

## **Transcription ICANN Beijing Meeting**

### **Registrars meeting**

**Tuesday 9 April 2013 at 15:30 local time**

Coordinator: Registrar Stakeholder Group meeting, 3:30 Tuesday April 9.

Matt Serlin: So we're going to get started here again folks if you could start to take your seats. We have the folks from the Nominating Committee in the room. I think it's worth our time to let them have about 15 minutes and then - and we'll try to get to a quick Bylaws discussion.

Apologies (Tom) but just reshuffling some things. No Stephane, you do not sit up here. No you don't get to sit up here. Sorry. Apologies. No this is just audio.

((Crosstalk))

Matt Serlin: And let's go ahead and - Stephane if you're going to sit up at the table we need your complete attention please.

Adam Peake: I told you.

Matt Serlin: Yes exactly.

Adam Peake: I told you.

Matt Serlin: Your complete attention please. So...

Adam Peake: Stephane I was following orders.

Matt Serlin: And with that I'll turn things over to Cheryl. Cheryl.

Stephane van Gelder: Cheryl do you want to have - to take the floor?

Yrjo Lansipuro: Correct. All right. Good afternoon. My name is Yrjo Lansipuro, the NomCom Chair for 2013. Thank you very much for letting us in. We have basically three messages for you.

First of all we need a good candidate pool in order to do anything. Without a sufficient number of good candidates our work is pretty much futile. So we ask you to apply or to tell your acquaintances and friends whom you think that would make good candidates and good ICANN leaders to apply.

And that's - that includes of course people of all categories and all levels and sectors of House we're talking about, and we're talking about of course three members of the Board, two open slots in the GNSO, one in each House.

We're talking about one ccNSO Council slot and three ALAC of which one is for Africa, one is for Australia - Asia, Australia and Pacific Islands and one is for Latin America and the Caribbean.

The second message we want to leave with you is that NomCom is now black box or at least it's not any more a black box. It's not a bunch of cardinals as part of our thread, you know, that name that - that congregates somewhere in secret and then, you know, out comes this white poof of smoke and then we have a pope.

Of course the names need to be confidential. We have to have strict confidentiality, otherwise we wouldn't have any candidates. But this is no excuse for sending the secrecy to all parts of our operations and making a sort of big mystery of this sort of group of people.

So in Toronto at our kick start meeting we decided to follow the policy that the process is open as much as possible and the data, that is to say the names is confidential and secret.

We've been implementing this at least in two ways. First of all there are now monthly reports - monthly report cards which are issued immediately after our phone calls and after our meetings.

And I am glad here to say that the initiator and the principal mover, I mean, writing the first draft and so on and so forth is who else? Stephane. So Stephane, I'm sorry.

So it's a - I think that this thing has been welcomed by all Stakeholder Groups. The other thing is that we have open meetings now in Beijing and there was an open meeting yesterday of the Subcommittee on Outreach, which was chaired by Cheryl and today at 5 o'clock is an open meeting of the Nominating Committee - of the full Nominating Committee.

And I believe that this is first time ever this happens and I hope at least sort of demonstrate where we are going. It's not necessarily like this provides the maximum or optional transparency of our operations.

Perhaps one day you'll find that when my ICANN or whatever but at least this is a beginning. A third messages that we would like to have your ideas, your advice for the work, that is to say what kind of people would you like to see as GNSO Councilors and also in other positions we're talking about?

So please give those ideas here during this meeting or approach us later. So I'll leave it at this and I'd like to ask Cheryl to continue please.

Cheryl Langdon-Orr: Thanks very much Yrjo and for anyone who doesn't know me my name's Cheryl Langdon-Orr. I serve as the Chair-Elect to this year's NomCom, which

means providing I survive this year I'm expected to probably take Yrjo's seat and Chair next year.

A couple of little things I wanted to bring up to you as an audience today that I have brought up in other rooms as we've traveled around today. One is don't just think when you're thinking of talent that you may encourage to come forward to fill out their Statements of Interest.

Don't just think of filling the GNSO Council seat and of course the Board seats, which everyone has a huge and quite necessarily great interest in. But there is no reason why you and your community may not have an ideal person to the ccNSO Council or indeed a geographically appropriate person for one of the three appointments to the At-Large Advisory Committee.

