

**ICANN Dakar Meeting  
Registrar Stakeholder Group Meeting (1)  
- TRANSCRIPTION**

**Tuesday 25 October 2011 at 09:45 local**

Note: The following is the output of transcribing from an audio. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

Coordinator: Please go ahead the conference call is now being recorded.

Mason Cole: Everyone let's be seated please.

((Crosstalk))

Mason Cole: Everybody please be seated so we can get started. Michele, everyone over there?

All right, okay we're back in session and the operator I think has opened the call. So Maggie and her staff are here to have our regular discussion with the compliance staff. So Maggie let me turn the floor over to you if I may.

Margie Milam: Good morning everyone and thank you for the opportunity. Look forward to these events every time.

What with me today in the audience I have Stacey Burnette, Khalil Rasheed, and Connie Brown.

So today what we hope to do is provide you a high level update from what we've done since the last time we met.

But we also are changing a little bit to where we will have opportunities. And you'll see that on the presentation slide deck for Wednesday.

We want to be able to talk to each and everybody and have that opportunity. So please, you know, just try to attend and let us hear from you.

So on our agenda today the first thing I want to share with you I know it's probably irrelevant to you but it is part of laying out the roadmap for us and how we're going to get there.

Our vision -- and we're not there yet -- is to be a trusted service provider. We deliver a compliance service provider.

And to be trusted in a multi-stakeholder model that is so global it's quite a challenge. So the approach we're going to take is no news to you. I said that when I was here in front of you in Singapore.

We are going to continue with prevention. We're going to see a lot of emphasis on prevention through collaboration.

You're going to see a lot more transparency and communication. And we will enforce but it should not be a surprise.

So we - I took back since Singapore and the Munich meeting a lot of wonderful comments that were shared with us and we are slowly applying those.

Wanted to share with you the multi-stakeholder model and how we are proceeding.

I want to thank you. I've had several contacts through Mason and had several registrars volunteer to participate on the (frank) conference calls with us or to provide us input.

And I really appreciate that because that's the collaboration we look for. We don't want to work in silos.

So the model we are establishing here I know the title of the slide says for New gTLD Readiness. But regardless of readiness guys we have a lot of room for improvements.

So what I want to focus on if you look at the bottom part of the pyramid we have a self-regulation which is a self-assessment.

We are in the process of building what we call self-assessment surveys or a model where we will open. It's also based on industry best practice.

In our previous industries I've been in compliance we've always had a self-annual self-assessments. Usually they're open for about a month and it gives the opportunity to take the time and respond to provide the right information.

And then when it closes it allows us to proactively look at this and only audit (bay) - and request information is needed.

And as our - so we're working towards that. And it's not just for registrars. It's for contracted parties. So you will be involved and there will be a session on Wednesday that's open if you want to come by and discuss it with us.

The efforts that the team is focusing on tremendously are the preventive activities and the informal resolution.

We are in the process of looking across our whole model. And we standardized it and we're improving on the communication to deliver to that.

And formal resolution will still be in the model and will be only the last step when we cannot achieve informal resolution.

Our focus for 2012 as I shared with you is process mapping, clear roles and responsibility, standardized procedures.

Again because we heard from you we are not we get one thing, it's different than the other and has communication -- simplified communication.

Our - we're continually accessing our staffing model. And also just the last bullet as a reminder because we get a lot of push about what are you doing for new gTLD readiness?

Just a reminder that the - in January 2013 is when the string delegation is going to be starting but between now and then we have a lot of efforts that are going to get us there.

This is the standard process you should see applied regardless of what compliance area we're working with.

There's always going to be a first inquiry where we personally will respond via email inquiring what is going on.

If we do not hear back there's a second inquiry that is for phone call. There is a third inquiry that's a phone call an email, and a fax.

So having contact information up to date, having backup to your staff is very important.

Sometimes -- and this is a lesson learned for us too -- we almost reached a registrar and that registrar freaked out. They were on vacation. The contact person for compliance went on vacation for two weeks.

So we were there not - did not hear the first inquiry, the third inquiry and we literally wrote the breach notice.

And this guy gets home on Friday night is checking email like all of us do and freaks out and calls us.

So please make sure your model can accomplish and support not only your business service but also so we can collaborate.

What we've noticed in our model is before we go to enforcement (you) - we would've had that collaboration effort.

So what we've noticed is we've, you know, (unintelligible) the breach notices when we stop publishing on our Web site.

What we do not do well is we do not publish updates once we publish a breach notice. So we're working on how frequently should we publish updates on and what type of update should publish.

Going to turn it over to Stacey to give you an update since the last trimester what we have seen come through the compliance and some of this in the other areas.

Stacey Burnette: Good morning everyone. I'm going to share information regarding two areas of focus that we have now, prevention and these other prevention activities and then later I'll talk about enforcement because that's how we're categorizing all of our activities either under prevention or enforcement.

And during the period since we last met in Singapore -- and that's between June and September -- we sent out 2764 compliance inquiries.

