So I'm assuming it would have taken away a little bit of anxiety of all of you and others who have seen that comment. This simple we will need to find the right alternative to this process and a better one. And if we don't, honestly, we'll just survive as is.

So it's not about stopping to spend money; it's about trying to have a better process and a less cumbersome process and better suited process to be able to do the same thing.

Greg Shatan: Thanks and that's a positive response and maybe a good place to stop.

Xavier Calvez: Thank you.

Greg Shatan: Thank you Xavier for visiting with us and we'll look forward to talking with you further about these.

Xavier Calvez: Thank you very much.

Greg Shatan: Next I'd like to invite up to the stage Karen Lentz who will discuss the new gTLD program reviews. And apologies if there are any questions that, you know, we couldn't get to in this point, but obviously we have a packed agenda.

Karen Lentz: Good afternoon everyone. My name is Karen Lentz; I'm Director of Operations and Policy Research at ICANN. You all invited me here discuss the new gTLD program reviews.

We did a session yesterday on the gTLD program which went through the reviews in some detail. There were essentially four that I talked about looking at different - looking at the program from different angles, one being program implementation that is the operational aspect as evaluated by a Staff; one being rights protection reviews which I'll get back to in a minute; one being the root stability, the impact of the program on the DNS root system which is scheduled to kickoff next quarter.

And then I talked about the review for competition, consumer trust and consumer choice, which is best (unintelligible) in the Affirmation of Commitments, also expecting to kick off later this year.

So I wanted to focus in this meeting particularly on the Rights Protection element. There is an initial draft review paper which is open now for public comment. It was posted a little later than I wanted so I don't expect that you all have had a chance to read it. But I will kind of give some background which may help you on what the goals are of the paper and maybe some

considerations in terms of preparing comments which we hope you will submit.

So I wanted to, for those who haven't met her, I wanted to introduce in the back (Antoinette Magichudi). Can you wave? So (Antoinette) is on my team and has done a lot of the work in terms of gathering the data and all of the information that's in this paper and will be continuing to update it and drive this Rights Protection review track.

So the paper lays out - and the sources that we relied on in identifying, you know, what the impact has been of the new RPMs that were developed, are essentially of two (unintelligible); one being data and statistics, so what can we glean in terms of numbers from how the Clearinghouse has been used, how the URS has been used, etcetera. And then the sort of qualitative feedback that we've heard as far as, you know, questions or issues that people are having. And those range from, you know, customer service submissions to articles to conversations that we've had in sessions like this and many other places. So those are kind of the components of it.

The path to keep in mind in terms of what happens after the public comment process, there are a few, you know - when you look at Rights Protection in the new gTLD program, there are a few elements within that. One of the kinds of outcomes of this paper and this public comment process will be to inform what is an open request for an issue report in the GNSO. So this will ultimately identify - or sorry - inform policy discussions or discussions about the GNSO might want to move forward in this area.

And then the review team that's to be convened to look at competition choice and trust is also - this is also one of the areas that they will look at in terms of the effectiveness of the safeguards that were built into the program. So we expect all of this, average of activities and inputs, we'll be able to inform that review team when it's formed.

So it's quite an extensive paper. It was, you know, kind of a challenge to put together all of the different issues in a way that made sense. And so I'll just highlight a couple of considerations that might be helpful for you to have in mind as you read the paper and consider what comments to submit.

First, a question that I always ask is is there anything missing. So you know, we did our best to try to identify all of the, you know, issues that seemed to come up over and over again the questions that we get, you know, as much as we know about. But if there's something that's missing that you believe is a really important element of evaluating the RPMs, then we would like to know about that.

Secondly, it may be another guiding principle in preparing comments that would be helpful is to get a sense of priorities. So there are a lot of, you know, there are a lot of areas in there that are complex and could bare extensive discussion. And so what we'd like to get a sense of is what are the areas that would have the biggest impact that would make the biggest difference in terms of devoting resources to them. And you know, among the many which are the kind of few that stand out in that regard.

And this is something I said yesterday in the session too. It may also be helpful to keep in mind that ultimately, what we expect to get out of this in terms of actions once all of these review activities have taken place, are items that might follow different paths.

So for example, many of the outcomes might be policy related. There should be policy discussions on X, and you know, to the extent that those can be identified. That step is helpful.

There's another set of, you know, types of feedback that, you know, may not be policy related that has to do with, you know, can you include this field in a notice or something like that. So it may be helpful also in thinking of, you

know, these are the most important areas to address, what is the right kind of venue to address them.

And then finally, I guess for this group, just of course keep in mind that the big picture question; the whole purpose of developing Rights Protection mechanisms for the program was to help protect rights. So we want to know if you were doing it again, what would you keep, what would you change, what would you get rid of. You know, this is really the group that's poised to answer the question of how effective were these mechanisms in meeting the goals that were set for them.

So those are some opening thoughts from me, and I'm happy to have a discussion or take any questions. Thanks.

Greg Shatan: Thank you Karen. We'll take questions from the floor. I'll take a queue. Anybody have a question?

Karen is first and has the microphone, so.

(Kiran Malancharuvil):How convenient for me. This is Karen from MarkMonitor .

I have a quick question about the kind of interconnect ability of the various RPM reviews. I don't think I've been able to really wrap my head around that.

You mentioned the AOC consumer review and the RPM piece of that. So we see this document come out in advance of an Issue Report coming out in November. You had provided us a great timeline at the NCPH which we disseminated to IPC which was helpful.

But now I'm wondering are these reviews separate? Is one expected to inform the other and therefore will need to be completed before the other? Is one more qualitative, is one more quantitative? I think that would probably be pretty helpful for us in so far as organizing our efforts because, you know,

there are some that may be more interested in numbers, others more interested in qualitative feedback on how the RPMs are working for those who have used them.