Don't just think in your own yard. Please feel free to contact, promote and gently nudge in our direction anyone you think might have the right stuff. On that having the right stuff and nudging people, we had a wonderful plan of leaving with each of the people we visited today a little pile of quite conveniently sized business cards, because on one side it says how you can go straight into start self-nominating yourself and on the other side it says how you can suggest somebody who you believe would be good for the job could do it themselves.

And Adam is going to talk to you a little more about that in a minute. But for whatever reason of all the things that seem to have left America, that one particular thing is something that hasn't managed to make its way all the way to Beijing.

So don't know where they are. There's all sorts of theories including ripe secondhand market. However (Joe) it does have thank heavens some of our little bookmarks available and it really is the sort of thing that yes, if you've got in the bottom of your briefcase or handbag and you happen to know somebody that may be interested, then they can find out more information.

The other thing I wanted to say to you is of course it's all about the talent pool. Unless we have the diversity of qualified and appropriate people to choose from, we can only choose from the puddle we have on the 1st of May.

So do think seriously about encouraging as many people as possible who are appropriate to put their names into the ring. The confidentiality means that unless they choose to no one will ever know.

If they choose to tell people that's all right. But from our side of things no one will ever know that they have applied unless of course they're successful because, you know, it'd be obvious at that point in time if we've appointed them.

But what people who have applied in the past may not be aware and you might be talking to them, you might be one of them, is that a failure to be appointed in any one year doesn't actually mean other than you weren't the perfect fit at the top of the pile that time.

There's 15 and the criteria that's being applied in any given year is fit the purpose for that year, so it may be that the ccNSO Council will say to us, "What we desperately need is a trademark attorney."

Can't imagine why they would say that to us but should they say that to us, right, should that be what they say, if you've tried and you didn't have that checkbox which would affect your ranking, so encourage people to nominate even if they've nominated before.

Now while we're talking about talent pools there's always a - most years there is a churn on your representatives in the NomCom. And the GNSO and the constituent parts of the GNSO have a huge amount of influence and sway in the NomCom process.

So who you send to us should be the Nominating Committee members for next year is very, very important indeed. And you need to think seriously about who you can encourage to step forward for those positions as well.

I'm also diversity. I'm wearing a prize winning SO ribbon now. I shouldn't say that. I'm wearing a ribbon that says IT rather celebrating diversity. We do need people experienced from the wonderful world of ICANN and all its component parts.

But we also need people now who have the direct contact to the types of workplace and social environments, the networks that are going to fill for example in the Board people who've certainly managed more than 100 people directly who've got a significant number of zeroes in the bottom line and balances that they've been looking at.

And so for that end we probably need to find a couple of people in the NomCom who actually leave work and have experienced the C-suite and higher.

And at that point I'm going to stop and let Adam take over as long as he doesn't breathe at me.

Adam Peake: No I've got a cold so I'll try not to. Good afternoon. Adam Peake. I think we're being recorded. I was very rudely pointing at Stephane earlier because he is a good example of an ideal Nominating Committee delegate, somebody who does have the knowledge of what occurs in, you know, a Board of Directors and has contacts at that level.

So thank you very much for sending Stephane. I said I'd talk about a couple of things. I don't think we can pull up the Nominating Committee Web page. It's the usual format for an - a committee in ICANN or a council.

It's [nomcom.icann.org](http://nomcom.icann.org) so N-O-M-C-O-M [icann.org](http://icann.org) and on there there are a couple of things we'd like to highlight for you to perhaps look at. You'll find a section of course about the Committee's documents and we'll try and be transparent about that.

But more important at this state we're trying to present to you the types of characteristics we're looking for in candidates, and these are coming - these have been sent to us by the community themselves.

We've had Outreach meetings and those meetings will continue. The Board Governance Committee has sent us sort of sets of skill sets that they think are desirable and this is something that's come out of the ATRT process.

The ccNSO specifically has given us a document that describes the type of characteristics, not specific but we're looking for general types of skill sets and experience for the ccNSO.

And there's always an opportunity either directly or preferably. We've asked Stephane to give us more input. Do you think that's accurate? Is that what ICANN needs?

