
PRAGUE – At-Large New gTLD Working Group Meeting

Monday, June 25, 2012 – 12:30 to 14:00

ICANN - Prague, Czech Republic

[audio begins with meeting in progress]

Avri Doria: ...up in yesterday's conference – was it only yesterday? In yesterday's At-Large Leadership ALAC meeting was a concern about the workloads so perhaps we'll hear a bit more about that. So at this point I'd like to turn it over to Cintra and to Dev as needed to discuss any content and then we can also probably take a couple questions in that, but that's really up to how Cintra has decided to do this part of the meeting.

So, Cintra, if you're online, it's yours. I do not hear her. It's wonderful that we have remote listening; someday I hope we really get to remote participation. Give it a second just to see if she can come in. If not, I don't know, Dev, whether you feel ready to sort to... okay, Cintra, would you like to discuss a bit more about the objection process, where it's going and let us know what you'd like to do with this section of the meeting?

Cintra Sooknanan: Hi, do you hear me?

Avri Doria: Yes.

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Cintra Sooknanan: Oh thank you. Right, so I just wanted to echo your welcome and thank you for everybody for attending this meeting. Just to give an overview of the objection procedure, it does mirror [and then reassess] the GAC objection procedure and it utilizes some of the same tools such as a dashboard on the Wiki.

Dev Anand Teelucksingh who is the Chair of the gTLD Review Group has done a significant amount of work on the dashboard. At the Costa Rica meeting we did go through to a larger sense the facilities provided by the dashboard, but I will just turn over to him briefly just to give us a summary of the objection procedure.

Dev Anand Teelucksingh: This is Dev Anand Teelucksingh. Thank you, Cintra. So just to give a broad overview of the procedure, we have a Wiki where all the comments from At-Large are collected regarding the app comments during the 60-day application period and during the seven-month objection period.

A review group, which task is to keep track of all the comments and work to develop a formal comment for possible ALAC approval for submission to ICANN during the 60-day comment period based on the various initial evaluation panels. For the objection period which is a period of seven months, again comments... we would get comments from At-Large and during the fifth month the review group again working with the commenters on the Wiki work to develop a formal

objection statement and this is in a final form ready to be submitted to the dispute resolution service provider.

And once that is posted during the sixth month, all the RALOs have to review it and approve by their internal RALO process however they want to do it during a conference call or a vote or whatever. And if more than three RALOs offer advice that an objection should be submitted based on the statement, the ALAC then reviews the advice and then decides whether to accept the advice and file the objection or not accept the advice. I think I've tried to summarize it, so that's it.

Avri Doria: Thank you. Cintra - back to you, yes.

Cintra Sooknanan: Thanks so much, Avri and Dev Anand. There's just one other aspect of this procedure I'd like to add and that is that [Seth] has done quite some work in terms of giving us some documents to the public with regard to mechanisms that they can object. I will ask to more vote these documents and hopefully he'll be able to answer later on during this meeting. Avri, to you.

Avri Doria: Okay thank you. I'd actually like to ask you to perhaps talk about a little bit more and perhaps open it up to a few questions in terms of the basis. One of the things that I don't think was covered in this discussion, though it certainly has been covered in great detail in previous meetings and in others. But for those that are here who perhaps haven't heard

all of that discussion, would either Dev or you like to sort of give a recap of the grounds under which the ALAC and perhaps the ALAC would make comments or objections.

And also perhaps get a little bit into – if you’ve gotten that far – into what some of the constraints and other ways you’ve got of looking at that so that those that are here that are interested in what may or may not happen with ALAC objections have the beginning of a clue. Thank you.

Cintra Sooknanan:

Thanks, Avri. I’d be happy to turn this to Dev Anand as well if he’s...

Dev Anand Teelucksingh:

Thank you. This is Dev Anand. The Applicant Guidebook talks about, well there are four objection grounds and the At-Large community really has standing – we see we have standing to object on two grounds: the limited public interest objection and this is where the panel hearing the limited public interest objection would consider whether the applied for gTLD string is contrary to general principles of international law for morality and public order. And there’s an excerpt in the Applicant Guidebook and it’s in the procedure. I don’t think I want to read that out now, but that’s one excerpt.

The second one is – that’s mentioned in the Applicant Guidebook – is on community objections. This is where we probably have to get some ideas during the Prague meeting, probably with Kurt Pritz – exactly does the ALAC have standing to object on community grounds? During the discussions of the New gTLD Working Group, it was felt that an ALS that

represents a community that is affected and wishes to then file and objection, that the ALAC can file the objection on behalf of that ALS if it decides to do so ultimately in conjunction with the RALOs and so forth.

But the way the Applicant Guidebook is worded, it says that the... let me see if I can find the exact... well, I can't find it right now, but essentially that the objector has to be implicitly or explicitly targeted and the objector has to be a clearly delineated community and has to prove that they represent that community. So that's one of the questions we have to work on. That's it.

Avri Doria:

Okay, thank you. At this point I guess I'd like to ask if there's any questions for either Dev or Cintra on this process. As I say, we will be having another meeting that's specifically a meeting getting into some of the details of the Review Group and how it will go about doing its tasks. But at this point, since this is on this agenda, I'd like to give people a chance to ask any questions. Yes please, Yaovi.

Yaovi Atohoun:

My name is Yaovi. It's just a general question. I don't know if it is objection, but I don't think so. We have the result of the application on the ICANN website. If me, like an applicant, I think that there was a mistake or an error in my string so when can we know of the correct application? I don't think my question is clear. Like, I applied for a string but I think that this is not what I applied for is on the website now – the results. So I think it is not objection; it's just corrections, so...

Avri Doria:

Yeah, I think that would be a different process that perhaps Kurt, who's in charge of everything at the moment, might be able to exaggerate a little. But just about anything to do with gTLDs I think is somewhere responsible - you know Kurt is - that that would be a question that certainly doesn't fall at all into these processes.