I'm particularly interested in understanding kind of the missing piece which is why didn't people use them. I think it's very interesting that the Trademark Clearinghouse was so far underutilized from what we expected. You know, those pieces I'm wondering where they fit into the larger puzzle.

And from what I've gleaned from the paper, which I had kind of honestly hoped would answer some of these questions, that's not really in that paper. So maybe you can help me understand kind of the Web of RPM reviews that's going on. It seems sort of tangled to me at this point. Thanks.

Karen Lentz: Thanks Karen, it's a good question and I will do my best to clarify it here. And maybe I can also - it strikes me that there's probably a really good graphic that could help with this that doesn't yet exist. But you know, so maybe that's something that I can follow-up on in terms of, I don't know, sending notes or something.

(Kiran Malancharuvil): ICANN Staff is excellent at graphics.

Karen Lentz: Some of us; not me.

(Kiran Malancharuvil): Some of them are a little hard to read from far away. But you know, anything that could help on that. I think a graphic is a great idea of a chart something.

Karen Lentz: So I will talk about, you know, when we started to plan these reviews, there are really three kinds of concrete things that we knew about that we had to, you know, that touched this area that we needed to meet.

One was the GNSO request for an issue report. The second was an independent review of the Trademark Clearinghouse that we committed to do in response to GAC advice. And the third is the piece of the CCT Review that does mention the effectiveness of the safeguards.

And so those are, you know, to some degree, independent of one another. What the GNSO, you know, does in terms of getting an Issues Report and deciding whether or what to do policy on is kind of its own process.

The Trademark Clearinghouse Review is, you know, in terms of how it was defined, what the GAC asked for was to look at some specific things and what difference they may or may not make. And they named things like going beyond exact match, and keeping the claims service going for longer periods of time. And so they identified a couple of things like that.

We've been drafting, in terms of reference, to include that, but also asked some additional questions about the clearinghouse and the goals, and you know, how it can continue to evolve.

So that is, you know, that's kind of its own track as well. Although I think, you know, it is possible that, you know, because we do intend to have that done before the GNSO Issue Report, I think it is possible that there may be policy considerations coming with that.

(Kiran Malancharuvil): So the GAC independent review, (unintelligible) is expected to be completed before October of this year?

Karen Lentz: Correct.

(Kiran Malancharuvil): Oh.

Karen Lentz: And then the last part, the CCT portion in the Affirmation of Commitment, so this is kind of the latest to start and will probably be the latest to finish. You know, this again is independent of what the GNSO is doing.

So to the extent that that review team comes out with recommendations that are, you know, you should do policy on such and such, you can either have the GNSO say, "Well, we're already doing policy on this," or you know, "This is a new request so let's consider whether (unintelligible) this recommendation or not." I expect that the review team would have other types of recommendations as well.

But what we're attempting to do with this initial paper is to have, you know, some data and some discussion, you know, some basis for creating an Issue Report. It will really serve as functions because not everything that's in here is related to policy; there's going to be something that the GNSO is going to work on but some of it will be, most likely.

So we will have - and our goal is to have done that work and to have gotten that feedback and have the issues on people's radar so that the GNSO isn't starting from scratch and trying to identify what those are.

And then - I forgot the second part of the question. Is there a second part?

(Kiran Malancharuvil): (Unintelligible).

Karen Lentz: Okay.

Greg Shatan: It will move - why don't we take that as a queue to move on. We've got Heather then - was Steve first?

Steven Metalitz: No, go ahead.

Greg Shatan: Heather, Susan then Steve.

Heather Forrest: Thanks Greg; Heather Forrest. And Karen, thank you very much for your presentation yesterday; it was very, very helpful.

I think one of the things that came out of that was potentially the need for iterative process here. And my question is also about timing but it's a different point, which is to say we know that we don't have any PICDRPs, we don't have any PDRPs, and that's of course pointed out in the Draft Report.

But is there, speaking purely as to process, is there thinking as to when review will take place for those things now that we've effectively bifurcated the review? Thank you.

Karen Lentz: Thanks Heather. That's another good question. As we know in the paper, there haven't been any proceedings filed under the PICDRP or any of the post delegation dispute resolution procedures.

So you know, if that continues to be the case, I don't think that we can be said to have done a review on it, you know. So you know, potentially an endpoint of the review process is to say let's revisit this in two years or some amount of time to make sure that it does get addressed at some point when it becomes relevant.

Greg Shatan: Thank you. Susan Payne and then Steven Metalitz.

Susan Payne: Thank you, Susan Payne here. So I have two questions if that's okay, and the first if just a really quick one.

It's unfortunate that we didn't have the paper sooner because I think probably many people in the room have either not read it at all or are still sort of wading through it. Because as you said, it is very lengthy.

And consequently, I don't think we can have the sort of discussion that I think we had all hoped we would be able to have with you here in the Singapore meeting (unintelligible) at this session or any of the others. And so I'm saying this without us having talked about this in the IPC at all.

But if we were to discuss and agree that we would like to speak to you about this further in the next sort of week or two, would you make the time to do that on a call with us?

Karen Lentz: Absolutely and I would encourage it.

Susan Payne: Okay. And then my second question was just to go back to one of the other elements of this whole review process which is the implementation review which you haven't really touched on here, although you mentioned it yesterday.

And my understanding of that one is that is a self-review by Staff about how they have implemented this program. And I wanted to get an understanding of what that is being run as a self-review and why it isn't perceived to be important to have the input of the community as you're conducting that review, but rather that you'll produce some document and then put it out to us subsequently.

My personal view is that you're likely then to produce a document that we all criticize heavily when it's published. Whereas if we were able to input as you were going along with that in the way that we will be doing with this one, there might be a different outcome.