So that's something there. Also from the Nominating Committee Web site you find the process for application - [nomcom.icann.org/apply](http://nomcom.icann.org/apply) will take you to the application form and that is the Statement of Interest form where you submit your CV.

You answer various questions about your experience and why you're relevant and important for us to consider for the positions you're applying for, so that's one extra thing.

That's slash apply and then there's also a process for recommending people and this is particularly important. So if you went to slash suggest - that's right.

I think that is it. [Nomcom.icann.org/suggest](http://Nomcom.icann.org/suggest) - you will go to a form that allows you to make a recommendation of somebody you think should be suitable for these positions.

And this is very helpful. It's always nice to have a little bit of support from somebody saying, "Hey we think you ought to go and apply for this position."

I think that's a nice touch and it also helps us find people who, you know, people who are experienced like you think should be coming into our community.

And that can either be anonymous. You could include your - you don't have to include your name in the recommendation, but very often it's better if it's not because then the person understands that they're coming from well you and that's very helpful to us. Thank you.

Matt Serlin: Great. Thank you. I've got Stephane and Michele in the queue.

Stephane van Gelder: Thanks (Matt). Stephane van Gelder, your NomCom Rep. So I just wanted to, I mean, this is an interesting group for the NomCom to come to because it generated a little bit of conservancy last year - the last year's NomCom.

I - this is my first year serving on the NomCom so I'm finding my way about and I have no prior experience. But obviously no prior experience of serving within the NomCom, but prior experience of dealing with the NomCom from outside through my time on the GNSO and from just being a community member.

So I just wanted to highlight two things for this group, which I think is important in the way the NomCom is working harder to represent the community interests.



I mean, the NomCom is a - I think a precious tool for bringing outside blood into this organization. It's something that we often overlook how important, how difficult it is for people that aren't ICANN savvy to come in.

And yet if you look at past NomCom appointees they have brought a lot of qualities to this world. So I think the NomCom is a crucial process. I think it's a very important equal process for ways into ICANN key leadership positions.

Having said that the NomCom certainly needed to change and I think it's doing that in two very important ways, which Yrjo alluded to earlier on, the first being greater transparency and that is something that was greatly needed.

There are two levels of transparency that can work with the NomCom. On one level that can't move. The confidentiality requirements for candidates has to stay, otherwise you can't get candidates if they are revealed to the outside world as having applied, which may put them in difficult positions in their existing jobs or situations.

So obviously that has to be kept confidential but place setters for the NomCom should be more open. And I think all the people that you see at this table wearing these red lanyards today have pushed for that on this NomCom, and I think what I'm seeing at the NomCom so far is a very positive desire to make the NomCom more open.

So at this meeting here there are historic things happening for the NomCom like open meetings that the NomCom has not had before, which the three speakers before me have mentioned.

And I encourage you to at least take an interest in those meetings, because there have been requests for more open meetings for the NomCom and that is happening now for the first time.

Just a second step of the NomCom reinvention if we can call it that I think is also looking at the processes themselves so that it's clearer and more palatable for possible applicants to apply just so that the process isn't disheartening so that we end up turning people away rather than having people coming.

And that's something, I mean, all those processes are designed to go on for a while, but there are two key issues I think for the NomCom to come out of a crisis that maybe came to a head last year with a better structure and with a better - with better functionalities. Thank you.

Matt Serlin: Thanks Stephane. Michele.

Michele Neylon: Thanks (Matt). Michele Neylon for the record. Just one thing with respect to the candidates, right, is it also helpful for you to receive guidance as to which kind of people we wouldn't want you to see appointing?

Matt Serlin: Okay.

Michele Neylon: So that's - that was just the only kind of comment I had.

Matt Serlin: Great. Any other feedback? Well thank you all for coming and making the time. Apologies for the scheduling throughout the room and I think we're getting a different group.

Michele Neylon: I don't know what happened with it.

Matt Serlin: So anyway thank you. Thank you Stephane for dutifully representing the Registrar Stakeholder Group and your...

Michele Neylon: And we know Stephane that you love having the ability to come up here and...

Matt Serlin: Now you and your banana may now leave the stage.

