**ICANN San Francisco Meeting
PEDNR
TRANSCRIPTION
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Alan Greenberg: We have 14 recommendations. The first one sounds like a funny recommendation but specifically we are trying to define who it is that is allowed to renew after expiration because according to the RAA it is far from clear. And we are defining that as essentially the person who was eligible to renew just before expiration. The wording gets a little bit more complex become of some legal technicalities.

The second recommendation says there will be a minimum of eight days after expiration where the domain is no longer functioning the way it did normally. That doesn't mean there is only eight days but there's a minimum of eight days.

Recommendation 3 says changes to WHOIS after expiration do not alter the rights of the registrant. And there has been some confusion up until now that a change in the WHOIS which is allowed under registration (implements) might actually impact the ability of a registrant to do something.

Four and five take the redemption grace period and institutionalize it as a consensus policy. Something that we are told the originators of the

RGP many, many years ago presumed would happen but the process was never carried out to make it happen.

It's particularly important now with new gTLDs because it is not in as part - it is not part of the applicant guidebook and therefore will not likely be implemented by new gTLDs if it isn't fixed one way or another.

Number 6 is that the price of a renewal after expiration must be posted. The EDD - it sounds obvious, the EEDP implemented in 2000 said that the RGP price must be posted but it never said anything about regular expiration.

Seven and eight are somewhat linked. They both are associated with making information available to registrants on the ICANN Web site so that registrants have a chance to understand what the process is, what they need to do, what their responsibilities are.

The two started off as two very different recommendations. As the wording evolved, they sort of merged together and they need to be reworded in final version.

Nine says that the registration agreement or associated documentation must tell the registrant ahead of time how communications will be made. It's an interesting situation where we tell registrants you better follow the notifications under renew on time but we don't tell them ahead of time how we're going to - whether we're going to use pony express or email or whatever to do the notifications.

Ten and 12 have to do with notification prior to expiration and after expiration. The current RAA requires two notices but says it in a very

obscure way. We're trying to say it clearer and we're adding the concept of one notification after expiration.

Eleven is that the notifications must be done in waves, which don't require explicit action on behalf of the registrant. Right now there are cases where the only notification is done on the domain management system at the registrar, which requires logging so we can look for the messages, which is not something a typical small registrant or, you know, occasional registrant will do. Oops, sorry; wrong direction.

Thirteen is that if a registrar redirects the Web site after expiration that Web site - that splash page or - must give some indication this is an expired Web site and tell the registrant what to do. You know, click here to renew or send email or call a certain number or whatever. So if it's a parked page of some sort, it must indicate some - it must indicate in some way that this is an expired name.

And 14 is not a requirement; not a policy but a recommendation for best practice. As we were discussing the notification issue, if a registrant - if a registrar sends messages after expiration, if the email address used is the domain in question, which has been suspended essentially, the message won't go out.

So the registrar is sending out messages, which if one were to look at them you would say there's no way it can possibly get to the registrant. And we are suggesting that actions be taken to minimize the chance of that happening. We understand there's some complexities in it and we're not recommending it be a consensus policy however.

As I said, the comment period is open until early April. And we would like to hear from people of all ilks. The participation in the working group as I alluded to in my earlier comment has not been particularly great from some areas.

And we want to make sure that these people who will be affected by the results do have an opportunity to comment and tell us either they think the direction we're going in is right or if it's wrong, tell us which direction we should be going in.

That's it. I do have some other slides on recommendation-by-recommendation, which I may pull up if there's particular questions but that's the formal presentation.

I would like to thank the number - the people who we have had on the working group. It's been going on for a long time. The participation from a number of key people has been very good and very solid at the top of which of course is Marika. And I don't think we would have gotten this far without her. But we have had good participation from a few areas within ICANN and I appreciate that.

Stefane Van Gelder: Thanks very much Alan. Yeah. We'll take it to (Jeff), Jaime, anyone else, just Jonathan - just please raise your hand and I'll add you to the queue. (Jeff).

(Jeff):   Thanks Alan. I have a question on Recommendation Number 2 and maybe you have an extra slide because I think that at least from a registry perspective, that seems like one of the biggest ones that would affect at least us.