And usually an inquiry is sent because they're suspected noncompliance. And we're caught categorizing it as suspected noncompliance because while it may appear to be clear noncompliance from our perspective you may write us back and clearly explain why you took certain action or why you abstained from taking certain actions and it will make sense to us. And we'll say oh you're right.

And so when we write these notices to you again they're inquiries. And we encourage you to write us back if you have a valid reason for doing or not doing certain activities.

And so these are the areas that we sent these inquiry notices, the contract provision that we sent these inquiry notices about during the period between June and September.

And as you can see inter-registrar transfer policy is one of the areas where we send the largest number of inquiry notices.

Next slide please. So we're going to talk about Whois activities. I'm going to allow Khalil to explain some of our Whois work because he's our Whois Senior Manager. And this is a reflection of all the work he's done during the trimester.

Khalil Rasheed: Fair enough, thank you Stacey. Good morning everyone. So during the past several months you may recall in Singapore we said that we would be reviewing our Whois compliance tools and some of the work that I took since Singapore.

And some of you may recall because we actually invited some of you to participate, provide feedback, or particularly on the WDPRS bulk beta system we been running.

So a constant source of work that we did is through the Whois data problem reports which are filed through the WDPRS system.

And from - with respect to single submissions what I did during the last several months was looked at every single report manually that fell into these two categories.

One is a registrar did not respond after 45 days or we cannot close a ticket after 45 days. So when someone filed a Whois inaccuracy we sent it off to the registrar through our system.

If we did not hear back from the registrar within 45 days or cannot close a ticket one - a member of our staff manually looked at each of those tickets.

And as of two weeks ago that was about 1288 - 1280 tickets. As of today it's about 1720 tickets.

And for each of those tickets we looked at whether or not this was a legitimate inaccuracy report, whether not the registrar should have taken action, whether not the registrar did take action and maybe just did not respond to ICANN.

As part of that work one of the things that we did note is that we had to send additional notices to registrars.

And we sent 404 additional notices because we had not received a response or did not find a valid reason for which we could not close the ticket.

So in total just as a background we received between June and October 5000 reports overall, roughly 5000. And we've looked at right around 18 - or 1700 of those.

So just so you kind of know what's going on to have a background or a better understanding we closed Whois inaccuracy, alleged Whois inaccuracy reports under - if they fall into the category under the left, the column under the left here.

So for registrar has verified at any point prior to the 45 day period that the Whois data is accurate, if the Whois data was updated, the domain name was deleted, suspended, expired, transferred or we looked at the reporting considered it invalid. We closed the ticket and it's over.

And if I'm correct of the 1280 tickets we looked at up until about two weeks ago 1000 of those were closed. And that includes us sending those escalated notices, the 404 escalated notices which led to some closure as well.

Tickets remain open if you note in the right column for the following reasons which for the people or benefit of the telephone I'll read out.

So the registrar has said that they may have initiated investigation but offered no resolution or what that investigation curtailed.

If a registrar had claimed to put a domain name on hold but upon review we look at the registry output, the Whois data and found the domain name was not on hold then we could not close that ticket and looked into it further.

If a registrar claimed to have suspended a domain name but only disabled the name servers or took down a Web site we did not consider that closed and sufficient under the RAA provisions for investigating Whois inaccuracies.



If the registrar claimed the data was corrected but upon review our staff noticed it was exact same data we weren't able to close the ticket and filed over (direct).

And lastly is the registrar claimed that the data is correct but it just appeared to be blatantly false and we also could not close the ticket.

I think to date -- and this is a rough figure -- we have 197 potential escalated tickets for a compliance action.

Some of these may involve the same registrar and some of them may be different. And if you have further questions about the methodology, the manner in which we're actually undertaking this work at our Wednesday session tomorrow I'd be happy to answer questions.

Another aspect of our Whois monitoring and compliance is our Whois access. Now registrars are required to provide a port 43 service, those who've actually sponsor names anyway.

And so what we've done is actually began monitoring registrars Whois service by conducting our own domain name queries daily multiple times from different IP addresses to determine if we could get a response.

And so what we noticed is that in our work since there are no actual service level agreements in the RAA we tried to ping at least four times and maximum ten times daily.

And if after three days consecutively we do not receive a sufficient response and response to our queries then we consider that not providing access via port 43 service.

And there were 48 instances or there were - or that was the case. And most of those we actually were able to resolve in 32 instances. So that's - and again we can provide more detail on that work tomorrow.

Moving right along since some of us handle the UDRP work as well, we actually have a system through which we receive complaints from complainants and UDRP providers when registrars are accused of not implementing UDRP decisions pursuant to the RAA UDRP rules or UDRP policy.

And this past trimester through that system we received about 17 complaints of registrars not implementing these UDRP decisions.

As you can see based on the screen most of these were resolved. In 11 cases we found that the registrar after ICANN contacted actually went ahead and either implemented the decision or the registrar had sufficient grounds for not implementing the decision meaning it had been challenged in the court of mutual jurisdiction, et cetera.