Michele Neylon: Yes do please. Thank you.

Matt Serlin: Well - yes well we're not going anywhere. We're actually staying here for the joint meeting of the Registries. They are coming to us because our room is larger.

Yes thank you Stephane for attending. You may now go back to sleep. Yes (Tom) our time has been compressed but let's jump in if we can make subteams.

Oh yes, sorry. Pause first real quick. The - so I mentioned earlier today we want to do a quick photograph for our friend Mr. Cole at home. And I think the photographer's here so for those of you that want to come up and take a - where are we taking the picture?

Down in front, back - we'll - I can give those out. Yes I can - NomCom bookmarks.

Matt Serlin: Yes so let's - if we can get some other members of the Stakeholder Group up front we'll take a quick picture for Tim and send that off to him. We'll just come up kind of right in front of the stage I guess.

For those of you remotely pretend you're having your picture taken now please. Thank you.

((Crosstalk))

(Tom): Yes. All right guys, we only have like five minutes so I will keep this to five minutes. Real quick as part of the Bylaws Working Group we came together because we are concerned that with new TLDs that where the restrictions

about Registries owning Registrars and Registrars owning Registries going away, it would change the mix of this Stakeholder Group.

And we want to ensure that the Stakeholder Group was focused primarily on the need issues of Registrars, especially those who are - primarily are just Registrars.

And so we went through - we did some brainstorming within the Working Group. We conducted a survey which 30 of you responded to - provided a lot of great content and we basically came down to two mechanisms that we think we have in terms of controlling the Stakeholder Group.

One is basically who can vote and two is who can hold a position - a leadership position on x.com. And I just want to throw out one of, you know, address the second one for a second because I think we have to think through exactly not only the fact that we want to maximize participation, we don't want to exclude anybody just because they're a Registrar and a Registry, but we do need to think about who we do want to exclude.

And I'll throw that out as an open question to you guys right now. Who should not be allowed to vote even though they are an accredited Registrar, or who should not be allowed to hold a leadership position even though they are an accredited Registrar? Any comments?

Matt Serlin: Yes so I've got - that's not Michele. Mason in the queue. Sorry. Anyone else want in the queue at this point? Okay that's the queue. Yes okay, go ahead Mason.

Mason Cole: Okay, thank you. First (Tom) thanks for all your good work on this. I know that there were several of us that started this and you've taken the lead on it, which just on behalf of the group I want to say thank you because it's a complicated question.

It takes a lot of time and I appreciate you leading the group through it. So I have a couple of comments. One is I think in Toronto when we discussed this last I mentioned that this - the outcome of this could very much apply to me, because I've moved into a position now where my primary employer is an applicant to be a Registry, although I give policy advice to a number of Registrars as well.

So - and I hold office now as a GNSO Councilor so I'm very - personally I'm very conscious of that, because I don't want anyone in our group to think that there's any kind of conflict or misrepresentation based on the input that I give to the Council on Registrar interests.

So if anybody does have a question about that I implore you to approach me and we can talk about it so that there's no question whatsoever. But the reason this topic was of interest to me in the first place is because I see this as an avenue for intellectual property interests to come in and disproportionately influence policy development by vertically integrating with a Registrar and then getting and sort of consolidating power through the Registry Stakeholder Group, the Registrar Stakeholder Group, the IPC and whoever else.

And to be fair it could be anybody but that's the first group that came to mind. And with the new universe that's about to exist that avenue will become open, so this is the reason that I wanted attention paid to this matter to begin with.

Matt Serlin: Thanks Mason. Yes I think that was all of our motivations and I'll just echo Mason's point in thanking (Tom) for continuing to lead us through this. And I think we're getting close to a point where we're going to hopefully be able to put something out for a actual vote and then have a proposal on ones that we'd put forward, because it's never going to be perfect but we absolutely need to keep moving. So I've got (James), Volker and Michele. James.

James Bladel: So I just want to echo the thanks for - yes I've been problems in what's going on with the Adobe room. I want to say thanks to (Tom) for pulling this car out of the ditch and getting it going.