But just as a point of reference for the future, it may be an issue for our third topic of the New gTLD rollout issues if the ability to correct errors is or isn't an issue that you want to see carried further as a discussion item. That would perhaps be a resultant issue of whatever process you find yourself in now. But other than that, I just didn't want to be absolute and say it has nothing to do with this group. If it's a problem with the process, then certainly it can become something that this group discusses under the third Charter item. Any other questions from anyone? Yes please.

Salanieta Tamanikawaiwaimaro: Salanieta Tamanikawaiwaimaro for the transcripts. My question is in relation to the objection process. In terms of notification to certain groups or certain people that may be affected, who may not necessarily know about those names or whatever's being reserved, how do you propose to or how does the system protect their interests in relation to the notification process?

For example, ordinarily in certain instances, take for example in jurisdiction quite aside from the gTLD, it's sort of gazetted and is an objection called for objections and that sort of thing period of time

given. So in terms of notification across the region, across the world, is it done in all the languages or just the U.N. languages or is it just on the ICANN website and then people can sort of object?

Avri Doria: I leave it to you. I mean this section belongs to you and Cintra, so please.

Dev Anand Teelucksingh: Okay, thank you for that. This is Dev Anand Teelucksingh. To answer that question I think ultimately it's up to the At-Large and RALOs to raise the awareness. And if there is a community in their region, for example, that they feel that a string is... application for a particular string that that is a community that could be implicitly or explicitly targeted, they need to make that aware.

And then if they have the dialog with our community and bring that up to the attention of the RALO and then the RALO can then perhaps make comments on the Wiki and then it's recorded and then it goes through the process. So that's how I think has to happen.

In terms of whether it's available in multiple languages – no. All of the applications on the website are published in English. I don't think there's any intent – you could probably ask Kurt but – I don't think the intent is to have it translated into multiple languages. Also regarding the actual objection process, the application has to be filed in English.

Avri Doria: And they all were and they're all – if you can get by the horrible font that they're published in – they're all legible. Does anyone else have any other questions on this? So I think one of the things I took out of this though is that it's sort of the RALOs' responsibility to make sure that anyone in their region that could have a concern about something is notified.

And that could be a service that RALOs, for themselves decide to undertake but it's not actually a formal part of the process; it's just something that RALOs being the servants of the user and the servants of the ALS could definitely take on for themselves. You had another question? I saw your hand went back up.

Salanieta Tamanikawaiwaimaro: Salanieta Tamanikawaiwaimaro for the transcripts again in relation to the objection process. In terms of the funding required to mount an objection, if there were marginalized community for many of - and again if the duty was left to the RALOs primarily – is there some sort of budget allocation to assist in subsidizing the objection process for a potential marginalized community and I see my friend Tijani from AFRALO can answer ALAC, nodding his head.

Avri Doria: Yeah, I think I can quickly give that one. I think that that's the function of the independent objector and I think the independent objector was set up with a quite substantial budget and indeed those communities... I don't know whether they would fall into the Review Group purview because I'm staying away from having an opinion on that, but they

would certainly fall into the independent objector's purview because I think anything kind of falls into the independent objector's purview.

So they would certainly need to perhaps comment; perhaps have help from the RALO, but the independent objector would be their vehicle – or at least one vehicle they have. You wanted to add something, Dev.

Dev Anand Teelucksingh:

Thank you. This is Dev Anand. Again following up what Avri said – yes, indeed, the independent objector is one avenue and what has to happen also is that the comment has to be submitted for the independent objector to act on. So that's one thing. Regards to funding and so forth, I mean, really, the funding is available only to the independent objector, the GAC, and well, the ALAC itself.

Avri Doria:

Okay, we have another question and then... oh, Tijani, did you want to address this issue? Okay. Is it okay? Okay, thanks.

Tijani Ben Jemaa:

I want to say there is a budget.

Avri Doria:

Yes, it's my fault. I didn't remind everybody that they had to do that, so please forgive me, please give...

Tijani Ben Jemaa: Okay, okay. Tijani Ben Jemaa; I am from AFRALO ALAC. So I said that in the budget there is an amount allocated to the ALAC, to the At-Large for the objection. So there is an amount for the whole objections - a part from the independent objector; another part for the GAC and a specific part for the ALAC. Thank you. Yesterday I was with the Finance Department people and they give me the information.

Avri Doria: Thank you. Okay, I had a question over here please.

Matt Ashtiani: Hi, this is Matt Ashtiani for the record. We have two questions from remote participants. The first question comes from Andy G. Andy says, "The objection process seems to shut out individual registrants or unorganized, unrecognized communities who will be disadvantaged by any new gTLD. Where can they go for assistance?"

Avri Doria: I think the independent objector is indeed their address for assistance.

Matt Ashtiani: The second question comes from Faisal Hasan. Faisal asks, "How long will it take to process objections on average?"

Avri Doria: We should probably hold that question until Kurt gets here cause I don't know that any of us would have that answer. So I would write that down as the second question we intend to ask Kurt, the first question

be how does the ALAC process connect to actually getting it submitted and the second one would be that one. I don't think anyone here could give an authoritative... Yes please.

Eduardo Diaz: Eduardo Diaz for the record. Going back to Tijani that ALAC has a budget for objections. Is it a possibility that we run out of money in that budget? I mean what happens if that happens?

Avri Doria: This may seem a flip answer from me, but it's always possible to run out of money in a budget. [Laughter] Sorry.

Eduardo Diaz: Just to that question, within the application process of the fees, doesn't that cover this particular budget for every application? Is it a set aside amount or something?

Avri Doria: I don't know. I don't know that we have...

Eduardo Diaz: Do we have the application on there like, really, does the money run out?

Avri Doria: That I don't know and again, we can ask Kurt who's supposed to be here any second, so it's great that we're building up a set of questions for

him and when he comes in I'll ask him. Are there any other questions?
Oh, Sala you had another. Please.

Salanieta Tamanikawaiwaimaro: Salanieta Tamanikawaiwaimaro for the transcripts. In relation to the budget, I was just curious in relation to what Tijani alluded to in terms of the At-Large allocation. Would that be by region and Kurt's probably going to answer; I'm not sure – would that be by region or is it just for At-Large? And if it were for At-Large, we would like to have a detailed breakdown of approximately how many objections would actually make up that entire budget. And I know it'll be different because of transport costs and that sort of thing around the region; I'm not sure. Is the objection just going to be electronic, or is it... Okay.