Karen Lentz: So thank you Susan. The kind of genesis of this and of the program implementation reviews is another portion of the competition choice and trust and text in the affirmation of commitments which refers to the effectiveness of the application and evaluation process.

And so we've, you know, tried to - we've sort of struggled to define how to best go about that. It's kind of another massive set of processes and procedures. And how could we, you know, set up that dialogue in a structured way.

It is not at all, you know, in terms of being a self-review, it's not at all intended to exclude community input or to, you know - what's the word I'm looking for - not consider important.

You know, the goal that we really had was to take the experience of Staff to, you know, present it in a way that would allow for input in - the sort of boxes where you're looking at, you know, a different part of the process, the objection process, and you're trying to use these same dimensions across the board.

So the goal there was to, you know, sort of have a structure for the community dialogue to happen. I mean the Staff self-review is something that we consider important to do but it's not the end of the process; it's the beginning of the process. And at least, you know, we can certainly discuss if there's a better way to manage that process.

You know, it really is an attempt to instead of starting from a sort of blank slate or, you know, "Community, what do you think?" you know, having done some initial work and thinking that kind of tees up the topics and the issues that people can discuss. I hope that helps.

Greg Shatan: Thank you Karen. We've got Steve.

Steven Metalitz: Thank you; Steven Metalitz.

Karen, you asked - the first question was, "What's missing?" I did read the RPM report. I think I had more trouble sleeping on the plane than Karen did.

Greg Shatan: Did it help?

Steven Metalitz: It kept me up. And I did not see anything in there about public interest commitments.

There was somebody in the PICDRP, which hasn't really happened yet, but it strikes me that Public 3A, the Public Interest Commitment, it's part of the new gTLD program. It talks specifically about copyright and trademark infringement. Its goal is to protect those rights and I guess it's a mechanism.

So - and maybe I'm not sure whether it's a good thing or bad thing that it's not in your draft. But I just wondered if you could explain why it's not in there.

Karen Lentz: So, you know, first of all, thank you for the comment, and that would be certainly something to bring up in the public comment if you believe that to be relevant which it seems like it is.

I guess just the only thinking on that is, you know, when we looked at, you know, what are the rights protection mechanisms that we're reviewing, we kind of went back to the, you know, set of them that were sort of repeatedly developed through the process as part of the development of the program. And so public interest commitments were something that came along at a later point and were, you know, though they may function that way in some cases, weren't specifically designed as an RPM.

But as you say, there could be some relevant aspect to that.

Steven Metalitz: I agree, yes. Obviously they were not in the guide book so that was, you know, obviously the first place to look, but they are part of the program. So we'll think about what maybe we can think about how to present that in comments. Thank you.

Greg Shatan: Thank you Steve and Karen. Nick Wood.

Nick Wood: Yes. Karen, can I ask how much thought you gave to including RPMs the registries have introduced themselves such as Donuts DPML. Because I don't think - I had a quick look but I don't think it's in there at all.

And that just goes back to the very earliest discussions when there was this idea of a globally protected mark's list which we were told couldn't be done.

Karen Lentz: Thanks Nick. That is a good question and that is something that we thought about.

You know, part of the difficulty is, you know, we wanted to bring it up in terms of, you know, this is something that, wasn't an RPM that was, you know, mandated by ICANN. This was something that rose out of the market. And you know, in many cases that seemed to be very helpful.

And so I guess the only reason for not, you know, specifically calling that out was we didn't really know all of the various, you know, market solutions that were out there and didn't necessarily want to single out, you know, one or two. So it was more a lack of information.

But we actually hope that people will, you know, tell us to the extent that, you know, they found that the interaction of these other, you know, solutions that people developed with the required RPMs, you know, how that worked out. I think that would be really viable.

Greg Shatan: Thanks Nick. I second that question and say I don't think it's actually that difficult to find that information; only a few of them that I know of.

I think right side is one that comes to mind, maybe none after that. And companies like for instance MarkMonitor, (Validayus), CSC and others are tracking those for clients.

So it's - you know, in comparison to kind of the competition as you will or alternate solutions would be really helpful in looking at this. So I would encourage you to consider putting that in as you move along.

I don't see any further questions from the floor. There was one questioner in the online chat but he seems to have left the room. So if there are no further questions for Karen that puts us back on schedule, we can take a five minute break.

I do want to thank Karen very much for coming and meeting with us.

Karen Lentz: Thank you.

Greg Shatan: Let's take five minutes. Thank you.

Group: (Unintelligible)

Greg Shatan: We are now resuming the open meeting of the Intellectual Property Constituency at ICANN52 in Singapore. The next item on our agenda is discussion of Staff dialogues and next steps.

As a reminder, we had three Staff presentations from Compliance, from the Five-year Operating Plan Team, and from Karen Lentz. In addition, we have one or two additions to the agenda.

Sheri Falco from ICM Registry has graciously agreed to give us a few minutes of her time, and in return we'll give her a few minutes of ours. And we'll have a presentation from her. We've had some discussion on the list, but might as well since we're all here, take care of that as well.

Also if Ellen Shankman is still in the room or will be returning to the room, you can give us a brief update of NomCom activities.

So let's open the floor with a discussion - let's actually begin with a Xavier and his presentation just to get that out of the way. I'll open the floor to any comments on that.

Steve.

Steven Metalitz: Yes, the only thing I would say is I did look at that summary of the public comments was posted on Saturday, and it does have answers to some of our questions. And I don't really understand some of the answers, but I will put together - I'll do a cut and paste of what we asked and what they answered. Some of it is kind of opaque but I'll take that on.

Greg Shatan: Thank you Steve. Anybody else have anything to say for the record/off the record? We can take care of it another time. Nothing on the record about that.

In any case, thank you Steve for taking that on; I think that's important we keep rolling on that.

I see in the rear of the room Jonathan Zuck. Either use the microphone or the Zuck-o phone.