Of the six cases we cannot resolve one is under escalated compliance review meaning that we've attempted to contact the registrar to understand why they've not done this and we've not received a sufficient response.

And so that could ultimately result in a possible escalated compliance notice. The other five are still under investigation.

So that's just a little bit about our current UDRP and Whois work for the past trimester. And again I'd be happy to take more questions after this session or tomorrow as well. Thank you.

Stacey Burnette: You have a question.

(Tom): Yes, what's your criteria for determining if a name has been suspended or put on hold?

Stacey Burnette: We cannot hear you.

Man: Can we get a microphone (here).

(Tom): I'm sorry (Tom) from (Userca). I was wondering you said you look to see if the name had been suspended. What criteria do you use to determine that?

Khalil Rahseed: We're looking at the registry Whois output.

(Tom): The registrant?

Khalil Rahseed: The registry. So I look at the registry and whether or not the name has been placed on hold at the registry and also look to see if the - whatever domain name is actually resolving even regardless of the status of the register.

(Tom): So just to clarify are you looking for a particular lock on the domain? How do you determine if it's been on hold by the registry?

Khalil Rahseed: We look at the registry status whether it's active, on hold, et cetera, and that's how we're doing it.

Man: I think when he - I think a client hold is my - just based on what Khalil said, right?

Khalil Rahseed: That is correct.

(Tom): Okay. So we - are we something differently? Are we actually moving to a different account? So you all - so it's not - it's you only can determine it by looking at who the registrant would be?

Khalil Rahseed: So if you bought your - the specific example tomorrow and we were able to look at it I can give you more details...

(Tom): Sure.

Khalil Rahseed: ...and actually show you the criteria I look at it because we actually have a list and we compare it.

Stacey Burnette: Okay. Moving right along to registrar data escrow and again this falls under our prevention category more work that we're doing to prevent registrars from being considered for escalated compliance action.

And as you know are registrar data escrow provisions are in the agreement, in the Registrar Accreditation Agreement to protect registrant in the event of a registrar failure.

And ICANN has dedicated resources within our organization within the compliance department to monitoring regularly whether registrars are submitting data pursuant to their schedule that they've been given and whether the data that they are submitting is consistent with the requirements for submission.

And so we want to give you some information concerning what we found between the months of June and September 2011.

We found that 24 registrars were noncompliant with either their submission schedules or they submitted data that was not valid.

And data that's not valid means that there's a problem with what you submitted, either you're not populating some of the fields or what you're populating the fields with is not consistent with what's been required.

And so 17 of those registrars that were identified as noncompliant resolved their issues quickly. And we have seven that we're working with.

Sometimes there are language barriers in terms of understanding what the requirements are and we end up going back and forth with our registrar partners attempting to explain certain requirements.

And we're happy to do that. It's not as if we find it burdensome and all. We want to - you to be compliant with this provision of the contract.

As part of our contract with Iron Mountain which is the provider that most registrars are using to escrow their data they perform audits for us.

And during the period between June and September 556 registrars were a part of the audits that Iron Mountain performs for ICANN.

And of the 556 registrars that participated in the audit we found, problems were found with a significant number. And notices were sent saying this was a problem, you failed a particular audit, please correct, do whatever is necessary to correct.

And in most cases registrars do that. We do have a few registrars that we're still working with to bring them in compliance based on the audit findings.

Next slide please. We have shared with you on past occasions that the inter-registrar transfer policy is the area where we receive the most consumer complaints.

And we have consistently attempted to address the issue of inter-registrar transfer policy noncompliance.

And so we followed-up with these complaints between the period of August of 2010 to July of 2011. And we sent out inquiry notices. And I described what an inquiry notice was earlier, a suspicion of noncompliance.

And we asked registrars to follow-up and take appropriate action if indeed there is noncompliance. And we also conducted an audit.

And we realized more work needs to be done in this area in terms of educating registrars about what needs to be done to comply with the policy and also better registrant education so that registrants aren't confused as to what they should be expecting as part of the transfer process.

And so we're being creative trying to figure out some ways to address these issues. And if you have some ideas we'd be welcome to that too.

Next slide please. So now we're going to talk - yes?

Elliot Noss: If you're moving off of transfers I just - I'm not this is just a clarifying question. You said there's is more work being done. You know, here are a couple things that would be good at an interim stage but there's more work to be done. And...

Stacey Burnette: Here's some things that we've done thus far meaning...

Elliot Noss: Yes.

Stacey Burnette: ...we've conducted an audit and we've followed up on complaints. But more education needs to be done because this seems to be a persistent problem. We keep getting a large number of complaints in this area.

Elliot Noss: So I thought there was - so now I'm confused about the educating registrars. So let me be specific. I had thought there was a relatively high concentration

around the problems. And so it would seem that that's not an education problem.

Stacey Burnette: You mean...

Elliot Noss: Registrars.

Stacey Burnette: Only a specific number - a few are...