Avri Doria: Yeah, the process is electronic. The objectors may ask for further information, certainly something is filed. In terms of the money, I think there'll be variable costs on it because as I read it, the costs pertain to the number of hours that the review group spends... not the review group, but the objector panel spends on it and such, so there'll be varying costs. So I don't know that anyone could predict.

I think there have certainly been numbers published about the average cost. I don't remember the number though \$15,000 sticks in my mind, but I don't know whether that was for which one of the objections. But there's an average cost so you could figure out an average, but some may take more hours than others, so that would just be an estimation.

Any other questions on the... basically looking for questions especially on – cause Kurt will be here soon and questions specialized for Kurt. My memory is we're now four or five deep and I'm not sure how much I'll be able to retain, but especially questions on the process that will be used by At-Large would be good.

Eduardo Diaz:

Sort of a question from like you know, the bottom level; this is a bottom-up process. In case of some strings, there might be a need to sort of – not from maybe our end but maybe members of the community At-Large contacting us and sort of having discussion over their concerns. So in that regard, one understanding is we don't have any allocations for that particular kind of low level [consideration] so would there be support from ICANN to hold something like more activities or more we are required to have these discussions with people non-ICANN but concerned with those strings – not the applicants, but people who might be affected, communities that might be affected because of the existence of that string?

Avri Doria:

I'm going to pass this one off to Dev and Cintra, but to clarify what kind of expense – certainly you're talking a phone call or are you talking about... cause certainly you're not talking about traveling somewhere or somebody traveling somewhere to see a community. What you're saying is are there expenses for phone calls and are there plans I think would be another part of the question on the review group to I guess it's not reach out but so much make yourself accessible to be reached.

Eduardo Diaz: Because over the past two, three days on certain issues, people have been getting in touch, right, specifically because of the kind of region you're in, come from – so it's because of that, so their concerns are really valid. So instead of me just listing off to people, it might be somehow good to bring that on record. And the only way for us to bring that on record is something is initiated through the ICANN communication process and we have it on some remote record or on the phone calls or something like that.

Avri Doria: Dev can give you more information but within this dashboard there are various capabilities. I don't know if they can send emails specifically to the review group. If not, that's probably a good idea. There would certainly be ways for people to communicate with the review group and perhaps, Dev, you can cover those a little.

Eduardo Diaz: And within that context some of these discussions would have to be kept confidential due to the nature of... Because when we look at the public interest, there may be some confidential discussions because the kind of questions which are being asked to me like in the past few hours were pretty non-public; you can't share that kind of information publicly because it affects even people's safety.

Dev Anand Teelucksingh: This is Dev Anand Teelucksingh. Well, I think to keep things confidential to the review group would be a very difficult thing. Because we have to insure transparency, any communication to the review group would be made public and that's been the intention. I don't think to try to insure, well we need to keep some things confidential and so forth, would be I think not a good idea to introduce at this time, but again, that could be up for discussion.

We've got to stick to whatever communication that could be – sorry – to allow for communication and so forth. I'm not sure if that's really part of our process. I think what you're trying to say is - if there's enough concerns, you can raise it with the applicant in question and maybe come to some understanding, right, is not the idea?

Avri Doria: One thing I'd like to add into that – I would assume that – and I'd have to check yet another thing I'd have to check, so this is an assumption – that the independent objector might be someone who can have... might be able to have some degree of confidential conversation. So if it wasn't done through this group but through the independent objector, there may be a possibility, but that's worth checking.

Dev Anand Teelucksingh: One quick follow-up. The thing is what you can do is that you can immediately start raising the questions in the actual ICANN Public Forum directly. And I would think the applicant is reviewing that public comment forum very diligently and could actually even respond possibly to the concerns raised there.

Fouad Bajwa: But do you think that – Fouad Bajwa for the record – do you think that we have a dedicated email address on which people can submit their comments? Community – we’re talking about communities who might be concerned with those gTLDs.

Dev Anand Teelucksingh: Sorry, Fouad, I think I need clarification. I don’t fully understand the question.

Fouad Bajwa: Let’s say a string has something to do with religion, right, and there would be concerns around that. This is being pretty much open about it. And within that context there’s the existence of such a gTLD, if some X, Y, or Z entity goes online with our gTLD, it could cause pretty much chaos in certain circumstances.

So the concerned communities are widespread – they are across geographies – they’re really concerned about something. So that’s the controversial aspect I’m talking about. And this can even go beyond religion; this could go on to gender or whatever. So that’s the concern I’m trying to share. It’s a sensitivity issue; I don’t actually have the right words to support it, but maybe I’m trying to find some process whereby we do maintain transparency but at the same time we do sort of have these dedicated channels whereby these comments can reach us instead of people actually... to find out about the group reviewers [and these 14 others] and then later it becomes really hard for us to respond to those.

Avri Doria:

Let me break this one now since we've got Kurt in the room and only for a half hour, so we need to cover the issues with him. But I think this one might be one of the ones. Now I have sort of been collecting questions for you – and people here were reminding me because I told them after four or five I would stop remembering.

So the first issue we had was that we don't quite understand yet how we connect the At-Large process for objections and by the way, I'll point out to you as I pointed out to... As a conflicted person I'm just asking process questions. We have others here that we'll get into – substantive details if we need to.

But there's a question at the moment as to we've now got a fully fleshed out At-Large ALAC approved process with ALAC approved review group members and without getting into the gory details of how that process works, at the end of it ALAC approves an objection.

What we don't understand at the moment is then what? How does the process work in terms of connecting it; in terms of sending it; in terms of getting the funding? In terms of funding there were questions about how many on average objections would the budget they've got cover; what happens if it runs out? There are also questions – perhaps you know them – in terms of the independent objector – is it possible for people to communicate with the independent objector confidentially, etc.

And I don't know if I've missed any of the main question headings but I just wanted to give you quick and then let you... as you finish chewing,

sort of consider those and then perhaps we'll have some more. Thank you. Your turn. Didn't give you enough time.