Jonathan Zuck: (Unintelligible). And it's not always the fault of Staff that they become a freight train. But I mean at some point us grousing about it on our list serve and things like that isn't necessarily going to bring about a resolve.

So I guess I'm wondering what - we've already vented, right. What should we do about it is my question.

Greg Shatan: Well I think two things; one is to take, you know, Steve's input and give - put that on the list and have a directed response, you know, going back to Carol and Xavier and the rest of their team, you know, with regard to the questions. Try to have a dialogue and a meeting.

If we do - I don't know if we have any time to meet with them while we're here, and that may be very difficult to coordinate. So I'm not frankly going to push that.

I think the second thing is feedback more generally on the uselessness of useless presentations which we need to feedback in terms of ex-post comments on this Singapore meeting. And I think this actually fits into some of the things I've heard a number of discussions of how to avoid repetitive mind-numbing presentations, which are good neither for the presenter or the audience.

Any other thoughts on that? Steve.

Steven Metalitz: Jonathan, this is Steven Metalitz.

Were you referring particularly to the points you made about the KPIs and they were going to redo them and that type of thing?

Jonathan Zuck: I guess I wasn't. I guess I was talking about the timeline that said that we've now summarized comments and the next step is we're going to submit to the Board. And we got a little bit of a concession that maybe there needed to be another step added.

I guess I'm just wondering what it is we need to do to help push that across, you know, the finish line towards, you know, making that bump in the road actually happen, right. I mean I...

Steven Metalitz: Well one...

Jonathan Zuck: We're good at filing comments and things like that. But should we coordinate, as I said, something in the public forum with the board? Should we submit a letter to Fadi? I mean is there somebody to escalate this beyond just talking about it potentially because otherwise this will just go through.

Steven Metalitz: Yes, I think you - both of your suggestions are good. One option would be to get up in the public forum although I don't know how they're going to choose the topics for the public forum. But I suppose this may be one of them.

But the other would be we could send a letter to maybe to Bruce and Marcus as kind of our people on the Board, or to the Board as a whole, and just say, you know, "During the presentation, we raised some issues and it seemed clear that more work was needed. So we would encourage you not to put this on the Board agenda for action until those things happen."

And maybe, you know, if you want to draft - I'll just suggest that if you want to draft that, maybe that's a good way to proceed.

Greg Shatan: Thanks Jonathan. Anybody else on Xavier's presentation? Let's move on then to talk about compliance.

Any thoughts on the compliance discussion and any next steps we might want to take with regard to what we heard from Alan and Maggie?

I for one certainly want to more about the consumer safeguards. It always sounds promising but yet there's nobody in the seat, and typically, you know, not seeing too much in the way of proactive measures. And I think that's really important.

And I think that I've also heard in more casual conversation that there's, you know, pressure from contracted parties, not necessarily in an organized fashion but certainly from some, against more proactive compliance.

So, you know, we are once again trying to introduce a greater amount of integrity into the process. That may keep people from making as much money as they would like, but there's an issue there that I think we need to, you know, keep putting on pressure.

I think we may want to send a communication directly, you know, asking, "What is the plan on consumer safeguards?" And then fill in the consumer safeguards position.

Any other comments on anything that Alan and Maggie had to say? Susan Payne, can somebody - Mary will get you a mic.

Susan Payne: Thank you; Susan Payne.

I just wanted to make a quick point in response to what you just said Greg about it being about stopping contracted parties making more money. I'm sure to some extent, you know, they are all in business but that's what they're there for.

But I think we should also recognize that actually many registries probably do intend to be very honorable in the way they operate. That doesn't necessarily mean that they want some contractual provision that can be enforced and have ultimately the risk of their registry being taken away from them.

So I think we do - I think we need to be at least understanding of where they're coming from when there is a resistance to more contractual restrictions.

Greg Shatan: I think that's true and I think it's always - it's good to distinguish between, as you say, bad actors at the fringe, and you know, better actors in the marketplace who are really more damaged or as damaged by bad actors at the fringe as are, you know, registrants, consumers, intellectual property interests.

So in a sense we have common cause with those, you know, who are, you know, registries/registrars who are, you know, feeling the, you know, issues that come from, you know, fringe practices. And not to mention it ends up

with them all being tarred with the same brush just because one, you know, registry comes up with some outrageous scheme and people think that registries are all coming up with outrageous schemes.

So I think it is, you know, rather than trying to make it an us versus them attitude, it should be everyone who is invested in dealing in a responsible marketplace and dealing with the fringe actors.

Steve.

Steven Metalitz: Yes, I thought it was a good session. I do intend to follow-up with Alan and Maggie on the point about moving toward greater clarification, greater clarity on 3.18.1 and the other relevant provisions. It wasn't very complete - I mean there are other issues as far as this transparency side.

I mean Alan was saying, "We don't make public anything when we close the file," which that's one thing. But for one, there's a question of what do you disclose to the complainant not making it public necessarily.

And secondly, what about when you do have to send a breach notice. So there are two breach notices now for violation of 3.18.1 in which the registrar did something or at least they sent something to ICANN. And it just says, you know, "We got this on such and such a date and it was insufficient."

Well at some point - you know, I'm not saying necessarily right now, it would be great to know what was insufficient. What did they get and why was it insufficient? I would think the registrars would want to know that. Just as we the complainants want to know why what they did was sufficient when as far as we know they did nothing.

So I think you need to get a little deeper on this transparency question with him.

Greg Shatan: Absolutely. Anyone else? Nick, are you - no.

I think those are all good points. If there's nothing further on Compliance; obviously there are many issues.

I guess one other thing I would say on Compliance, to the extent that we can bring to the list or maybe have somebody assemble, you know, Compliance issues, I know that to varying degrees, different people in the IPC have more or less compliance issues just depending upon the demands of their clients and the types of issues that they're pursuing. But it would be good to, as we try to speak as the constituency, try to collect concerns that we have about compliance and particular instances that we feel that there are deficiencies.