Elliot Noss: Right.

Stacey Burnette: ...committing the same violations over and over.

Elliot Noss: Right so in which case education wouldn't seem to be the problem unless you would just be continually repeating yourself.

Stacey Burnette: Well there are always new registrars being accredited. I understand Elliot but while there are certain number that seemed to be having problems is not as if we don't get complaints from other registrar about registrar partners. So education still is important for all registrars.

Elliot Noss: Wait sorry, just let me finish that thread because yes education is important for all registrars.

I wasn't clear at the beginning if this work was continuing in terms of how you could start to rectify the problem, this high volume of complaints.

And, you know, we're identifying that education if there's a concentration of registrar problem is not a solution.

So either kind of what's the continuing work or what are the proposed solutions in that situation?

Stacey Burnette: Okay so as I said we're continuing to explore how we can better address the problem whether it's with a few registrars or with the general community.

Elliot Noss: Okay all right, I've got...

Stacey Burnette: Yes.

Mason Cole: ...Elliot, Jeff, Jennifer, Michele, so Jeff?

I'm sorry were you done Elliot? Excuse me okay.

Jeff Eckhaus: So go ahead. This is Jeff (unintelligible). So a question about it says average 400 to 500 complaints a month.

Do you have sort of a breakdown of what those complaints are and are those like first what are the - are - how many are from consumers, how many - because you said there was some from other registrars but also what is the nature of those complaints?

Is it - because for us saying it's 400 to 500 it seems like a large number but trying to figure out what it is so then maybe we can help address it like how much of it could be user error, how much of it is, you know, the gaining registrar the losing registrar?

What are those complaints based upon not being able to access EPP codes?

Stacey Burnette: Right. So what we can do after this meeting is provide the slides for this presentation and some follow-up slides that demonstrate the different categories that we've received complaints concerning the transfer policy. Would that be okay?

Man: Yes.



Mason Cole: That'd be great. The slides will be available to everybody after the meeting...

Stacey Burnette: Right.

Mason Cole: ...just you know.

Stacey Burnette: But we have some slides on the categories. And so we can provide that as part of the slide deck.

Mason Cole: Well the slide deck is already posted online.

Stacey Burnette: We can update it, is that okay?

Mason Cole: Yes.

Woman: Send it.

Man: Yes (it's just) different.

Mason Cole: Okay Jeff were you done?

Jeff Eckhaus: Yes.

Mason Cole: Okay Jennifer?

Jennifer Gore: Jennifer Gore. Jeff basically asked my question but my other part of that question was of the complaints how many registrars are represented?

Stacey Burnette: I don't have the data with me today.

Jennifer Gore: Yes.

Stacey Burnette: But if you could add that to the slides that'd be helpful to understand, you know, are 20% of registrars driving 80% of the complaints?

Jennifer Gore: Thank you.

((Crosstalk))

Man: That may be some concentration data too.

Stacey Burnette: How many registrars are represented in the number of complaints?

Mason Cole: Michele?

Michele Neylon: Yes I mean about two years ago we get some of the - we got some very, very detailed data from David Giza.

I believe the - the thing is the details that you're willing to share now that's helpful. But actually he went in much, much, much more deeply.

Because one of the things that was identified at the time was that for example a very, very large registrar is obviously going to get a larger number of complaints obviously.

But you could easily see things like say registrar's only got 1000 names on their accreditation. If they've managed to generate 20 complaints then as a proportion, the percentage mapping it shows a very clear problem.

But the other thing was at the time it was clear that you might not be collecting some of the data at the moment of inputting the complaint that would actually help as in this is one of the things that we're looking at.

And (David) had been talking to us about how he's going to improve the entire collection of this data from the complaint system.

But then he left and nothing further happened about it. We never heard anything further. And the thing is with IRTP there's a series of PDPs and it's going on and on and on.

And as soon as we finish this series of PDPs I'm pretty sure that there's going to be a new series of PDPs on the same bloody topic.

So any...

Woman: Data.

Michele Neylon: ...clear tangible data it's like, you know, if you need to talk to us on the registrar side so we can help you to ask the right kind of questions and get rid of some of these things so instead of having you having say 500 complaints when in reality a lot of those might simply be that the registrant doesn't understand what they can or cannot do, you know, it's just it would be helpful. Thanks.

Mason Cole: We have a question on the phone from Tim Ruiz. Tim go ahead.

Tim Ruiz: Thanks Mason. Yes my question was it's kind of back about the Whois and in regards to the way suspension, you know, to see if the domain is suspended to see how that's - if that's done.

And that it sounded like it was defined as some status at the registry which certainly could be one way.

But I would think that any - that if a Web site or domain name does not resolve to a Web site however that's done -- and it can be done other ways than just at the registry potentially -- you know, that it would be for all effective purposes suspended. So I'm just wondering why it's defined as some status at the registry?

Khalil Rahseed: I am - this is Khalil, Tim thanks for your comment or question rather.