Kurt Pritz:

Thank you for indulging my eating a few things when we talk and I probably don't know the answers to all of your questions. So clearly there must be a mechanism that bridges the gap between ALAC deciding to lodge an objection and that objection being funded and how those funds go and who touches the funds. And I see that as procedural to be worked out and also legal as far as who touches money cause we want all parties to be protected and against liability.

So I think our prerequisite for releasing funding is for ALAC to make a decision to lodge an objection and I think it would probably be that ICANN would pay money to the dispute resolution provider directly the fees to lodge the objection. I think when we agreed to this, we did not talk about – these are my opinions and I'm answering them on the fly so I want to take all these questions back and get very formal answers cause you wrote a formal procedure that's good and then we need to put on the back end of that what we need to.

We considered – I don't know how we jointly considered – but we considered how many objections At-Large might lodge... How did we determine – is At-Large lodging the objections or is the ALAC?

Avri Doria:

It's At-Large but it's ALAC that approves and there's a very bottom-up process and I don't want to go through the time here. I can sit down with you at any point and go through it.

Kurt Pritz: Right and that was a prerequisite.

Avri Doria: That's right, so we've got the process; we've trained people in using it and yeah, so...

Olivier Crépin-Leblond: Thank you, Avri. Olivier Crépin-Leblond for the transcript. Strictly speaking, it is the ALAC that is to file the objection. Thank you.

Avri Doria: Yes please, Sala.

Salanieta Tamanikawaiwaimaro: Thank you. Salanieta Tamanikawaiwaimaro for the transcripts. Just a quick question in terms of the objection process. So electronically the objection is file. Say for instance there was going to be a hearing. Is the hearing going to be electronic too? The other question is in relation to marks and the protection of marks, take for example any marks that's registered say across four jurisdictions but limited to their jurisdiction and say one's applying and you have an instance where you have a bunch of them objecting.

So in terms of the prioritization of how the mark or whatever is going to be treated, is there any policy in place or is there going to be a policy in place in terms of how you are going to prioritize it? The second question I have tiered to that subject is in terms of the [java] (inaudible).

What sort of – how shall I say – it’s very hard to say – what sort of law are they going to be drawing from? Would it be leaning towards European, American, or would it be something that ICANN has to develop in terms of procedure?

Avri Doria: One thing I want to check with you. You mentioned marks. Those don’t fall into the objections for – trademark – don’t fall into one of the two categories that At-Large/ALAC has standing to object in. So I don’t know that that fits into all of this.

Salanieta Tamanikawaiwaimaro: Whilst it may not affect At-Large or that sort of thing, but any marginalized community who may have an interest and would want to object and who – like putting back to Fouad’s example – it could be a Diaspora where people across jurisdictions but who have an interest, and the mark may or not be protected by law. Either way, how is ICANN going to be prioritizing or ranking... You know what I mean. Thank you.

Kurt Pritz: I think that I’m going to come back to the issue of the number of objections later and the budget. So regarding e-filing and hearings, the rules are published as part of the Guidebook and anticipate very, very few in-person hearings that nearly all the inquiries would be conducted electronically or based on the documents submitted. But there is a possibility of an in-person hearing in rare cases – I hope none of the ones ICANN’s funding, but ICANN would find representation at those objections.

You raised an interesting point about marks and which ones take precedent and I think that issues applies – like you said – to different types of objections who gets precedence. So try to think about it instead of it's an objection against an application. So the objection panel will take all the objections filed against that application; it will decide whether or not to consolidate those objections based on the commonality across them and then hear them all. And if any one of those objections carries the day, then that application would be denied. So just think of it in terms of not competing interests; just think about it as they're all against that objection.

And then as far as the number of objections, I think we've decided not to pick a number because picking a number would be hard. And then what happens if you've made your allocated number of objections and then the most objectionable one rears its ugly head? And so instead I think this is a heavy responsibility that as an Advisory Committee to ICANN, you're lodging objections against the TLD and that should not be taken lightly.

And to the extent that objections filed win will enhance the reputation of At-Large and to the extent that objections are filed and not win, if that happens often, that sort of takes away from the reputation of At-Large and ICANN too because we're all the same organization.

So rather than... I think from a policy standpoint we decided not to make an arbitrary limit on the number of objections, but rather go into this with this feeling of responsibility that this task should not be undertaken lightly. And I'll say that I scanned through the procedure – I didn't read it carefully – but I recognized a considerable amount of

thought and work went document and to me that connotes the future effort that will be expended.

Avri Doria:

Thanks. I remembered one more question that had come in remote that I forgot about and then I actually wanted to then – unless there were other pressing questions – move on so that we had at least 10 minutes before for the other topic which was the applicant support program. But the question I had forgotten about was a question on how long should one expect the objection process to take. And I guess there's one more remote question that might as well get asked now or emailed.

Kurt Pritz:

So I don't know but the objection period is seven months long. We decided that it shouldn't be extended, even though there might be multiple batches or a longer time to process the applications. I hope this resonates with you but this is about fairness and predictability. So we have a concern that an entity might decide to lodge an objection against an application, but then pocket it until like a longer period than seven months is up. Anyway we think seven months is the right amount of time for objections. And then the time frames I think are fairly clearly spelled out in the rules that are attached to the Guidebook, so quite a bit of specificity there.

Avri Doria:

Thirty days to respond. Yes, Olivier?

Olivier Crépin-Leblond: Thank you, Avri. Olivier Crépin-Leblond. I have two questions for Kurt. The first one is the fact our community is a little concerned about the impacts on its workload with the amount of objections that might come through this process. Of course, we're happy to be able to have an operational process in place but obviously since we are all volunteers, if hundreds of objections come through and the team has to work through those hundreds of objections, the process, although having been helped by the setting up of a tool and Wikis and so on, it's still one that is quite labor-intensive.

And so the question I have for you is whether – well, we have inquired already and there have been some pointing towards a possible staff member being allocated to being able to run the cogs basically, get the thing to work and do the legwork and so on. But the question being, can you confirm that? Is this a possibility? And if that is the case, then would that come from policy or from operations? That's the first question and then I've got a follow-up after that.