So maybe we'll think about what some sort of, you know, a secure collaborative space perhaps where we can collect those. Although I realize there are always conditions of confidentiality on our side as well, but of course if we're talking about transparency, you know, we have to some extent consider whether we can make transparent examples so that we can move forward. Just a thought about how to deal with that, so.

So let's move onto Karen Lentz. Obviously the first thing we need to do is to, you know, finish assembling our team that is going to respond to the massive and recently issues RPM review or to the program review, which I know that - some of us that have read some of it know - I don't know if anybody has read all of it; we certainly we have - I think it's kind of a long comment period. I think it's 60 days given the length.

Any more specific thoughts on Karen's presentation or the issues it raised and any steps that we should be taking as a constituency?

Nick, now you do have something.

Nick Wood: Just a small point. I sat on this stage in London and spoke to the GAC with a selection of people from the Domain Name Association. And we had a little bit of tiff before we went up there because a couple of slides I had was significantly different from those from the other groups who were registries/registrars about the Rights Protection mechanisms.

Because the feeling that was shared and that was presented that I differed from because I said it was too soon, was that the Rights Protection measures were all proving an enormous success.

So just an observation that in other parts of the room, and to some extent you can look at the data and what's going on, and you could say that actually infringement is not that significant (unintelligible).

So I'm a little bit worried of the timing of this review.

Greg Shatan: Because you think it's too soon to - you can take positive results just because it's being taken forth...

Nick Wood: Only half of them are not the blocks. And the registration numbers aren't that high, etcetera, etcetera.

Greg Shatan: Right, and as we can see walking around here, the big guns are coming according to (radics) , registries.

Nick Wood: I'm not saying they are not a success, but it just seems/feels a little bit premature to me.

Greg Shatan: I think that should well be part of our comments. I guess the question, what is the plan for the next review, when there is kind of a full marketplace, and some of the big guns, more of the big guns are out there.

Steve.

Steven Metalitz: Yes, ICANN keeps running into this problem of committing to do reviews. And then when it comes time, it's really too early to do a review.

And I would distinguish two cases here. One is where somebody outside of ICANN is dictating the pace. So the affirmation of commitments says, A, "We have to have the CCT review." Actually, we should have already started it and we kind of sloughed that off for six months.

So ICANN would have to decide to go, you know, to the Commerce Department and say, "We want to put it off," I guess, which maybe they should do. The other is when there's not an external timeline that they have to follow, and it's really up to ICANN. But obviously they're under enormous pressure from the would-be contracted parties to do it.

I mean if, you know, what Nick is saying is absolutely right; it probably makes more sense to have this review in 2018. And therefore not launch the new round until 2021. But I don't think that's a politically viable message within ICANN so they're kind of stuck in that.

And you know, we should think about whether that's a point/position we want to take. Because I think on the merits, there's a lot to be said for that. But whether that's something we want to do or not, I don't know.

Greg Shatan: And that's definitely an issue that we should keep in mind and revisit. There are definitely various voices I've already heard around ICANN that others have said similar things. We need to figure out whether we want to bolster that.

Anything else on new gTLD program reviews? Jonathan Zuck. Let's get Jonathan a microphone even though we can all hear him.

Jonathan Zuck: Yeah. We were focused on the rights protection, but what Steve and what Nick said I think resonates more generally of the who is reviewing also is something that's come up before we're even close to finishing the implementation recommendations from the first one. And what I heard yesterday is that we are scheduled to have eight reviews. Is that right, in the next fiscal year?

I think it's like eight reviews, so I mean the question is also going to be whether or not in this world of accountability and volunteer fatigue and things like that, if we ought to be again maybe getting together with other constituencies, because we've had this relatively unique honeymoon period across the various stakeholders inside ICANN around accountability.

Maybe something that involves an adjustment of all of the reviews is something we ought to try and tackle, and a wider audience as well. It certainly seems the (unintelligible) review is a complete waste of time at this point since we have no idea. I mean we're still in the middle of PDP processes on several of the recommendations of the first one.

So I ask that as a specific one with respect to who is, but then more generally with eight reviews coming up is just like kind of a circus and of no real value. And maybe we ought to find a way to reach out to commerce or look at the bylaws, et cetera and actually, as a community, because I think staff are probably not in a position to say let's push out these reviews because they'll look they're, you know, self-motivated for that. But really it's in the interest of the community to push out these reviews and maybe we should get on top of this as a more general issue?

Greg Shatan: I think that's a good point, and I think the alternative is to do the reviews and then do them again when it's a fully propagated set of new GTLDs, not just these seem like a waste as well, so it's a very good point.

Man: (Unintelligible).

Greg Shatan: Right. The bylaws, there are all sorts of reviews that are, yeah, and also...

Man: (Unintelligible) next year?

Greg Shatan: It goes to the volunteer burnout, you know, issue directly. You know, we'd have to all clone ourselves to do that. Heather?

Heather Forrest: Thanks Greg. If it's helpful, Jonathan's quite right this is ahead of us. The eight reviews are AOCs reviews including review process improvements, (who is 2) SSR2, and then the competition consumer choice consumer trust, and then four organizational reviews, review framework improvements, GNSO at large and non-com.

Greg Shatan: We'll just divide this equally among the entire membership of the IPC. I expect that'll take care of it. If there is nothing further on that topic, I'll move to the next section of the agenda, remarks by the incoming IPC President and discussion, and then we'll go to Sheri Falco to hear from ICM. My remarks are brief. I've already said in the closed session that it's, you know, an honor and a privilege to take the seat as the IPC President. This has been a robust and well-run organization.