I'm not sure I understood the question but I think you asked why it is that we consider registry status as part of our determination of whether or not Whois, allegedly Whois inaccuracies have been investigated?

And one reason we thought as I recall when this methodology was developed was that that was a sure way to determine whether or not a name had been taken out of the zone.

I do not have that information here before me but I can commit to get that to you. But I also would like to reiterate the point that our Whois efforts are current - currently under review and under assessment.

So the way things done and how they've been done are not necessarily how they're going to be done particularly if we determine that they are not effective or that or there are better ways - or more to do things.

So I very much welcome your input. I believe even members of your staff have actually had input into some of the things we've done and submitted paperwork.

So I was - mostly reiterate that again, although I don't have the data here before me, I can try to produce what I have tomorrow, particularly if those in the room will be at the Wednesday session. And I'm also available after this meeting as well.

Mason Cole: All right, thanks Khalil, other questions? Okay, (Ming), I'm sorry, Stacey. Go ahead.

Stacy Burnette: Okay. So now I want to focus on our enforcement activities. During the period between June and September we sent nine escalated compliance notices. And those were all breach notices.

And we considered four registrars for non-renewal. These are the contract categories that we sent our breach notices in. And the numbers on the right don't neatly add up to nine because as you know, sometimes we might point out more than one contract provision concerning a breach.

And the areas that we considered not-renewing certain registrars are the following. Who is violation of interact - failure to provide an interactive Web page. Failure to post the deletion and auto renewal policy and failure to pay accreditation fees.

Unfortunately these registrars all corrected the problems before their contract expiration date. And ICANN entered into a renewal agreement with all four. Next slide.

So I believe in Singapore we shared information with you about a process being developed for receiving information from law enforcement entities and actually sending information to law enforcement entities if it's every necessary.

And so as part of this process that's being developed, we have emphasized to our law enforcement community members that ICANN is only interested in receiving information about RAA violation, suspected RAA violations.

If you send us information about content, we don't have authority to act on that. And so we've had meetings with them at the past few ICANN meetings, international ICANN meetings.

And we haven't completed the process for how we're going to receive and send information to our law enforcement community members. But prior to

implementing any process we plan to share the proposed plan with this group and get any feedback from you regarding the proposal.

Mason Cole: I'm sorry Stacy, we have a question over here.

Stacy Burnette: Sure.

Jeff Eckhaus: Hi, Jeff Eckhaus here from (unintelligible). So I've been - I've received a couple of these law enforcement referrals. And I wanted to give you guys, if I can, some feedback on this issue.

It says here that ICANN's primary role is to determine if there's an RAA violation. So I know, you know, and what they have said -we've given these - we've gotten - received these referrals.

And what they've said was we received information from law enforcement. It's, you know, you need to take these domain names down. And then when I, you know, we responded saying who is the law enforcement? What was the information? Can you please, you know, send it to us?

And the response that I get, it's from valid law enforcement, you know. And it's sort of like going back and forth. And finally I was able to pull out some more information on there.

But just for you guys so you know that when you send these to us saying we received notice from law enforcement. Please take this down. We need more information than that.

I can, I mean I don't know who law enforcement is. It could be, you know, we receive information from law enforcement in other countries saying this person is committing a crime. You need to take it down.

And they're saying things critical of the government. And to them that is, you know, a violation. That's their law enforcement. So just I know you have, you know, it's - you have the US and the UK on there.

But just if you can give us more information. And to, I would say to ask law enforcement to speak directly to us and to the registrars because having you as a conduit, I think things get lost. And I have to go back to you. And then you go back to them.

So ask them for a direct relationship and to come to us. I would say don't let ICANN be sort of their funnel to come to us. It doesn't work out. It's sort of separa - it loses our relationship with them.

And, you know, even though what we've seen sort of this week we do want to have a good relationship with law enforcement. So I would push them towards us. Not let you - let ICANN become a conduit for their what's it called, for their requests. Thanks.

Stacy Burnette: So Jeff I'm sorry if you interpreted the message to say please cancel the domain name. We didn't say that. I reviewed the message that was sent to you. And it specifically says please investigate. There's a difference.

And so as part of - what we are proposing for this law enforcement program is to have the law enforcement entity reach out to you first. We understand the importance of that.

And we believe that they could probably make a lot of progress reaching you directly as opposed to using us. So we agree with you in that regard. And we don't want to send any notice to you saying, you know, take action. It's usually please investigate, tell us what you find.

Jeff Eckhaus: Yes, please investigate and take appropriate action, you know, based, you know, because what it - it's sort of, sorry I would say work on sort of the

language on there that when you guys send things to us saying hey, take an investigation. Let us know what you find out.

Versus investigate and take action is what it says. So it's just, I'm just saying if you want us to investigate and come back to you, then let us - then tell us that. Or just work on some of the wording on it because a lot of times people get - we have, you know, I know myself, we have a large compliance group.

And a lot of the people, they get a notice from ICANN. It's an official notice. And it says take action. And to them they think that means you need to do something immediately, not come back to ICANN.

