

**ICANN Brussels Meeting
WG Presentation of Initial Reports to Council: PEDNR & IRTP B
TRANSCRIPTION
Saturday 19 June 2010 at 1530 local**

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Chuck Gomes: Okay. Let's get this meeting going and I apologize for the conflict in scheduling. If any of you have looked at the scheduling challenges that happened in these international meetings three times a year you'd have a little bit of a clue of how difficult it is.

And I think at this particular meeting there are an excessive number of unfortunate conflicts. So the contracted stakeholders group is meeting at the same time as this so I don't think we have any of the councilors from the - that side - from that house.

It's just not just - excuse me I said contracted, let me try that again, the non-contracted party house has a meeting going on right now so we don't have any of them here and I apologize for that.

I asked those of you on the two working groups that are reporting not to take that as any offense of interest in these groups.

But I assure you I personally will try to make up for that with lots of comments.

Alan Greenberg: Then Chuck I guess it would be improper to comment on the turnout from the contracted parties.

Chuck Gomes: Well I can tell you that one from the registries is not even here today because she had a wedding that she had to attend that was quite important so she wouldn't have been here anyway. But I'll talk to Edmon.

Man: Well don't worry, we'll make sure there's plenty of things to...

Chuck Gomes: Okay, has the recording started? All right so the purpose of this session is to get a report, for the council to get a report and it will - it's good that it's recorded so that those who are not here will be able to listen to it and hopefully they will.

But let's go. Now which one do we have first? Oh it's up there, I should look. Okay, (Bedner), we're ready to go.

Alan Greenberg: Is it possible to get that large enough for the people who are actually in this room to see it?

If by mutual agreement that I'm going to be presenting and Tim will officially heckle and/or make other comments as necessary. By the way it dawned on me as I was preparing this that I don't think council ever actually appointed a chair for this working group.

So I'm still the acting chair and therefore I take no responsibility for the lack of productivity that was mentioned this morning. Okay. We don't need to review too much the history since council is created.

These slides by the way were prepared primarily for the public meeting we're having on Thursday so some of the background - the only comment I'll make there is one with respect to my objection last week or the last council meeting on the CCT report.

And if you look at the last bullet council in the charter for this group explicitly said the outcome should be consensus policy and/or best practices and

explicitly limited to that which was the cause of my objections to the more generalized working in the CCT report.

Chuck Gomes: Forgive the interjection here but did you get my email about that, the CCT report and I haven't seen anything from you in that regard.

Alan Greenberg: You will shortly.

Chuck Gomes: Thank you.

Alan Greenberg: Next slide. All right, here we have a breakdown sort of a summary form of the participation, both membership that is those who signed up for the group and the actual active participation. And you can see part of the problem there and perhaps one of the causes of my earlier comment today on working groups.

That on a working group which was looking at trying to address new policy regarding registrars, the registrars are the largest single component in the group.

And that's partly because they are participating and we haven't succeeded in getting other people to come. The competing meeting today from the non-contracted parties may be another aspect of the same problem.

All right, can we go to the next slide? The first part of what we did, the first significant part of the time we spent in the working group was to try to identify what the current situation is.

We did a survey of what ended up being the nine largest registrars that account for something over two thirds of the - or approximately two thirds of all domains registered in the gTLD space.

And to try to understand what the policies were and to what extent registrants had an opportunity to understand what would happen. The largest single

thing that came out of that survey in a general sense was that number one, in many, many cases what actually happens and what the registrars report as the actual practice does not match what is in the registration agreement.

So the registration agreement may say the registrars may or may not do something, in some cases says we will not do something but they actually do so the reported practice is quite in line with one expects one would hope the registration agreements do not necessarily say that.

And therefore it's not at all clear that an innocent registrant can predict ahead of time what the situation is going to be. The other important aspect is that when we went into this whole process there was a lot of discussion of what we call bad actors.

That is the small number of registrars or resellers who are probably causing a large number of the perceived problems. And of course the registrars who participate in this kind of workgroup are not likely those bad actors.

So understanding what the people in the workgroup do is not necessary map to the tail ends of the curves that are causing any perceived problem.

If there's any questions by the way or comments please just yell out if I'm not looking and seeing a hand. Yes?

James Bladel: Hi, this is James and I don't know if you want questions as we go along or if we want to stop each time.

Alan Greenberg: I have no problem.