That was I think a, you know, something that needed to be done and it was kind of stuck in - on the side of the road so thank you. I think in order to answer your question we need to understand first and establish the interests that this group is protecting, advancing and representing within ICANN, then we can make I think a more - we can dial up the resolution a little bit and identify which organizations fall within the scope of that mission and which organizations are outside of it.

You know, I think that, you know, the most obvious one are brand Registrars or whatever we're calling them or what are we calling the...?

Matt Serlin: Brand Registries or are you talking about...

James Bladel: In house single stars for single entity...

Matt Serlin: Single entity...

Matt Serlin: TLDs.

Matt Serlin: TLDs.

James Bladel: Yes so okay whatever the terminology is I think that, you know, there could be others in this new ecosystem. I'm thinking of, you know, in house Registrars that were for other single entities that, you know, I mean, I think there are some proposals for single entity TLDs that are friends.

You know, I think that would be something that we would want to consider. Is that something that's representative?

(Tom): So allow me to address that.

James Bladel: Okay. Yes let's address it.

(Tom): I'm not saying that I have the answer. I'm saying that's something that we should look at but I think you raised a great point, which is what are the unique issues this Stakeholder Group is trying to address that no one else is trying to address?

What are they? Are we the ones representing Registrants or is someone else doing that?

James Bladel: Well we need to be careful because then we start talking about business models, right. I mean, no offense. I'm going to pick on (John) a little bit but if you're a large portfolio Registrar or if you're a - and I'm going to pick on some of the other folks who may be.

If you're managing an aftermarket platform or some other reason where you're not directly touching the actual Registrant or the Registrant is one person or one organization, then are we saying in a retail fashion, in a wholesale fashion or a portfolio, you know? So yes, I mean, it gets us...

(Tom): I'm going to pull an Elliot here real quick. Give me an example of who you would exclude.

Michele Neylon: I'll give you a clear example of one. I mean, I don't think it's a matter of exclusion. I think it's a matter of limiting their power as opposed is the thing. For example - sorry - if you had say - I'll pick on Google.

They're a big enough company. If Google only had a Registrar accreditation to be able to register domains under Dot Google, then I would want to see them limited in some respect with respect to voting, giving a weighted voting system or something.

It's more complicated when you start looking at, you know, (John) for example and, you know, the aftermarket folks and things like that. But, I mean, you could argue that let's say the aftermarket folks are dealing with multiple users possibly.

I don't know. This - there has to be some way of doing that. I suppose the thing we're concerned about at some level is the idea of some form of capture, that you end up where you have a lot of people with very, very narrow interests who don't share the interests of others or aren't willing to - give me a work quickly - kind of - and understand or listen to the interests of others.

But that's what would concern me a lot and if that - if we would go down that route then ultimately the Stakeholder Group would be completely worthless.

We might as well just have a technical group that just deal with purely operational matters and forget about everything else.

(Tom): So while we still need to take that and translate it into words, that can be objectively...

Matt Serlin: Words aren't Michele's strong point.

James Bladel: Can I throw one more just thought out there? Right now we're talking about - I'm sorry. So now we're talking about we defined this mission and we say, "Okay who's in, who's out?"

But now what happens if we identify that somebody is out of the - in another area that should be in? So we're talking right now that people are trying to come in and we want to keep them out.



Well what is - let's put that on its head. You now, we - there's a Registry out there somewhere, a TLD and boy, you know, it just didn't get popular. Nobody up here, nobody in the room, nobody out there wanted to carry it so they formed their own Registrar.

They took it to market. Let's go get the, you know, by our definitions if we define that mission they could be considered somewhat so, you know, we need to have a mission.

Matt Serlin: Volker.

Volker Greimann: I think a lot of valid points have been raised and I think there's also another danger when we exclude, i.e., fully disenfranchise the Registrars, which is that if they are not represented here or able to be represented here and able to vote here, they might be able to change the dynamics in the Contracted Party's House by setting up their own Stakeholder Group.

James Bladel: Yes, I mean, to me it's not about exclusion or inclusion. It's about criteria for membership, criteria for voting. You know, so I think we should be careful with the terminology we use.

And I don't mean to exclude anyone. We're looking to define criteria that makes sense in the changing landscape so this could be - Mason are you still thinking of your second - your thought?