So realize a lot of the - a lot of times the employees who read this might be lower level, you know, just starting out employees. Or that they get things from ICANN. They get worried because you're the official, you know, group no.

Stacy Burnette: Right.

Jeff Eckhaus: Just I guess some help on the language would - more warm and fuzzy. That might be helpful.

Stacy Burnette: We hear that. I interpret take appropriate action meaning if - do nothing if you take appropriate action. And that's appropriate.

But we hear you. We're not trying to sound an alarm and say do something. We are asking you to investigate though. We need that language to be clear.

Man: Jeff I'm a little confused. I mean is it that your staff have problems with the concept of appropriate action? I mean we get take down notices from companies all the time.



And they might ask us for all sorts of things. It doesn't we're actually going to do it. I mean we just, we'll investigate it and we'll deal with those.

Jeff Eckhaus: Yes, it's (Rob). Just saying there's a difference between some company that says take it down and I'm like I don't know who they are versus somebody who I have a contract with that controls my business.

Man: But taking - if they ask you to take it down, it's one thing. They're saying take appropriate action. That doesn't mean take it down. I mean that to me means look into it and deal with it in a suitable fashion. That's all.

Jeff Eckhaus: Everyone has their own interpretation and - of what appropriate action is. That's whole idea is you might think appropriate action is one thing. I think - there's no right or wrong here.

That's why I'm saying just, if we could be crystal clear, it would make things a lot easier.

Stacy Burnette: So we hear you. We're going to try to soften the language to the extent we can. But we do need to make our messages clear. And so thank you for your comment. We're going to take it under consideration.

So we've gone over some general updates. And we've gone over a review of some prevention activities and enforcement activities we've been engaged in.

We want to talk to you about some areas where we want to focus on going forward. Improving communication, we've observed that in the past when registrars may have experienced a failure or they thought they were going to experience an emergency situation that might interrupt their services.

There wasn't an established process for communicating to ICANN that you're having a problem. And we believe it's really important that we hear from you if

there is a problem going on with your registrar that might impact the provision of services.

And so we believe that by working together, we might be able to better coordinate a public response because if you're experiencing a failure, the public starts calling us. And your phones may not be working for some reason. Let's say there's a natural disaster in your area. And you're having problems providing registrar services.

If somehow we could create a process that your group believes is agreeable and works for ICANN. We believe we could work together whenever there is a problem concerning your inability to continue to provide registrar services.

And so we want to introduce this idea to you. It's not an RAA requirement. But we believe going forward it might be a way for us to work together to better communicate to the public and possibly help you resolve your issue while you're going through it. Any thoughts on that?

You need some more time to think about it, no problem. We'll follow up with Mason or whoever is the chair. And determine how we could work on this proposed process and if you think it's a good idea.

So another thing we want to focus on going forward is prevention. It's not our goal to send breach notices or to terminate registrars. It's our goal to bring you into compliance.

And so what we want to stress how important it is. And I know you all know this because you are the active members of the registrar community. But if you have any questions about your contractual obligations, please contact us.

It's important that you keep your staff trained as to what your obligations are. And it's important that you keep your information and radar up to date because if we have a simple compliance issue that could easily be resolved,

but for whatever reason we have the wrong contact information for you, it appears as though you're non-responsive.

And so then it gets escalated because you're non-responsive. And that doesn't have to be the case if you maintain accurate contact details in radar. Please timely respond to our inquiries and our correspondence and work with us to try to resolve your issues.

Just because we've contacted you doesn't mean it has to be a fight or, you know, an argument. It's just that we want to find out information. And we do want you to take appropriate action if necessary.

So at this point, we want to talk - yes?

Man: I'm just kind of curious, are you actually having issues contacting some of the registrars and registries?

Stacy Burnette: Registrars mostly.

Man: Okay great, just because considering most of us are pretty much kind of public facing and, you know, paying you fees and other such things. I mean surely you can contact these people.

Stacy Burnette: Again, you're the active registrars in the community. You abide by your obligations. But there are some other registrars, again there are almost a thousand of you, who maybe they're not focused on this business. They have another primary business.

And for a variety of reasons they don't maintain their contact information accurate in radar. The information on their Website is not working. And we have a problem contacting them. I know it seems strange to you. But it's true. It does happen. Sure.

Margie Milam: All right, great feedback. This is why we like coming to talk to you. And we'll have many more opportunities.

So again, we said it in Munich. We said it in Singapore. We're going to just say it all the time. Yes, the registrar, registry and the (unintelligible) group, yes.

So we have a generic compliance email. So if you're thinking about something, something's confusing or you have a feedback. You know, one of the feedback's in Munich is simply your letters.

I am looking around the table. I don't think many of you or any of you received some of those letters. But they used to be more longer, more legal language, harder to track maybe as some of the feedback we got, the sequence of events.

So we simplified it to reduce the letter to a simple one-page business letter with a clear message on the front. And an appendix that lists the, sometime the chronology or the events that took place so that it's clear to all.