James Bladel: But going back to what you said earlier, a moment ago Alan regarding the registration agreement versus the real world and I think what we seemed to arrive at was that the registration agreement had language that was more

restrictive than some of the registrars were essentially providing registrars to use discretion based on what ever the situation required.

So I just wanted to make sure it was clear that we weren't necessarily promising something in the registration agreement and then not delivering upon that promise or obligation. It was more a case of laying out the worse case scenario of the registration agreement and then...

Alan Greenberg: If I implied anything else I certainly didn't mean to. The largest problems were where one thing was said but then the registrar was more generous so to speak or in many cases the registration agreement would be either vague or I don't know what the right word is.

You know wording that is common is the registrar may or may not do something at its sole discretion.

So very hard for the registrant to have predictable results based on reading the registration agreement if indeed people read registration agreements.

Chuck Gomes: Alan let me talk about a process issue. Obviously we have limited time today. I'm wondering with the small audience here how much of the background information is needed.

Now if it's needed let's do it, but if not would it be more productive to focus on your specific questions that you guys ask in your report that you want feedback on?

Alan Greenberg: That's exactly where we're going right now.

Chuck Gomes: You're getting there quickly? Okay, that's fine.

Alan Greenberg: Okay, the next step was to do a survey of the working group to try to understand where we believe we should be going. We did two iterations of the survey refining words and formats to some extent.

The results varied between the two which was a little bit surprising but we'll go right now into the results of the second one.

Most of these are going to be covered in a later slide so we looked at the overarching issue first of all of ability to recover the domain name.

Not to recover at this point, to renew the domain point post expiration. The details of notification, what happens after expiration and then the contractual conditions, what we were talking about a little bit.

And this really comes down to clarity, do we - the registrants have a chance of knowing ahead of time what's likely to happen. And lastly some discussion of the RGP slide.

Okay, the first question is should the registrant have the ability to renew post expiration? There was a large amount of discussion within the group on the - I guess the noun we use to describe this.

The terminology we started using was the terminology that is used in the RAA right now, that is a right. So the registrant should have the right to do something.

There was a major objection from registrars and we are now using the term ability. It's not clear to me what an ability if it is ultimately enshrined in the RAA how that differs from a right.

But the semantics seem to be rather important. In the initial survey we did we had a unanimous 100% unanimity that registrants should have the ability to recover.

In the second version we ended up with a split that everyone except the registrars, registries answering the question said they should have the ability in the RAA.

Contracted parties all said it should just be a best practice.

Chuck Gomes: By contracted parties you mean the registrars.

Alan Greenberg: Registrars plus the one registry that voted.

Chuck Gomes: And that one registry did vote. Now are you going to talk about these one at a time?

Alan Greenberg: I wasn't planning to talk about that particular question any more than that.

Chuck Gomes: Do you want any feedback on that?

Alan Greenberg: Certainly we want feedback, yes. The real issue is to what extent does a best practice have any meaning in a written registrar community? Since it is not enforced at any level.

Chuck Gomes: Okay. Well I'll give you my own personal feedback.

Alan Greenberg: Go for it.

Chuck Gomes: Okay. I did go through your report, yes, I think they should have the ability and I'm okay with the language ability whether it's a right or not, that gets kind of philosophical.

But I think they should have the ability. I mean I go back to problems aren't as bad now as they were when RGT was implemented and when I was directly involved with that.

But yes, I do think they should. And in terms of time frame, you know we can debate that but I would think 30 days, could it be shorter than that? Maybe.

I mean the bottom line is it's a unique industry still. There are still a lot of new registrants that this whole thing is new. So even though we don't have as many problems as we used to have with regard to registrants not getting their notices or email changes, they're not updating their contacts and so forth.

And I don't want to totally alleviate registrants of some responsibility here. But I think some reasonable period where they can do that is good.

Alan Greenberg: The current practice that we got out of the registrar survey is I think no one provided less than 30 days of the group that responded, the largest ones and the typical one I think in fact was 40. There were a few that were larger and a few that were smaller than 40.

So that seems to be about the norm. But as I said a large part of that question comes down to if one says best practice how does one make sure that a registrar feels compelled to follow a best practice.

Chuck Gomes: Yes, and I would not - I would support making it a contractual requirement rather than a best practice.

Alan Greenberg: All right, the next question that - oh sorry.