Kurt Pritz: Are you going to finish now? Are you going to follow up?

Olivier Crépin-Leblond: No.

Kurt Pritz: So specifically what sorts of support are you... what's your vision?

Olivier Crépin-Leblond: Oh right. It's Olivier. Each one of the objections process would have an actual Wiki page being created and with comments being brought in and the creation of Wikis and the coordination of the whole... the synchronization of the whole thing is quite labor-intensive. And leaving it to Dev as the current interim Chair is a case where he'll have a lot more white hair on his head by the time this happens if there are...

Again, we don't know how many objections there might be. If there are only three in seven months then fair enough – he's going to be very happy. But if there are hundreds of them – and it might be the case; that's for all of us to guess – then there will need to be always updating of pages and creating the Wiki pages, etc., and making sure everyone is alert and knows what's going on.

Kurt Pritz: Who have you talked to so far at ICANN about it?

Olivier Crépin-Leblond: We have discussed it on our discussion forums and Heidi has inquired, but we haven't had any real thorough discussions. That's why I thought I'd bring it to the table here.

Kurt Pritz: Alright, let's continue to talk about it so I understand the scope.

Olivier Crépin-Leblond: Okay, thank you. The second one is the impact of the GAC letter regarding the digital... well, the two things. First the digital archery on one side where there's also the GAC letter saying that they would be requiring at least one fiscal year to go through their objections process. They also have a tool which is somehow similar to ours. They work at another pace I guess and they might have a lot more objections to file than we do. That might delay the whole process. What in your view is the impact of this regarding our own operations as well?

Kurt Pritz: Alright, so first the GAC doesn't have a tool for objecting; the GAC has a tool for early warning that staff made, but as far as objections, there is no tool. There's going to be a batching discussion here and I think some of those discussions are interrelated. There's several ways that applications results will be announced.

So I'm going to talk about this more in a bigger room later, but when we think of batching, it's really about the process by which results are announced. Applications go into the sausage machine and they're going in in a way that will make the evaluation process efficient. So that's one form of batching that ICANN's managing.

What we're talking about is under what circumstances and when application results will be announced. So one scenario is if there's a single batch and we think it would take 15 months at the stage to go through 1,940 applications - that would be an acceleration over the previous time - those results if announced at once would occur in 15 months which is kind of after the GAC timeline.

Olivier Crépin-Leblond: So not 15 months from today; 15 months from the moment the GAC has given the all-clear for whatever...

Kurt Pritz: No, no. So we're going to start evaluation officially – it's already started – but officially on July 12 and using the timelines that are in the Guidebook it would take at least 15 months to process that many applications, regardless of whether the results are announced in batches of 500 or one batch of 1,900 at the end. So if we waited 15 months, that's beyond the current GAC timelines. So there is – depending on the method for announcing evaluation results – the GAC timelines could work within that time frame or without.

You probably heard the Board. There is a recognition of the GAC requests and a desire to work with them in order to give them the time they need. But there will certainly be statements made publically by applicants that wanted to insure that the whole evaluation process is conducted as efficiently as possible.

Avri Doria: I want to cut the discussion on this now because I think first of all, we've sort of moved away from our objection process to larger issues of interest. But I also wanted to get to the application support because we have a certain number of questions on that one. And this is beyond sort

of the pathetic results that we've gotten and we'll be talking more about that later.

But we had certain discussions – you and I have talked a little and I've talked also with Karla – that there seems to be... since there are only three applicants for application support, there was a discussion of the streamlining of the SARC process so there's been various questions of how to do that – questions of when does that start and then there were questions when we discussed this earlier at an earlier meeting what happens to the rest of the fund and can there be some sort of remediation of some sort on this process where a lot of us seem to believe that outreach was perhaps not as outreach-y as outreach should be.

So those are the basic questions we've got on that and we don't know where you're at on that and whether you need any advice from the group or from ALAC on how to go about doing these things.

Kurt Pritz:

Well, here's what I have to say about that. I don't think we should shortcut any process. I think we should follow exactly the process we defined for applicant support, even though the numbers are low. We want to select the panel, we want to select it carefully; we want to go through the evaluation process; we want to prove that it works for the future and the timeline we have right now says that the SARC members would be trained in August and September and make decisions in October. And then those applications would be mainstreamed into the evaluation process.

I think one shortcut we can take is ICANN will probably go ahead and evaluate those applications before... in the mainstream, regardless of the decisions of the SARC panel because there's not that much cost involved so they don't need to be held up in any way or delayed pending that decision. So I think we should follow our full process as we designed it, just at a smaller scale.

I think – and we can talk about outreach and that's a little bit ephemeral to me, but I think we should talk... a future topic of discussion is improving that. But I think what this group wants to do is sort of re-concept the financial support. We/you when developing this were really careful about pretty stringent requirements about applicants being able to operate a registry and fill all the fulfill all the requirements in the application process and I'm for that – don't get me wrong – but that sort of creates a narrow band of eligible applicants.

You have to have the financial and technical wherewithal to operate a registry, but just fall \$185,000 short or \$147,000 short of that. And I think in that model we're kind of missing some of our target market. And I think you did that in an abundance of caution, that you wanted to be seen as launching this program carefully and responsibly so I think that's admirable. And now we have a little time, we should go back and look at what auction revenues are received and insure that just because there's low participation this time that that fund remains in place – and I would urge that too – but then sort of re-concept the program to bring future applicants along and they probably need to be supported in some sort of more substantial way so there's a larger population of possible recipients of that funding. Does that make sense?

Avri Doria: Oh it definitely makes sense. I mean, we did have the other part which was the non-financial support that was supposed to sort of help those that had an interest but weren't quite there yet and I think that's part of where outreach kicked in is we didn't reach those people to give them the pre-help, to give them the help to apply.

Andrew Mack: This is Andrew Mack. I wanted to build off on one of the things that Avri was just mentioning. Especially when you're talking about people who are less familiar with the workings of ICANN and especially if you're talking about people who are coming from some of the historically disadvantaged or historically less penetrated areas of the world, the time of a lot of this is really, really crucial.