And again, to your comment Jeff, you know, we have - we're trying to keep in mind the multi cultural, multi diverse global audience. So send us your feedback at this address. Title it feedback.

I do want to hear from you. Again, everybody said I want to help you. You know, today's our road show day. We're going to five shows today, you know. We're going to talk to the different stakeholders.

And that's why I put in (division) for our team trusted. We are dealing with very different stakeholder team members. So in order for us to be trusted, we are fact-based.

For us to be fact-based, I need to understand what are the facts that are of interest to you? What are your expectations? And we'll come back to you and say yes, we can deliver to this. Or no, we cannot. And here is why.

So what are the most important thing? What are some of your challenges too? Like again - and what information is valuable to you? Those are very important information that will help us deliver our service to you. We're an email or a phone call away.

And to Stacy's point, you are the active registrars. The challenge we face, and we're trying to think out of the box how we can we reach out to the non-active ones and get them engaged in the community?

This- yes Michele?

Michele Neylon: Sorry Margie.

Margie Milam: Notice I didn't call you sunshine yet today.

Michele Neylon: Yes I know. You were doing so well. You were doing so well. Now you've ruined this.

Margie Milam: The others are helping.

Michele Neylon: Just one practical question. In Europe there is no compli - anybody, there is nobody from compliance in Europe. I know one of the registrar liaisons is kind of doubling up in that function.

And a practical question I would have is are there any plans for a dedicated compliance staff member for the - for Europe?

And linked to that, if that should become - to happen further down the road, do you plan to make sure that that person is multilingual because the vast

majority of registrars within the - within Europe are not native English speakers?

And they may be following the stuff closely. But they are not engaging due to the language barrier.

Margie Milam: Yes.

Michele Neylon: Just say they were from Belgium. I don't know what.

Margie Milam: Okay, good feedback, thank you. But I would like to tell the team our team I think has, not I think, I know the compliance team can cover five languages. We can cover English of course, French, Arabic, Chinese and Spanish. So...

Michele Neylon: It's a simple practical issue of time zones. Because if you're all in California...

Margie Milam: Right. Let me finish.

Michele Neylon: All right, go on.

Margie Milam: I'm not going to call him sunshine. He has to earn it.

Michele Neylon: Ouch.

Margie Milam: So let me answer you in the (six) transparency. I'm focusing - I need more in the Asia Pacific for Korean and some of the other areas.

The biggest volume of transfer issues are Asia Pacific okay? Can I handle Europe? I've been on calls with Europe at midnight. I've been on calls with Europe at 1 a.m. if I need too.

I speak fluently French. I've (unintelligible). And I will translate to my team if need be. And we'll handle it. So I'm looking at the week or the risk issues in our compliance team.

We still have three open positions. And yes we are hiring globally, not locally. This is the day, the outreach day guys. We're trying it new. It's not going to be open to outside cons - participation because it's new.

So we're trying to set out an outreach session for tomorrow. We've blocked a time from 9 to 10:30. I know we've put out the registrar self-assessment. It's still in draft mode.

If you have questions or you have feedback, stop by. But notice we have a Q and A session from 10:45 to 12. It is not a mic. It's not recorded. Stop by. Questions - we may have an answer. If we do not, we follow-up.

The afternoon session I highly recommend if you have staff members with you. We partnered with Iron Mountain to do an overview of what is (data escrow)? What do we do? How do we do it?

It's more of an education. And also what are the challenges we're seeing in (data escrow)? So it's more of a two-way street, what we're seeing. How are you seeing? But again, we have a Q and A from 3:30 to 5, okay.

Mason Cole: We have a question online, our friend James Bladel. I would have called on him, but apparently he has a big case of laryngitis (talk). So his question is in regard to outreach to non-active registrars, is it unreasonable to think that ICANN should be in routine or period communication with all of its registrars?

Margie Milam: Can you repeat the question?

Mason Cole: Yes. Is it - well is it unreasonable to think that ICANN should be in routine or periodic communication with all of its registrars? He's asking in the context of

outreach to non-active registrars. (James) I would ask you if I got that question right, but you can't talk.

Margie Milam: So are you - when you speak of communication, we all have different ways to interpret it. It could be verbal. It could be outreach. So we are looking at how can we, if you have ideas how we can do it, please share with us.

I'm also already started working with Tim and how can reach out to the rest of the registrar community? So we're also going to start traveling and see how can we group people by region, by country, by zone to see?

But we will be partnering with Tim as they hold the registrar registry session. But it's always a challenge (James), as you know, for the non-active participants. If you have ideas, send them our way. We're willing to explore.

Okay, he's suggesting email, phone call, breach letter, these types of things. So I'll encourage him to follow up with you. Okay we have two more in the queue. Jeff's next and then (Yo) is online, Jeff.

Jeff Eckhaus: Yes thanks. I think I wanted to say that even though, you know, I had some comments and criticisms earlier that - just to give you guys. Overall the group I think has done a much better job in their communications.