Man: It needs to part of the filled out contract. One of the things I've bumped into is non-profits for instance, sometimes they're seasonal. Sports clubs, it's on a website during the season and then somebody forgets about it during the winter.

Alan Greenberg: I'm not sure we're going to be able to help if they forget about it for four months but...

Tim Ruiz: Yes, this is Tim if I could just - I think part of the problem that registrars face if I can frame it accurately is that you know the registration agreement expires on a particular day.

It's one year so after that you know what is the obligation of registrars after that one year? So can we say that - you know can we put into policy that you know your registration agreement has to be extended for X number of days beyond what it's actually - what's actually being agreed to and then how do we do that.

Because I think there's some concern there about how that actually gets put into policy and that's probably why registrars have been supporting the idea of a best practice.

That's not - that's less complicated than the policy that extends beyond the actual expiration date which is what we're really talking about doing. Besides that fact that in actual investigation what was seen was that as Alan pointed out in the majority of cases, at least in the 66% of the registrations that were covered by the nine registrars that were reviewed there is some time being given as a general practice after expiration date.

So there really isn't - so where's the real problem or what's the real harm and that's some of the concern that registrars have raised too.

So again if we want to address the issue, it's a best practice but to develop policy or to regular registrar's business further, without any real evidence of harm, you know that's going a lot farther than what the evidence sort of bears out is needed at the time.

So that's I think in general the concern that the registrars have.

Alan Greenberg: Mikey?

Mikey O'Connor: Alan, it's Mikey O'Connor. I think one of the underlying themes of a lot of this is not so much the specifics but the consistency of these different registrars, get that consistency.

Educating out there by whatever means, policy, best practice. That will go an awful long way to solving a lot of the problems that we have.

Alan Greenberg: Yes, I don't completely disagree, I just think that we have to accept the fact that when we introduced competition into the marketplace, we introduced differentiation. And if that doesn't exist then there really isn't any competition.

So we can't take things so far in this consistency concept where we completely do away with differentiation because then actually what we've done is we'd do away with competition.

So there's a lot of choice out there even when you roll up the hundreds of registrars into their little families or groups, however that's done there's still you know hundreds of registrars out there, a lot of options and choices.

And I think that's really key but I would discourage taking the consistency thing too far because that's really a big part of what makes our domain name space competitive right now.

(Christophe): Yes, (Christophe) from the business constituency. I tend to support Mikey's view and I've seen this happen a number of times on a client's website, client's or hosting clients actually when the trigger's obviously when the website stops working, that's when the panic sets in.

And registrants also have got the responsibility that you do see in the (unintelligible) lost contact with any registration details that they ever had and then the panic sets in and you know they want to know what the procedures are now.

And that consistency, saying well you've got 30 days or you've got 40 days now whichever registrar it is.

I don't think people would register, would choose a registrar based on the number of days in the redemption grace period because it's sort of a completely unexpected, unforeseen event anyway.

Alan Greenberg: Well the redemption grace period is consistent among the registries that implement it. Now that's not required, maybe that's something to look at. But the redemption grace period when it is implemented is consistent.

And that is you know the certain period of days during which it can be redeemed and then a short period at the end during which it's publicly published as being ready for deletion.

So there is some consistency there for the majority of gTLDs, the redemption grace period exists. If a name gets deleted it's redeemable. Of course that doesn't mean that name is resolving during that period but it is redeemable so there is a recoverable aspect there that is consistent across most gTLDs.

Chuck Gomes: I have a couple of short comments but we do need to go ahead or we're not going to get to some of the more critical issues.

I'll be brief. Let me say first of all Tim that I have always been one of the biggest advocates that if you're going to - if you want the advantages of competition you can't make everything the same.

But I would agree with you that I don't - it's hard for me to believe that a registrant would make a decision on choosing a registrar based on the - this issue. I'll leave it at that.

Alan Greenberg: A couple of quick comments. First of all we are focusing on the bad, we should be focusing on bad actors, not the largest two registrars in terms of practices.

The second thing is in terms of competition, I think all we're trying to do is restore the situation of a number of years ago where virtually every registrant could renew after expiration.

And that disappeared along the way and we're trying to - I am in the case of some of my colleagues are trying to put back that right or guaranteed ability. But some of the other issues we'll be talking about next.