And I think in retrospect one of the biggest errors of our program has been that even if we had had significantly more outreach than we had, which I agree was really nowhere near enough, but even if we had significantly more, there's still a timeline issue. If we are really serious about having people from the global south participate in much greater numbers and have much greater access and just getting their dynamism in this, we're going to have to start that process earlier for them just to make sure that they have the opportunity so that they can make use of the additional resources.

I think that there are going to be many more resources available for people as they see the priority as the changes in management come into ICANN and all that, but if we have a three or four-month period like

we had this time around, we'll still have the same problem. So whatever we can do to push that forward with a special focus on those regions, I think it's going to be meaningful.

Avri Doria: So in other words you're almost saying that the application support part of the charter of this group – hard to see – is one that we're basically just starting on now for the next round?

Andrew Mack: Can't really see it any other way because of the amount of time it's going to take to identify. And as Kurt said, there's a narrow band. You need people who've got the skills but don't have necessarily the resources – those are going to take people that are going to take time to develop.

Avri Doria: Any other questions or comments for Kurt on this topic before I know he needs to run? Yes please.

Fatimata Seye Sylla: Thank you, Avri. I would like to know with the number of – oh, for the record - Fatimata Seye Sylla from Senegal. I would like to know the small number of supported applications we have – we have three – we were expecting 14 – how many will we have next time? Will we have 14 plus 11? Thank you. That's my question.

Kurt Pritz: So certainly I don't know but what we just talked about a minute ago was we think the number of probably a function of improved outreach and the work this organization, this committee and At-Large can do in reforming the qualifications for financial support in a way that will make more entities eligible for it. It's not your question? Okay, ask your question again. I'll try to do better.

Avri Doria: Certainly. My hope had been this time not just for 14. I'd always thought that 10% was the minimal acceptable number and 20% was what I'd like to see. But it's really kind of up to us to make sure we get those numbers in a sense is what he's saying.

Fatimata Seye Sylla: Yeah, thank you. I understand that. But I just wanted to know... I mean, you're expecting to have more than 14, right next time? My question is really to know what would we do with the remaining budget? Would we report it to the 20% Avri is expecting or what?

Avri Doria: Yeah, I think one of the things that Kurt said and perhaps you can... is that the budget we had is something that we hope carries over and that we look at what might come out of the auction funds of so many contested strings that may end up in auction that there may even be more, but we don't know. Is the question...? Yes please.

Edmon Chung: Edmon Chung here. Just on Andrew's point earlier, and I think that's a very good direction in fact and I wonder whether it's possible to put it into action. I think probably the outreach should be ongoing and it is probably a good time for that to start as well with the New gTLD, the whole program gaining some momentum in the international press.

So we should utilize that wave and say, "Hey, there will be this financial support program as well." So I wonder how we can put steps into place and also of course that requires budget as well.

Kurt Pritz: Right, so I'm for that and we would support you in any efforts you want to undertake. I certainly understand your point about building up on existing momentum instead of waiting for a while and then the news story dying down.

Avri Doria: Yeah, so I think basically what we do as part of this applicant support and this group's charter is basically added to the things we started talking about, we come up with recommendations. We make them to ALAC; ALAC advises or not as the case may be and go it from there would be the way I would see it happening. You had to run, right? Yeah. So I don't see any other questions. I thank you very much for taking your lunch eating time to come and answer questions and I'm sure we'll have lots more questions for you whenever we can get you in the room.

Kurt Pritz: Thank you very much, Avri.

Avri Doria: Okay, so we've made it through the first part of the agenda. I think we're into the second part now. We've got 20 minutes left so I don't want to spend too much time on that. But really the second, the third sort of blend together. In other words, the Application Support Program as an existing thing – we know what happened; we probably should look a little bit more to understand if we've missed any of the dynamics – things that would have made it better – and then it rolls really into sort of the ongoing work, the rollout issues, the what do we do next.

I think we have the chartered item on Applicant Support Programs. I can perhaps check with Olivier whether it makes sense for us to look at the charter and say, "Well, the charter means keep working on it," that it's not just Applicant Support Program for round 1; it's Applicant Support Program ongoing. I don't know whether that needs an ALAC re-blessing but... Please.

Olivier Crépin-Leblond: Thank you very much, Avri. Yes, the Applicant Support Program Working Group that worked on this and designed it is a joint effort between the GNSO and the ALAC. So I gather that there might be a procedural question as to what it needs to do. That was the first, the first part. The implementation part that followed...

Avri Doria: I have a question about that.

Olivier Crépin-Leblond: The follow up was one where separate ALAC members were asked to follow up and start working on implementation as far as I understand and the ALAC gave its blessing for the work to continue. However, there was no mentioning of a second round or a third round, so what might be required is for the ALAC to receive, I gather, either probably a letter from you or an email from you and this will then be discussed at the next ALAC meeting.

Avri Doria: Cause yeah, basically the JAS Group did its thing, had its time, and going back to the GNSO and saying, "Let's re-charter it for future effort," would be something I wouldn't recommend I guess would be the mildest way I could put it. So it looks like if this group thinks that this Application Support Program is something that we should start thinking about now in terms of how to get momentum and such, then we should probably think about making that request. I've got Olivier and then I've got Fouad, then I've got Bret.

Olivier Crépin-Leblond: Thank you, Avri. It's Olivier. If you wish to make that request, I would suggest that you actually include all the points you just made now.

Avri Doria: Okay, thank you. Fouad.

Fouad Bajwa: Thank you, Avri. Fouad Bajwa. I think it's really necessary that we start [visiting] this because in our discussions yesterday with ALAC, the Regional Leadership Workshop, there were these discussions over how the communication, the efforts did not work. And then there are more things too that are more localized. Communication efforts have to be put in place and as soon as possible for this to actually happen.

So in that regard this becomes very crucial – how do we deal with the GACs implementation now and how this group actually takes it forward and how do we charter that and actually start executing that on a very short-term target basis. Thank you.

Avri Doria: Thank you. Bret please.