You know, and with the outreach and the phone calls and the conference calls about how to move forward. And I know for example on the RDE, we were - we were, you know, since we have over 100 accreditations. We had a couple of issues with the header rows.

And we received email in. You know, those will work out pretty quickly. And you guys have been definitely, you know, saying hey, how do we fix this? What's the issue? Let's work together. And I'd say it's definitely been an advancement over the last, you know, year with the group.



And then as you can tell, you know, you have some criticisms here. But it doesn't compare to the, what's another word for shit storm that we've had, you know, in previous years in this room. So thanks definitely for the advancement.

Mason Cole: Do you want to follow that Adrian? Okay, please go ahead.

Adrian Kinderis: Yes. My comment was just going to be pretty much on, I was going to reflect upon when you guys first walked in here, you know, a number of meetings ago. And the shit storm that Jeff called.

And I was just (boyed) by just being listening today. The way you have communicated today. How, you know, the candor has been very open for discussion. And I think that's very much appreciated by this audience.

And, you know, we thank you for - you know, it can be confrontational but- and it has been in the past. But I think you've worked very, very hard. And, you know, we want to show our appreciation for the fact that you're listening and you want to work with us, not against us. So good job guys. Keep it up.

Margie Milam: Adrian thank you very much. May I return the applause to you too because every time I ask for volunteers, first of all every time I think Mason, I don't care what time of day and night, you respond. So I appreciate that courtesy.

Whoever is stepping into his shoes, I warn you, I'm a gnat. I - sunshine, smiley gnat. I will bug you until I hear from you. So partnership takes two guys right? It takes two to tango. You cannot handshake alone.

So but at the same we're establishing processes and procedures. We're tightening the timeline. When we send notices, we want responses. We are under a lot of pressure okay.

So are you. And that's for the sake of transparency we will post all of the processes, the procedures after we've reviewed them and socialized them with everyone because you do have a swim lane in the process where you have roles and responsibilities.

And if you do, we will come back to you to review it. So please provide feedback and let us know good or bad okay.

Man: Thank you for the insight into the lack of loss that Mason has. Thank you.

Mason Cole: Thanks so much. Well I'm all about transparency. (Yo) you're up next. And then we have a question from Tim. (Yo) go ahead please.

(Yo): Yes my question is I'm done from the point you were talking about that there are all the time new registrars coming in and probably not all of them know about all of the compliance requirements.

You know, you can read the accreditation agreement. But it's legal language. Some people might not understand all the requirements and what is expected from them.

Do you consider at any point preparing kind of a guidebook with more I would say interpretations of ICANN, of the compliance team to what is required from each registrar?

I've never seen such a document. And, you know, I'm sure it will help new registrar. It might help other registrars too that are already there to make sure that they are compliant, kind of a checklist of different issues.

Margie Milam: (Yo), good question. Are you aware of - okay, I totally agree with you. Like I said to you guys a long time ago, I'm not a lawyer. So I read the sentence ten times. And I try to read it in three different languages if possible.

But there is a non-lawyer interpretation of the contract. But I know the registrar liaison team is launching the training about the RAA. And in there, I was on the (beta) test team phase of it. And it was very helpful.

But let me take it a step further. You know, again send us feedback, what region, and if you can get a group together and stuff like that. You know, technology today, we can do conference calls to inform and educate and hear your side too.

There are many means to do (all three). Send us feedback for future meetings, even if you cannot come. If once they work, then you have specific topics, we can deliver to those at the next meetings.

(Yo): No, no, no I was just referring (unintelligible). I'm not referring only to the RAA. I'm generally, you know, the other policies that registrars need to follow.

And I would - it's not specifically for us. I'm just talking about new registrars that might, it might be more helpful for them to have such a document to check whether they are, you know, in compliance when they start working.

Margie Milam: Okay. We'll take that into consideration. It's like a checklist what I'm hearing you.

(Yo): Yes, yes.

Margie Milam: And Tim, Tim yes.

Tim Cole: Hi, this is Tim Cole. I will be speaking at - giving an update this afternoon about the training program. But among other things is that the program contains numerous takeaways.

So for almost every policy there are checklists that you can download to follow. And so I think we'll find a lot of the answers are going to be there (Yo). But I'll give more details this afternoon.

(Yo): Okay thanks.

Mason Cole: Okay (Yo) thank you. Any other last minute questions because we're almost out of time, this compliance staff?

All right, Khalil, Stacy, Margie, thank you all very much. Appreciate all the input and the exchange. Thank you.

All right, registrars we're going to take a 15-minute break. When we return at 11 o'clock we'll be back in closed session, (Matt).

(Matt): Yes so like Mason said, in 15 minute we'll come back in closed session. That means the Adobe Connect stream will stop. So registrars, if you're in Adobe Connect, you need to dial into the phone conference bridge.

If you have a problem, send me an email or IM me, 15-minute break. Thanks guys.

Man: (Unintelligible). What will be the pass phrase?

END