The next question is if we can go on, on Whois. Currently if a registrant goes or either they or their friend or whatever goes and looks at Whois after the expiration period they will be presented with potentially very confusing situation.

Most of the large registries do an auto renew therefore from the point of view of the registry the domain is going to expire a year from now.

And some - you know the registrant will say gee, I don't remember renewing but I guess it's renewed and there's no problem. That can be confused even more by the fact that most registration agreements allow the registrar to change the owner name in Whois.

Some do, some don't, but that can add a certain level of confusion to the issue. So this question essentially says - and focuses primarily on the renewal date, should it be clear from Whois that the domain is not renewed, even if there happens to be an auto renew grace period that is a registrar/registry relation - interaction.

Next slide, if there's no questions. Yep.

Mikey O'Connor: This is Mikey again. I'll use this as a good example of the kinds of things that I think we can find some middle ground on in terms of - I agree on Tim's point on...

Alan Greenberg: Just one correction, that one thing on the Whois date was one of the things that we had virtual unanimity registrars and users in terms of fixing that problem.

Mikey O'Connor: Never mind.

Man: Alan I'm having trouble correlating from your report the questions that were asked in the executive summary and the questions on your slides.

The first two were the same, now they're...

Alan Greenberg: We tried to extract a few of the more important and interesting questions given that we don't have time for all of the, either here or in the session on Thursday.

The next question is - the next basic issue area is what happens post expiration? Now the comment was made a few minutes ago that people don't react until the - their domain stops working.

There is nothing in the RAA compelling the registrar to do anything specific after expiration and in fact the range of what really happens is all over the place.

Websites normally stop working and get redirected to a registrar page, often paper click but that's not the relevant issue. Some of them say clearly that the registry - the domain has expired, this is what's due.

Some don't say that. Other services, and email is a good example may or may not continue working. So we end up with a lot of services on the web

that may continue working post expiration and will continue working until either the domain name is deleted or it gets sold or auctioned to someone else.

So a registrant may well be in a position that they don't know the domain has expired if the messages have gotten redirected, there's a large number of domains for instance that are used only for email.

That email's going to keep working till the day they lose it irrecoverably. This question focuses essentially on what should happen. The workgroup is generally has a large consensus that everything should stop working.

Failure to work is the best indication that there's a problem. There's a small number of people that feel that some services should continue to the very last moment when it disappears and is no longer recoverable at all.

Next slide, the RGP, the redemption grace period was envisioned as during - when the - as the final step of a domain's life, it gets deleted by the registrar.

This of course was before the after market developed when various domains can change hands after expiration that if a domain name is deleted that it can be recovered through the registry redemption grace period.

Currently all the unsponsored registries except dot pro and dot name, I may have those wrong, offer it.

So most of the unsponsored gTLD's offer it. The sponsored gTLDs, none of them offer it and one can presume since it is not in the contract to requirement if we do let nature take its course none of the new gTLDs will offer it or certainly not very many.

So the focus of this question is should the redemption grace period be a mandatory required service from registries and registrars. The registrar issue

is again since it's not required by the registrar if a registry that offers the RGP puts the name into the central hold status after it's deleted because it can only be recovered by the registrar of record it may be that the registrant cannot get it back anyway.

Because there's simply no mechanism to request it, so these questions essentially focus on should the RGP be available regardless.

Chuck Gomes: If - so I think the question could be reworded and said to the consensus policy, right? That would make it apply to both registries and registrars and new gTLDs as well.

Alan Greenberg: Yes, we were trying these questions especially - there will be a version of these questions which will be asked in conjunction with the comment period and we're trying to use as few buzz words as possible.

Again anything within picket fence would likely be consensus policy, other things might be in some other form.

Chuck Gomes: And some of you have heard me say this before, obviously - and some of you know that I was involved in the design and implementation of the original RGP, to this day I've never understood why that wasn't considered a consensus policy because I don't think there was anybody in the community that had any problem with it.

But that said it's not and I think I would support the requirement that it be. I put a question mark by that on my notes because maybe I'm missing something there, I do often.

But my inclination is yes.

Alan Greenberg: The question was raised are there any special purpose TLDs for which it's not really applicable. But I think in discussing it we decided that that could really be handled in a consensus policy.

Chuck Gomes: I think that's accurate, there are - a consensus policy can have exception cases but - because in some cases it just doesn't apply but I think you're right.