So Michele were you trying to say that in your view a single entity Registrar you would exclude from membership or voting?

Michele Neylon: No.

James Bladel: Or did I get that all wrong?

Michele Neylon: No I - I'm not sure exactly what the best way of doing this is but if you'd - somebody put on the chat, you know, would Dot - would IBM only handling - having a accreditation just to be able to handle Dot IBM?

I mean, they're still a Registrar technically but, you know, their interests are going to be incredibly narrow.

James Bladel: Right.

Michele Neylon: Now taking the case of (John) for example it's a - he has a - his Registrar's going to have a commercial interest to sell domains or to buy domains and to deal in multiple extensions.

So maybe part of a potential solution is are they accredited in multiple extensions? I'm just trying to - I'm not saying it's - it is the thing. It's just - the other thing with respect to inclusion that's also a problem, because if you look around the room - in this meeting and Toronto, whether in Durban in a few months' time we constantly see the same people turning up.

We might get one or two extras who kind of wander in maybe because they're in the wrong room or confused but, you know, it's not as if we actually manage to get the geographical diversity right.

You have Europeans, you have North Americans and - but we don't have much in the terms of geographical diversity. Like the five or six Registrars in Africa I think there's - only one is actually a member.

The other one - the others aren't. If you look at the Asia-Pacific Registrars again they're underrepresented here and that again is a problem. I mean, when you - Yoav could speak at length and please don't Yoav about address validation for example because of the way addresses are done in Hebrew and in Latin characters, which I know is not directly pertinent to this.

But it is a matter of, you know, being able to get that input in to say REA negotiations or whatever. And I see that Chuck is in the crowd, so we're almost out of time here.

(Tom): Just one final comment because I know that some of the Registries are showing up. What I need is input from all of you on how you would define the criteria to ensure these objectives we're talking about.

And for example think about if Dot Brand is - if you're trying to avoid capture by Dot Brand who you - who initially is only going to register names in that one TLD, don't forget the typical brand who applies for Dot Brand already has domain names in 200 TLDs.

And they can very easily transfer all those into their own Registrar. So we need to come up with more concrete criteria that can be applied for these objectives.

So I ask you to think about this on the flight home and shoot off some emails to the list.

Matt Serlin: Yes. No, again thanks (Tom) for your continued efforts and I think, you know, I imagine after this meeting and after the RAA stuff kind of wraps up, this is going to hopefully get some more attention and kind of move quickly, so thank you.

So with that we've got the Registries. I see Jeff and Don. If you guys - I guess we need to make some room up here. Oh yes Mike. Thanks Mike. How many did that free up? Three? Two? Three.

Just fight over it. I don't - it doesn't matter. Okay that's fine. Keith come on up. I'm pretty sure we can find a seat for you. Frankly I've been sitting all day so I would yield my seat and I'll stand. I will.

((Crosstalk))

Matt Serlin: Yes please no vertically challenged jokes in mine and Jeff's presence. It's just rude.

Michele Neylon: You mean honest.

Matt Serlin: If you want to - I'm - I've been sitting - well you've been sitting all day too but I'm going to stand here. So are you guys a quorum or are we waiting for anyone else from your side?

Yes because - okay. I don't know that we...

((Crosstalk))

Matt Serlin: Okay thanks. So thanks to the Registries for coming to our room. I understand you guys had a better room layout. We have more space but whatever.

You're here so thanks. WE had I think three or four topics we kind of wanted to talk through. I don't know if we want to start with the RAA discussion and maybe you guys can just give a brief status update.

We - I understand you guys talked about it with the Board. We weren't in there so I think you know pretty well where we are with the RAA and Staff and so hopefully that continues to wrap itself up.

And actually that's kind of where we want to - after this Fadi the Board is in with the GAC and actually Fadi asked for the negotiating team to be in there for that.

So Keith I don't know if you just want to give an overview of where you think we are with RAA.

Keith Drasek: Yes. Yes thanks (Matt). Is this thing on? Yes okay, thank you. Appreciate that. Yes so I think as you may know the Registries got together a subteam or a negotiated - it's not working? Got to be closer. All right that's better. Okay sorry. I'm getting...

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