                 I am looking forward to carry on from, you know, the great, you know, base that predecessors and many of whom, you know, like the current rest of the leadership team have put me in charge of, or given me a stewardship for. In particular I thought it would be very important for us to recognize the incredible contributions of Kristina Rosette who was our fearless leader and who has just joined us.

                 Kristina would you like to say a few words, or just bask in the glory?

Man: Hand her a microphone.

Greg Shatan: There are a couple of microphones.

Kristina Rosette: (Unintelligible) I was saying that I hadn't had anything to do all day and it was kind of strange. It was actually very strange. You all are very, very kind. I very much appreciate it. I would question the characterization as incredible, but whatever. You know, we have and had a phenomenal leadership team for all of the years that I was active in IPC. And frankly, without them and in particular Steve Metalitz things would not have gone as well as they did.

I guess Greg and I are going to have a drink at some point this week and I'm going to share with him the things, the lessons that I've learned that hopefully you won't have to learn the hard way. But I would just really encourage everyone to really, really actively participate. It's becoming a really critical time within ICANN and the IPC generally.

And it's really as important as this work is, and as much time as we all put into it, it's really important that folks participate. I feel like I'm preaching to the choir because anybody who has come all the way to Singapore is actually doing that. But again, thank you very much. I very much appreciated the opportunity. I learned a tremendous amount, and more importantly made some really good friends. Thank you.

Greg Shatan: Thank you Kristina. We'll have to find a way to recognize your contribution on a more permanent fashion. But the glory and the standing ovation, you know, will have to suffice for the moment. Perhaps a butter sculpture will be something we can do in the future. In any case, I'll ask Sheri Falco from ICM to come up so we can hear more. Her slides are now loaded as well, so if you want? Mary has the primary computer.

(Mary):   What?

Greg Shatan: Just come up here in a moment.

Sheri Falco: Sheri Falco, General Counsel at ICM Registries. So, first of all thank you, I know this is a rather spontaneous moment that wasn't planned for on the agenda, but I just had been hearing some things and some concerns. And I had the opportunity to speak with some members of the IPC last week on a phone call. And I figured since we are here together in the same room, we might as well just sort of address the concerns that you might have directly.

I'm happy to speak about some of the details of our launch plans. I think that's probably what the presentation focuses on, dates and timing and trademark protections that we've built in. I'm also happy to speak about the process. I think for the framing of the conversation, I assume everybody knows what the concerns are, at least my conception of the concerns are that initially, for dot porn, dot sex and dot adult we've applied for a grandfathering clause is how we refer to it in the application.

And essentially what that was is everybody in the dot XXX community, all stakeholders, both XXX owners and Sunrise B trademark owners would get a free sort of reservation in our new adult universe of porn, sex and adult. And so we kind of assumed that that was going to be how we were going to roll out our launches.

Interestingly and probably rather bizarrely along that way, the rights protection mechanisms were sort of (unintelligible) and solidified. So what that meant is, as you know, anything that was not part of the established rights protection mechanisms had to be asked for specifically under an approved launch program. So in sight of that our grandfathering plan would've been potentially characterized as earmarking, which we are not allowed to do.

Our plan all along was to reserve these names until the individual or company wanted to activate them in our new TLD, so theoretically they would've been earmarked under that concept. And under the rights protection mechanisms earmarking is a violation of that, so we had to kind of ask for special

permission from ICANN under qualified launch program to do something exceptional to the rights protection mechanisms.

We were under the impression because there was no application that it would be presently approved. It was, however, rejected. And at the time it was rejected the reason we were given is because ICANN perceived it as a registry service. And so, what they've requested is that we apply once we got our contract signed for a registry service to offer this program.

Simultaneously, we then engaged in a variety of conversations with registrars and our backend registry, and we learned that the actual, initial vision where the names will be reserved and then able to be activated at some point was no longer a possibility as a practical implementation. Registrars just weren't able to accommodate the notion that at some point they could activate and register these names, so that sort of at an implementation level wasn't a very practical scenario.

So, we heard from ICANN on a policy level that they perceived it as a registry service. We heard from registrars at an implementation level that it wasn't practical. And we had also heard from our backend providers that there are costs. In dot XXX we didn't have any costs for reserving a name. But in the new TLDs there are costs associated that we hadn't anticipated either.

So, there was sort of a perfect storm in that scenario, and there are many other sort of contexts occurring as well, which probably most of you know but, you know, dot XXX had kind of a long, controversial history, particularly with ICANN; litigations, several million dollars, several years, and I think there's sort of an institutional psyche concern that anything that's A-typical to the ICANN process is something like a r-step for us.

It was a risk that it might delay our launches and/or re-opens the whole series of historical wounds that ICANN experienced on the dot XXX launch. So there was a real resistance to going through an r-step process release. We

fear that it would just be this Byzantine loop that would never really get us to launch, just from our own sort of institutional experience at ICANN on dot XXX. So what we did try and do also is we had heard from registrars that there's no way to implement this plan at a practical level, so we asked ICANN if we could be our own registrar?

So at least give consumers and trademark owners an opportunity to have a pathway to turn those names on, register them if they wanted to. Unfortunately, that rejected as well, so we didn't really have a way to fulfill our plan; policy, implementation and costs prohibited that. And like I had mentioned the psyche sort of institutional concern that it would be a never ending legacy issue that would go for years and years, and we'd never get our product to market.

Those are kind of the reasons that we no longer are able to offer the grandfathering primary we initially sought to do. Instead, what we're going to do, can I turn these slides, or will you turn these slides? Okay. Cool. So instead what we decided to do is offer some priority registration phases, so this was kind of our next best opportunity given the history that I just described.

We're doing TMCH first, obviously part of the requirements, and we're happy to do it. That's happening in two weeks, so we're literally launching porn and adult in two weeks. The moment has arrived. And the next phase we're doing is an XXX Sunrise B priority registration phase. So anybody who was a Sunrise B reservant in XXX has the next opportunity to register their names under the Sunrise B program in dot porn and dot adult. That's almost a month long program in April.