Alan Greenberg: One can always have a funnel process to not offer the gTLD instead of the way it is now. That's all we have in - sorry, presentation is out of order, go on to the next one please.

That's all in the summary of the questions we plan to be looking at. We will be issuing the report in a comment period starting shortly after the Brussels meeting.

Along with that we will be trying to do some level of survey again trying to put the questions in a form that someone who has not sat through all the working group meetings can answer them and have some understanding of what the questions are about.

That's a little bit of new ground for ICANN comment periods other than the fact that the board committee looking at public participation is doing something very similar right now.

And we will continue and hopefully we'll come to closure on being able to make some recommendations. I would like to think that we will be able to make a recommendation to Council.

As was discussed, we were looking at work group composition. It's going to be hard. It's not clear how one develops consensus when a full half of the group (is) against things, but certainly would prefer not to see formal policy

(enacted). I'm not quite sure how we're going to go forward on that. James will tell us how though.

James Bladel: Well I just want to point out that I don't necessarily see that as a problem, especially when you consider just looking at the surveys. The registrars participating in this group have not been a block or have not been unified on all of these questions and taking some differing positions with one another on the group. So I don't see it as painting all of them with the same color brush and saying that registrars on the group (seem to like this). That hasn't always been the case.

Alan Greenberg: No certainly and there's been a lot of interesting discussion. At this point, the poll if when summarized the last survey we did on should there be consensus policy to make - to legislate as it were some of the - there is a very marked split between the participants in the working group.

Chuck Gomes: Thank you very much and thanks to the working group. I know there are certain working groups that have gotten a lot more attention. I personally believe the work of this group is very important and needed. And maybe just because of my history and my issue when it first originated with (RGP) and so forth way back when I was working with (Louie), but thanks. I very much appreciate it.

Just one last question. On Wednesday, we will have a very short period of time for an update mainly where you are at, the fact that there's going to be a comment period, and then estimated targets and it doesn't have to be too precise.

Now is Marika going to give that? Do you want to give that? Just so we know and we identify the person so that they are ready to give that (few minutes) status update on Wednesday.

Alan Greenberg: My inclination will be - I will have to say Marika should do that one, but I think between her being - Tim will be.

Chuck Gomes: That's fine. That's fine. Sure.

Alan Greenberg: We can accommodate.

Chuck Gomes: Yes, it will be a very brief period of time because like usual, our council meeting is going to run (unintelligible). But thank you. That's very good. And thanks again. And if we can move very quickly then into the IRTP-(B) (EDP) and talk about that.

Michele Neylon: Okay, I will talk you through this quickly. Since this audience is so small and has a fairly good idea of what we're talking about, I can fly through this. IRTP into registrar transfer policy basically is the policy that dictates how domain names are transferred in between registrars. Get through the first couple (of bits) here, but the charter questions are what we (unintelligible).

So the charter questions we've been looking at is should there be a process or special provisions for the urgent return of hijacked registrations/inappropriate transfers or change of registrants. And basically what we are looking at is registrar lock statuses, whether those should be best practices, clarifications, or other changes. (Unintelligible) to the lock statuses - I was wondering if (unintelligible) really short. Yes, it's Tuesday afternoon.

The basic thing here was that the SSAC and various other groups have done numerous reports and have identified the (driver) issues with domains being hijacked. What can we do to solve this in some sane fashion so that if for example - silly example of godaddy.com, or amazon.com, or some other domain which is being used by some large entity or whatever (was slight) and the main servers updated or whatever that they would be able to get the domain back into a functioning (unintelligible).

The problem we've been working with - there's several little questions we've been looking at. Let's see. We've got a lot of input from the ICANN Compliance teams, and I'm just kind of going through you know - one of the problems we have with a lot of the PDPs is that people say there's an issue. When you push them on it and say, "Look, can you give us some data to work with," it comes back to (unintelligible) problem. (We've been going), "Okay, we need something more specific."

(Unintelligible) compliance analyzed a lot of the complaints that they've received over the - I think it was over a three-month period. And we were able to break down the complaints and then we were able to look at those and go, "Okay, so this section is what people are complaining about." Now obviously we're bearing in mind the fact that we're only going to see the tip of an iceberg. It's obviously not going to be every single complaint that's actually going to make its way there, but it gives us something to work with, which was very, very helpful.