Bret Fausett: Bret Fausett. During this whole application process I worked with several applicants and I had one contact with someone who was thinking about applying for the applicant support and their concern was that there was no certainty as to whether they would get it or not, that the evaluation process for getting the funds was after the application process.

So I would think that for maybe the second round you could solve some of those problems by having them pre-approved for funding before they actually apply so there's certainty going forward and maybe that would encourage more people to apply.

Avri Doria: Great suggestion and hopefully if we do get the ALAC to support the continuation of this work that you bring suggestions into that work because that would be great. Anyone else want to add anything on... Yes please.

Andrew Mack: Andrew Mack. I'm just curious. So you're suggesting that we move beyond JAS and just do this specifically as an ALAC focus? I can see the rationale behind both – that's why I'm asking.

Avri Doria: At the moment, yes, that's what I'm suggesting. I'm suggesting that this group which exists as a group in and of itself isn't a JAS annex but it a sort of group that came after JAS basically look at how to set up an ongoing application support. We would get ALAC blessing for continuing that work and then we would present recommendations to ALAC on advice they could give from the position of being ALAC on how to take it forward.

Andrew Mack: So to clarify just so that I got it completely, this group would give advice to ALAC which then would in turn...

Avri Doria: This group would recommend advice that ALAC would give.

and rules with regards to putting together cross-community working groups.

We certainly do not follow the exact very tight rules that the GNSO Council and the GNSO have to follow. We have some prior occurrences of having invited people from all across the community to join our working groups. At the end of the day we are open to having people from the whole community. And I gather that each and every one of us in this room and outside of the room at least in the building taking part in ICANN works and so on are internet users so we qualify for this.

So ultimately, yes, if the recommendation from this group was to continue the work as solely an ALAC effort or At-Large effort, then of course, the ALAC will have to discuss this as well, but procedurally-wise the ALAC could create a group or a follow-up working group and invite members of the community from across every SO and AC in ICANN.

Avri Doria: Okay, thank you. So additionally it could just take a group that was existing and augment its charter to continue unless it wanted to create a new group.

Olivier Crépin-Leblond: Yes.

Avri Doria: Okay, thank you. Since that's what I was thinking we were going to ask for. Yes, Fouad.

Fouad Bajwa: We ought not to forget to add CWT to it as a cross-community working group.

Olivier Crépin-Leblond: It's Olivier for the transcript. There's a question when one mentions it as CWT, some equate this to being a GNSO CWT, so it's a cross-community working group. There is a bit of fluff around the term itself. Thank you.

Avri Doria: Yeah, I was thinking of this one – the GNSO definition means multiply-chartered and one chartering organization can't speak without the other chartering organization's permission; that the group can't speak to anyone without the permission of the chartering organization.

There's very strict boundaries on what a joint group with the GNSO can do and as someone who is in the GNSO as well as in an At-Large, I would recommend staying away from a GNSO cross-working group for this particular task. If we're talking about technical details of IDNs, I think it's a great idea. But I think if we're talking about support of applicants, it's actually better to invite them to participate insofar as they're interested, but to keep it an At-Large-directed effort.

Fouad Bajwa: The only concern is that certainly if this group – At-Large – somehow it shouldn't start laying the process if we're going to quickly achieve because of the situation we have of a whole communication program

actually failing to get in the required interest that was anticipated and the amount of work put into that in the first place by the JAS.

Avri Doria: From my personal experience, inviting a few people to join would not slow it down. Trying to make it a joint working group would slow it down. You've already got a couple of GNSO types in the group. Anything else on applicant support before we move on to the last item on the agenda? I see none. Oh, I see one. Yes please sorry. I didn't notice.

Salanieta Tamanikawaiwaimaro: Salanieta Tamanikawaiwaimaro for the transcripts. Just one question – is there any applicant support outreach to the Pacific?

Avri Doria: I don't know what to say. I don't think there was any applicant support outreach for real. But I don't know the details of the plan. I know some speeches were given at Davos about there being an applicant support program, and other places during our President's Farewell Tour, but I'm not really sure what happened.

Olivier Crépin-Leblond: Avri, it's Olivier for the transcript. I'm concerned about your geography. Davos is far from the Pacific.

Avri Doria:

I know. What I was saying was that was the one bit of outreach I knew about. I recognize my geography on this place. [laughter] Thank you though. It's always good to be reminded. Okay, so nothing else on applicant support so I will write up a draft of a letter and probably discuss it at our next regular meeting. I think there's a hurry, but I don't think there's such a hurry that I have to get it on anybody's agenda this week.

Okay, so the last item is basically the New gTLD rollout issues and we've basically... the way I've set that up is to start collecting issues from various conversations that people in At-Large are having, either on one of the chat lists or in the working group or elsewhere, putting them down and starting to create Wiki pages for them. But basically then sort of saying, "To whom is this issue important?" And making sure that there was at least one person that put themselves down as the token holder for this particular issue.

So for example at the moment, the ASP program continuing I include in that category and I put myself down as a token holder to produce the first draft letter of what we do about it next. Various other issues have come up – I think digital archery was an issue at one point; I'm not sure that it will be an issue for very much longer – and there was a couple.

Not too many thought have had someone say, "Yeah, this is an important issue with the New gTLD rollout that I think we need to do further work on," and volunteered to be the person taking it forward. Not a problem; I'll continue to collect issues as I hear people saying, "You know what didn't work? It was this,"

So I'll jot it down on the Wiki page and then I'll bring them up in each meeting and say, "So we've got the following four issues," and I don't have the Wiki page open in front of me. But yeah, there's a couple issues listed there now without – I don't know; I should probably find it here.

So does anyone else want to comment, first on that approach and then on issues that they think are really important in terms of the New gTLD rollout and be aware that as soon as you bring it up, I will ask you if you're willing to take the token on doing the work on it as only being fair cause I won't do it. I mean, if I bring it up, you know, then sure, I'll do it. I don't want to throw balls at people. Yes please, Carlton.

Carlton Samuels:

It's Carlton Samuels for the record. There was some interest expressed yesterday – well, more than yesterday – about the moving forward with the implementation process. Now that we've seemed to have batching by the wayside, the thinking was that maybe it was in ALAC's interest to support prioritizing community of strings and IDNs especially, and pushing for prioritizing IDN's and community strings in the rollout. That was one issue that came up a couple of times. Thanks.