And then the next sort of third opportunity is for our non-Sunrise B folks, so the general pool of XXX registrants. They have the next priority registration period. And then obviously GA, so that's a standard GA. The next slide please. So what we did do for our trademark owners, particularly is we

partnered with the TMCH. And we're very happy and proud they really opened to collaboration in this regard.

And what they've offered to do, and uniquely offered to do for us, so far we're the only registry that has had this opportunity with them, they've agreed instead of 150 dollars to register our mark in the TMCH, they've dropped their wholesale price to 95 dollars. So basically how it's going to work is if there's a trademark owner who hasn't yet registered in the TMCH, they can do so now. And if they register at dot porn or dot adult Sunrise, they'll get a 95-dollar fee instead of the 150. That's a wholesale cost, so whatever registrars mark that up to.

Obviously, none of the parties can be sort of dictating that. But at least we were able to sort of have them collaborate. They've also been very generous and offered to put agents in key registrars to really help registrars promote this program because a lot of the big registrars initially weren't offering TMCH Sunrise. It was just too much of a headache.

And so what the TMCH offered is look this is an important opportunity. To reach trademark owners, so we'll put our people in your offices and really help guide it through. I'm not sure if any registrars picked up on that offer yet, but that is something that they've made available, which is great. And we'll also, I think, at least from my (unintelligible) is the least expensive TMCH Sunrise.

We're not doing any markup. There's no Sunrise fee that's additional to our standard registration. So, from what I had heard in any event is that we're actually the least expensive TMCH Sunrise. Next slide please. And that's sort of just the procedure for folks to get that promotional price from their TMCH. Basically it's a deal you do with the TMCH directly. It's not us. We're just happy to be able to collaborate with them in that regard. Next slide please.

So the Sunrise B is probably where you're most interested I think because that's the unique phase. Basically, what we're able to do in this regard is it's not a reservation it's a registration. And what we've designed is a promotional offer, so the one-year registration will be for standard registration prize. Again there's no fee, markups to participate, it's just standard registration.

But what we have done is we're offering a two to five-year registration at the same price, so essentially a five-year registration for the price of two-year registration. And while it's not a block at all, it does sort of have a similar price point in concept to sort of have what's done at PCNL and that kind of five-year term. And so that's something we're offering as well.

I mean we realized, you know, some as I mentioned, some registrars aren't doing the TMCH Sunrise, so this allows our Sunrise B community to get in for registrars who are able to pick this up. I'm going to stop. I do not have to go through my whole slide, but some of it talks about XXX registration and kind of thing, which I don't think is particularly applicable. Instead, if you have questions about our sort of process and the transparency that we've experienced with ICANN or any of that kind of stuff, we can kind of speak to some of those issues.

Greg Shatan: Thank you Sheri. That's very helpful. And I think it is probably a good point to stop here because kind of, you know, going to the issues that we, you know, wanted to have the opportunity to discuss with you, Marc Trachtenberg:? Yes. We will get you a mic. If Jonathan Zuck needs a mic, you need a mic.

Marc Trachtenberg: Sheri I apologize if you've already gotten back to us on this one. I don't know if you did. I had asked the question on that call we had with you with regard...

Sheri Falco: Oh about privacy?

Marc Trachtenberg: ...about privacy.

Sheri Falco: Yeah. I did. I sent an email in response. So I think your question was you had
                    some clients or potential clients who were worried about whether or not they
                    had to disclose their name in the who is? And would it be an opportunity or a
                    possibility for them to immediately get privacy the moment they register? And
                    the answer is yes, definitely. So no one has to disclose that they've bought a
                    porn adult registration at all. It's through the registrar, so they can absolutely
                    get privacy the moment they sign up.

Marc Trachtenberg: Thanks.

Sheri Falco: It was a great question too.

Marc Trachtenberg: So it'll come in a plain brown wrapper event right?

Sheri Falco: Yeah, sort of like everything else.

Marc Trachtenberg: Like the old days?

Sheri Falco: Right. Exactly.

Greg Shatan: I have a question, which is did you consider something like the DPML or the
                    right side, or does it not really make sense because you don't have a big
                    enough portfolio? Not that you should have a huge portfolio.

Sheri Falco: Yeah. I mean I think the DPML actually was molded after our own Sunrise B
                    program, right? So we didn't only consider it, we pioneered it one would
                    suggest. But we didn't want to do it for the new (unintelligible) because again,
                    we didn't ask for that initially because we thought we were doing this
                    grandfathering thing, so that wasn't in our initial application.

                    So that would've been a registry service that we had to do, we didn't get an r-
                    step for, and again that whole r-step piece as it relates to us uniquely had

some institutional sort of wounds that we were just scared that that would lead down some very long, multi-year track that gets us to no launch again, so I think that was kind of...

Greg Shatan: Thanks. Any other questions from the floor, from Andres as it were? I don't know if this Andres or if I am pronouncing it well? Seeing no further questions for Sheri, thank you very much for coming and visiting with us. It's very helpful adding to your, you know, already having given us a number of answers, you know, on the list and to our earlier meeting, so thank you very much for coming in and visiting with us.

Sheri Falco: Yeah, my pleasure. Thanks for having me. I'm here all week, so if you want to talk about anything, I'm happy to speak about (unintelligible) you might have. And also we have an interesting tool that was on the slide. It was the last side. It's the domain-check tool, if you go to the very, very end, maybe if you could do that for just a moment.

I just want you to because I think it's a really great resource for trademark owners, IP (unintelligible). It's called a domain-check tool. And it really allows you; it's a free service we're offering, it allows you to check what the status of what your client's mark might be. And they also send a PDF report in an Excel sheet, so you can share that information amongst your client base and help them educate and make decisions around what phase they might be eligible for yeah.