Another couple of things just in terms of process. Due to the sheer volume of documents that generally get published in the run up to a public meeting such as this one, we decided that we would publish the - this document in the initial report, but we wouldn't open a public comment period until after the meeting. We did that simply because the public comment period can only be open for a certain period of time. And if you've got ten important ones, then you know people just won't have the time, bandwidth, energy, whatever to do that. We are of course - we do want the feedback, we do want people to give us input, but we just thought that for pragmatic reasons, let's do this after this meeting.

All right, looking at charter Question 1, as a group, recognizing the need for process for the urgent return of a domain name, which I already just spoke about quickly. So this is where we came up with a proposal, which is the expedited transfer (first policies). And since this is ICANN, we thought we have to get that a nice little acronym and now you have - please meet our

friend (EDRP), which will get added to the ICANN glossary. Oh well, thank you. Perfect. So yes, we've done that.

I don't know if Paul or James would like to say something about how we worked on this.

James Bladel: Yes, I can address that Michele, in that when we were looking at this issue, we realized that a lot of the major or larger registrars really were already working on this issue on an ad hoc basis one on one with one another. They established (context) and really almost when you start to expand those bilateral relationships you had a network of cooperative registrars that could help address these problems.

So what we tried to do in effect was document how - you know how that process looked and what it would look like in the format of a consensus policy or policy recommendation. I'm not as willing right now to fully endorse this as it currently stands, but we tried to kind of encapsulate what that would look like. And hopefully it would be something that we could put out there as registrars that we never encountered before would also help work through these issues so that we would have something to fall back on. You know in my personal opinion, a lot has been bolted onto this (EDRP) proposal since that time, and now I think it's still very much an open question.

Michele Neylon: The key thing is that we're trying to find the solution to a problem, but the big issue is how can we solve one problem without creating a whole series or cascade of side issues. One of the areas that we know people have issues with would be people involved with any form of aftermarket activity for example. This could cause an issue for them.

The basic premise we started on was okay, a domain has been high-jacked, stolen, whatever term you wish to use. How do we get it back to its rightful registrant, person, or entity that's in charge, responsible using that domain? And that was what we were trying to solve.

Now of course the thing is we - the issue as James alluded to is that for the - there's 900 odd registrars. Some of them are very, very, very small. Some of them do not answer emails, they do not pick up the phone when you ring them, and other registrars, registry operators, or ICANN staff have accurate and up to date contact information to be able to access those people in (unintelligible). This is part of where this came from.

James Bladel: To that point, the high-jackers know exactly who the individual registrars are and through social networks know when they go on vacations and they use that (unintelligible). So we're really looking for something that if you've never met someone before or you couldn't get them or they were you know non contactable, that we could still execute this policy. So that was part of this.

Michele Neylon: That was the idea, but it is - what we've come up with started off with something quite simple. Lots of other things got added into it. It's far from perfect, which of course is where we want feedback from the community to see how it can be tweaked, changed, modified, whatever so it actually does what we originally intended.

Alan Greenberg: Michele am I correct that you have a new working group member because of this particular issue. Am I identifying the correct one?

Michele Neylon: At least one.

Alan Greenberg: Okay and I'm glad that you know if they have - if there's impact then that's covered, but I - it seems to me if in fact there was fraudulent activity, that somebody lost their domain (hook up), that getting it back as quickly as possible - and I understand. I think I have a pretty good feel for all of the complications in that is really important.

One reason is that the more time goes by, the more other changes can happen that can be even more complicated. So - and I appreciate the fact

that registrars have devoted a lot of time to this particular effort because you are directly impacted and have the best view of it. So thanks for that, but boy the general goal here I think is clear. And I'm glad you are looking at the details because that's where it really is important to do.

Michele Neylon: Thanks. The thing for us as we said is we are trying to - we want people to give us some feedback. We don't want it to have a negative impact on other things. But at the same time, just because it could have a negative consequence in one area doesn't mean you can't find some kind of solution. Mikey go ahead.

Mikey O'Connor: I didn't mean to cut you off Michele. This is Mikey. Tim, do you want to go?

The only thing I wanted to chime in on was I wanted to make it clear Chuck that it's not just registrars that are involved in this (unintelligible) for the very reasons that you stated. And to amplify what Michele is saying is what we're finding is (act) very careful about having the (unintelligible). What's in this thing and what's outside of it? Pretty soon, you get always on the consequences. That's what we're really wrestling (unintelligible).