Avri Doria:

That was something that you thought should be recommended now right in terms of that? Okay. And I assume that that was something that you were interested enough in making a proposal that then this group could pass to the ALAC or how do you see that?

Carlton Samuels: Well actually the most vociferous support of that was one of our colleagues, Edmon Chung and he's not here now but I certainly would... well, Edmon you can speak on your own behalf here.

Edmon Chung: Well I guess the question is how we want to take it at this point. The question is how would it matter? How should we bring it up that would make it matter and perhaps do we... I'm sure last time we talked about the IDN part, but what about the community ones as well? Do we want to come up with a suggestion I guess directly to the Board that this needs some prioritization.

But it seems to me that the patching process or the whole process is so... there is still a lot of uncertainty. The question I guess to everyone is whether it is best to bring it up at this point. Of course in my heart putting IDN as a priority is always I think makes sense, but whether this is the appropriate time for ALAC to bring it up is something we should think about.

Avri Doria: Yeah thanks, especially after hearing the discussions in the GAC yesterday were I think when you bring up the community and confliction aside, the only determination you have as a community is that you volunteered to call yourself one. So to put them all forward, okay, certainly there's parts of me that support it, but objectively I don't know that that's anything real to grab onto.

I just wanted to – now that I've got the table up – to point out to the items that were on the list, some of which already do have token

holders. We had digital archery mentioned – we had no token holder and it looks like it's probably a dead issue that we may not need to worry about any longer.

TAS and the glitch – we decided not to pursue; outreach program for New gTLDs - well, I think we're starting to fold it into perhaps the proposal to continue talking about applicant support and how we make sure that we reach digital self in other developing regions.

There was a trademark clearinghouse that Han Chuan basically wanted to have us token so she took the token holder. She was going to talk about it at this meeting but had to run so we'll carry that over to our next meetings – the telechat.

And then vertical integration and price caps on incumbents which was an issue that Alan had brought up and took the token on and it's probably too soon to have expected much of anything to happen.

So we do have these issues. I think the issue of the batching at the moment – whether it's adding IDNs as first or whatever, certainly the GAC has already pushed on IDNs first. They've pushed on the flat start for everything which I don't think anybody is objecting to and letting sort of natural tendencies of some things to take longer than others to just sort of space it out.

But I don't know if people want to take it further. Certainly I don't see it as one of the line items in that table that we're going to do long-term work on. Yes, you almost had your hand up. Did you mean to put your hand up? No, okay. I thought I saw... Okay. So anyone else want to

comment on these work items? Anyone want to do something about...
yes? Edmon?

Edmon Chung: Not necessarily wanting do. Edmon Chung here. I think one of the things that did come to mind is the community evaluation piece. We see that not a lot of applications came in as community...

Avri Doria: Four of them.

Edmon Chung: Oh.

Avri Doria: Try reviewing them all. It's a lot.

Edmon Chung: Well once we see how many goes through, then that's really the test, right? Eighty-four of them – how many would elect to be evaluated as community and then how many would actually pass the evaluation?

One of the things is that in this particular first round, there was a lot of concern that there is some kind of a community abuse. After the first round that should probably relax a little bit and I think the At-Large community might be... it might be good for us to raise this particular issue. And of course, maybe eventually the works needs to be done and at least part of the work might need to be done at the GNSO.

But I think At-Large community might waive this and say, “Hey, all the big... I guess the .web, .home, whatever, highly contentious ones are gone so next round coming up, let’s relax the community a little bit so that some of the real communities can actually come in.”

Avri Doria: Okay, so I will add that down as a line item and I’ll put your name down on it as a token... the token to bring it up and to start collecting information and I’ll come back to you and if there’s nothing to be done... but at least I’ll have a name attached to it. Okay? I see you nodding. Nodding isn’t on the transcript but I do see you nodding and you’re not denying it. [laughs] Anyone else want to comment? I think we’re just about at the end. Yes.

Male: Just a quick question then. So we are effectively saying that we’re in favor of pushing forward in some way the IDNs and the communities? That’s what I’m hearing. I think that’s great and I’m...

Avri Doria: I see a head shaking there. Bret, please.

Bret Fausett: Bret Fausett for the transcript. Just on the point of community, I think it’s important to remember that Lamborghini, Bugatti and Audi all applied as community. If you look at who applied for community, there’s a whole bunch of brands. It’s not what any of us would consider

a community I think, so I'm not sure that that's a principal basis that we would support for prioritization.

Avri Doria:

Right, I guess there were two things. There were actually three different issues. One was the issue of pushing through prioritization now based on having a community. And that's where I mentioned it was purely voluntary. As I said I've read it all – 84 community applications.

B was are we saying that we want to push together IDNs as a thing, as a prioritization? There's so few of them though that I don't know that it is a significant cost to the others and as I say especially since it looks like we're going towards a flat start of a batching because even when Kurt was here and the conversation of what batching was, it was no longer described as we take these and we start with this batch of them. It became we announce the results of them. And I don't know if that was a significant change in wording or just something that was an accidental phrasing, but it seemed significant to me.

And then there was a point that Edmon was making that in terms of the ongoing recommendations that we may make to the ALAC as possible advice is less suspicion and perhaps other considerations about community – how to do community; how to trust it more, etc. And I think your discussion there would fit in. And time is up is what you're telling me. So yes, sir.

So I have been told that we're done [laughter] and Olivier has prerogative to go beyond our doneness.

Olivier Crépin-Leblond: Yes, Avri, thank you. It's Olivier for the transcript. I just wanted to say a couple more words, one first to thank you for running that New gTLD Working Group if of course Heidi doesn't talk to you at the same time. Thanks so much. You've done an excellent job. Of course, also one to Dev and to Cintra as well for the Review Group and Cintra for helping you. And of course one for all of the members of the working group. You've done an incredible amount of work. And that's all I needed to say. Thank you.

Avri Doria: Thank you. We're done. Talk to you online.