So that's the URL, the very last one. Yeah. That's perfect. That's the URL and I sent some slides, these slides actually, so I'm happy if you feel comfortable, you can show up with the IPC. You could check that tool out. It's live now. And I think it's a real great resource for IP (unintelligible) particularly. Thank you.

Greg Shatan: Thank you Sheri. So, we're in the home stretch. I think the last thing on our agenda at this point is review assignments next meeting and adjourn. I think

in terms of the kind of IPC/CSG schedule for ICANN, I believe this is more or less the end of it. If I'm incorrect, please let me know. I don't have my calendar up in front of me, so there may be something else that we're all supposed to be at together, but I don't believe there is.

So, we did have an issue on Wednesday, tomorrow with regard to scheduling on the ICANN calendar where we have, I think it's at the 10:30 slot, I want to make sure that we have coverage of the GNSO working party, and as well the human rights session. So, I don't know if we have any people who will put their hand up and say that they're going to go to one or the other or all three. There's got to be people planning to go to one or the other of those sessions, and everybody else who isn't in one or the other of those sessions should be in the GNSO session backing up Heather and clapping loudly whenever she says anything.

But is anybody feeling like hitting the human rights? I know Steve you said you were going to get there for a piece of it, but you have conflict, so if there is anybody else who would, it'd be great to know, and again also the GNSO working party review? So, put your hand up. Don't all put your hands up at once?

Steven Metalitz: This is Steve. I will say that--gee I'm flashing green here. One of the slots that we thought we had to cover doesn't seem to exist. I mean Jonathan volunteered to sit in on a meeting at 11:15. In fact, that meeting is not happening, so we don't have to cover that one, but this 10:30 one is still an issue.

Greg Shatan: (Unintelligible)?

Steven Metalitz: Working group on working groups. I'm not sure what happened to it but it's not there. But this 10:30 one if we can get a GNSO, especially I'm thinking on the working party because that impacts directly on our GNSO review.

Greg Shatan: Well, if you're still consulting your calendars, just let us know on the list if you're going to attend that. And it would be good to get a report back afterwards as well. And if, you know, it's entirely possible that Mike Rodenbaugh will attend virtually but I can ask him that directly of course, but knowing the scheduling issues, I think it's, you know, always a challenge.

So other than that, I think we've identified a couple of items on which we need to follow up with regard to communications and we will do so. Steve? I think you've got a couple of assignments and Jonathan as well. It says next meeting, actually I'm not sure when our next meeting is scheduled for, and Steve perhaps as our reservoir of all knowledge?

Steven Metalitz: It's scheduled for the, whenever the, actually it's probably a month from today, March 10 at 11:30 Eastern Time, whatever that is in UTC, so that would be our...

Greg Shatan: Sixteen-thirty.

Steven Metalitz: Thank you. That would ordinarily be our next IPC call, so unless you hear otherwise. But watch the list, you'll get the details. Thanks.

Greg Shatan: Just one last item or second to last item, Jonathan also wants to speak, wanted to welcome, although they didn't have to be on our call, we have two new members who have made it through the non-objection period, Aaron Johnson from Lewis Rock our rep (unintelligible), and from Jonathan Cohen's firm Shapiro-Cohen, Jackie Lynn Kraft I believe her name is. I actually was able to remember that. And I'm very proud of myself to be halfway through an ICANN meeting and be able to remember the name of somebody, even my own name Jonathan?

Jonathan Zuck: I don't want to beat a dead horse, but a show of hands could add up to one plus one but are you guys generally in agreement with the idea that we

shouldn't be doing all of these reviews? It was sort of drifted out like waves in the ocean (unintelligible). It just feels like an impending...

Greg Shatan: Tsunami?

Jonathan Zuck: ...storm.

Greg Shatan: Yeah. I guess Steve why don't you go?

Steven Metalitz: Yeah. I think we should move ahead on this. Heather read out a list there, I'm not sure where you were taking that from, but maybe we can share that list with first with our colleagues in the CSG, and maybe with our colleagues in the non-commercial group and see, you know, see if there's common interest there in doing something to lessen the bandwidth load.

I do think, as I said that we may have to treat the AOC ones differently than the other ones, and there might be some that we don't want to see delayed, but I think your point is well taken, and we should at least initiate that conversation, because I don't know that any of the other groups are having that.

Greg Shatan: I think that's the approach is to start the conversation and see if there is a ground swell. You know, I'd break it up into three categories of reviews we have to have like the AOC reviews that might actually be timely, and therefore, shouldn't be delayed, and those that are just going to be essentially a waste of time or very incomplete and premature, and therefore, should wait until there is enough data for it to be really meaningful for the whole process to take place.

Jonathan Zuck: (Unintelligible).

Greg Shatan: Absolutely. That'll be the first action item. We can note that on the action items. And I thank Alex Deacon for taking notes and being our dutiful scribe.

Thank you. I'd like to note that Alex is the eight of clubs in the deck if I haven't noted that already. And (Unintelligible) and I are also in the ICANN Wiki deck. So, this is two honors in one ICANN for me and, you know, (unintelligible) flattered about being in the ICANN Wiki and deck of cards with my caricature.

With that, it's 4:27 we actually finished three minutes early, which wouldn't be a bad thing. So I thank you all for attending. I thank the remote participants for attending, Michael Graham and perhaps others. And I wish you all a great rest of the ICANN meeting, and hopefully I'll have a chance to talk.

One last thing, I would like to talk to each of you about the IPC, about your thoughts about what's been good, what could be improved, our priorities for the future. You have my email address. You have my phone. I'm here. Please, you know, don't hesitate. I'm all ears. Thank you and enjoy the rest of your ICANN meeting.

END