Man: So the - just a question I guess. So as far as - you know we're talking about urgent return. What the working group is suggesting is that the best way to handle that is the way many registrars are doing today that's between themselves. And that this particular process may not be as quick or as fast in resolving the problems, but outside of registrar cooperation, it's the next best option to get things resolved as quickly as possible. Is that kind of what...?

Michele Neylon: Yes, I mean basically it's an (escalation) so that if for example - let's say there's a domain - I will use my company as an example. That way I kind of (can step on myself).

Let's say that a domain was transferred from GoDaddy to (Black Ice) without the registrant's authorization - that somebody high jacked the account or high

jacked some other (vector) and basically was able to do that unfortunately. And in fact, you know GoDaddy could not contact (Black Ice), so there was no way for you to have any dialogue with us in order to get that domain back to the registrant. That this process would be able to kick in so that you could - acting on behalf of your registrant was able to get the domain back.

Mikey and then James.

Mikey O'Connor: I think the other thing that - and this goes back to what's in and what's out. This is not a dispute resolution process. The dispute resolution processes already exist. All this particular proposal is - it strictly returns a domain (unintelligible). Urgently returns and then (thoughtfully) resolves the dispute.

The resolution probably takes (unintelligible), but this isn't about that resolution process. It's just about the (unintelligible) domain (unintelligible) prior to resolving it.

James Bladel: Yes, I think Mikey that's an excellent point. And to your earlier question, Tim, I think that the preferred choice - I mean if I can pick on Paul for just a minute. If there were a transfer issue between GoDaddy and network solutions, I think we have a good context there. We can work through some existing relationships. It's in those cases where we are unable to contact the registrar or they are you know unreachable - that we wanted something a little more urgent. So I think that the first choice would be to reach out to that direct relationship.

And Mikey is absolutely correct. I think that what we've recognized is that while this process may not be perfect, any kind of problem that you have whether it's a dispute or an issue of control over a registration gets worse with multiple transfers. If nothing, we can just kind of stop that chain of transfers and keep something from hopping around the world and bring it back to its status quo before the first IRTP and then start to address some of

those other issues. Otherwise, we will you know lose that window and it runs off down the road.

Michele Neylon: There's various other things - details within the current proposal that we put together, and I won't go into all of the technicalities here. It's in there.

The other areas that we also looked at, which was to do with Whois again both in (unintelligible), which Alan was talking about earlier, and in IRTP. One of the areas that we as a group identified as being problematic is in relation to Whois statuses. Sorry. I'm skipping around. Never mind. I started to talk about lock statuses. Again, what we were looking at there was the same, but that slide is wrong so (unintelligible). The - this is what happens when I - never mind.

Again, it's like similar with the post expiry, but if the Whois could reflect the reason for a lock. We had a lot of discussion with various different people about this including some of your colleagues from VeriSign who explained to us in great detail about lots of different things. So the (base sign) of it is (EPP) is extensible. So if we can extend those, this will actually help mitigate a lot of the issues. But of course, I skipped forward a slide, which I do apologize for.

The Whois - thick Whois versus thin Whois. The basic consensus within the group was that thick Whois makes life easy, thin Whois causes us headaches - summarized.

Chuck Gomes: State that again please.

Michele Neylon: The thick Whois is easier to deal with when it comes to transfers because - the thing is that the Whois format is standardized. And one of the things that as a registrar we want our own backend. We're not as big as some of the other registrars. One of the problems we run into constantly is with 900 registrars, there's probably 600 Whois formats. So when you are actually

trying to (pass) the Whois problematically so that you can actually get the data you need and get it authorized. That could cause problems.

James Bladel: That's assuming their Whois system is operational and responsive. Then you can (parse) the...

Michele Neylon: Yes and this was the other part of it.

Chuck Gomes: And what was the second? What confused me is I got the first part with regard to thick Whois. What's the second thing with regard...?

Michele Neylon: The thin Whois causes problems for us because the format isn't always uniform plus if as James says we're working on the basis (for the Whois server) is going to respond.

So for example, you could - could be submitting a request for a client to transfer a domain from registrar X to ourselves and that could be held up for several days or weeks because every time we try to (pull their) Whois server to get the data we need, it doesn't respond.

Chuck Gomes: And by the way, we are running out of time, but a quick question, and this is coming from me as a VeriSign person. For many years, registrars really didn't even want to consider us being a thick registry. Has that position changed then in the registrar community?

Michele Neylon: I don't think I can answer for the registrar community. I can only answer for myself.

Chuck Gomes: All right, well you can respond to me separately, but it would be very helpful information for us because - since registrars are our customers, we've always been - tried to be very sensitive to that. But if that position has changed - and we don't probably have too much time to talk about it now. Go ahead.

Man: Just briefly - I mean just commenting on the very narrow issue of transfers. And I know that there are other issues involved with thick and thin operational challenges of a thin registry with transfers.

Chuck Gomes: Thanks.

Michele Neylon: I mean operationally, that was the thing that we all agreed on.

Man: Just something that crossed my mind. I was reading the second part of that slide, which is, "Registrant can effect the change in control." If you look at that, the only - and I don't know how far you plan to get into that part of it. From what I recall, not far, but that there's two parties to a registration agreement. And so you know it takes both parties to actually effect that change of control. I don't know if that has any effect on any of the policies you are looking at, but a registrant can't change control without cooperation of the registrar - both parties to that agreement. I don't know where you were going with that if anywhere.

Michele Neylon: I think this was to do with - more to do with clarifying the IRTP policy with regard to registrants and administrative contacts. I think that's where that comment came from. It says, "Only the registrant can effect the change of control when both of the registrants in contact remain eligible to authorize a transfer." I think there was some discussion about which one of the two had the power. I think that's where that came in from.

Marika Konings: This is Marika. It doesn't deal with the question. I mean of course a registrant would be involved. This basically deals with the question between the registrant and admin contacts. And I think we had a suggestion in the working group that maybe it should only be the registrant that can actually effect the change while both of them are still eligible to authorize the transfer itself. (Maybe do that) and maybe you should clarify that on the slide.

Michele Neylon: There are several other areas within this PDP that we do need to look into more deeply. Obviously - sorry. But we actually have spent quite a lot of our time focusing on the rapid return because that was - I think possibly because a lot of us agreed that it was an issue that needs to be dealt with and obviously there's other questions that need to be covered. The registrar status also is referenced there as well that if it is reviewed (unintelligible) at some point in the future, then that might be a time also to look at it.

Mikey O'Connor: Has that problem reduced at all over time in recent months, years as far as the lock issue? Or are most registrars to your knowledge - you know is it that there's easy procedures for removing locks by registrants?

Michele Neylon: This is an area, which is a little bit contentious. One of the things that we were looking at and had quite a bit of discussion here was the - it's in relation to removing the lock. "If the registrar does not provide a means to allow registered name holder to remove the lock status themselves, then registrar must facilitate removing the lock within five calendar days of receiving request from the registered name holder." I mean basically we are putting - we proposed new language for that section of the IRTP, but there on that slide is our suggested language.

The part of the discussion that was centered around you know whether it was calendar days versus working days, which some people found amusing. But ultimately, it was quite (unintelligible). But the lock status issue - some people are not particularly happy with how this is communicated to registrants. Hopefully, we will be able to get some productive input from some of the newer members of the working group. But of course, we would welcome feedback from anybody - everybody and everybody who wants to give feedback when we open the comment period.

Chuck Gomes: Thanks. That's it. Thank you. Again, you know I - and I want to say something different about this particular group.

One of the things I've really been pleased with is the continuity of the people who are willing to continue to work on this. Some of us - there may not be too many of us left, but that went through the many years when we struggled with even developing the first consensus policy with regard to registrar transfers. And we finally achieved something and we're way past the time when it needs to be reviewed, and I do support breaking it down into smaller subsets like we did.

And this is one of those unique areas where it really requires people who deal with it every day to work on, so again, a lot of that - the burden falls on the registrars. And not that it's not important to other people in the community and not that they are not involved, but I appreciate the ongoing commitment of all of you on this working team.

Let's see. We are on B. I think we go to D. Do we go to D or E? We go to E, so we've got a ways to go. But I hope that you can continue to - we can plug away and eventually complete a full review of this process. Thanks very, very much for your commitment to that. I appreciate it a lot.

And I think that's it. I've got to go get ready for a meeting with the GAC. By the way for those who want to attend that, it's in Room 400.

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