And I'm not sure I understood - the recommendation is to have eight consecutive days and I'm not sure where - if you could help us understand where eight came from as opposed to, you know, the five - lots of things are defined already in five day terms and you just came up with eight.

The main question I have is I'm looking at the paragraph after the recommendation, which says - actually not up there but in the report. Notwithstanding the registrar may delete the domain at any time during the auto renewal grace period.

And maybe one thing that might help when you take all these comments is to do a timeline like a registration lifecycle timeline so we can kind of see where these recommendations fit in because I'm getting confused, you know, and I know this very well.

I'm getting confused as to where the recommendations fit in with auto renew grace period, redemption grace period and then also this new eight day period for the registered name holder at expiration. So that might help.

Alan Greenberg: If there's any other workgroup members who want to - who are foolish enough to want to tackle this, you may if you know (unintelligible).

Okay. Where did the eight-day come from? I talked about compromise initially. There are those of us who went into this wanting it to be zero and others who wanted it to be 30. And for reasons I won't go into the details of, we ended up at eight.

I don't think there is anything here, which is going to require a change on the - from the registry point of view, Number 1, because you started off with the impact on registries. I may be wrong but I don't believe so.

So all this is saying is there must be a period of eight days where during which the domain is still renewable because under current registration agreements name they may not be renewable at all. There may be zero guaranteed. No large registrars give zero days but they're not required to give any.

(Jeff):   Sorry. That's eight days during the redemption grace period. I'm just trying to get this all in my head.

Alan Greenberg: It's all during what is currently called the auto renew grace period, the 45 day period.

(Jeff):   Okay. So the first eight days of the auto renewal.

Alan Greenberg: No. Not the first eight. It could be the last eight days of the 45, you know. For instance, if a registrar wants to follow their current practice and give 30 days or 40 days for the registrant to renew, these could be the last eight days of those that the policy is talking about.

Many registrars redirect the Web site and redirect other traffic immediately after expiration and leave it there for 40 days. That's completely compliant with this recommendation. They don't have to do anything.

(Jeff):   Okay. So just - sorry, one quick follow up on that. I know Jaime's got a comment. Sorry. This is all meant to be done by the registrar. I mean it

doesn't say it in the recommendation. But it would be nice if it were clear to say that the registrar must interrupt the -- what does it say? The original DNS resolution path must be interrupted. Should say I'm hoping by the registrar as opposed to the registry.

You got to - I'm just trying to figure out what the registry impacts are, so that's...

Alan Greenberg: I notice Marika writing so I think that would be being noted. You're right. It should. The only impact I believe in any of these recommendations on registries is the one about RGP for those who don't already do it. I believe.

Stefane Van Gelder: Okay. Can I move to Jaime please?

Jaime Wagner: Alan, Jaime here. I have - could you put the Recommendation Number 14 to the screen? I understood that this is not a recommendation that had full agreement in the working group. Yes or...

Alan Greenberg: I think there was general agreement that it would be a good thing but we're not convinced that everyone can do it for a number of operational reasons. I don't want to speak on their behalf (about) the people. I don't think any one thought it was a bad thing. How implementable it was is a different question.

Jaime Wager: Because as I understand it, maybe I understood it wrongly. But how - if I send a notice to a domain that is expired, maybe the guy will not receive this. So it's like a catch 22. And I send a note for him to review that he - he's bound not to receive.

So I think it's easy in the registration agreement to demand the registrant to provide another way of reaching him besides the normal email advance attach it to the domain name that is being registered. So it would be something that would affect the registration agreement between registrant and registrar.

Alan Greenberg: We talked I won't say at infinitum but a lot about whether we should require that the registrar - in a situation such as this for instances that if you've registered the domain, you know, westin.com, and you said all contact - all the admin and billing contacts and whatever should go to me at westin.com, westin.com expires, it is disabled and the registrar may still send the messages to me at westin.com even though it's disabled. That's the situation we're talking about.

We talked about whether we should require registrars to use some other means, pony express, telephone, whatever. We could not reach agreement on how we could do this in a way, which could be done reasonably without potentially putting large costs on registrars who have business models but don't allow for that. So it ended up not being a recommendation.

If you feel strongly that there should be such a recommendation, that's what comment periods are for. We could not reach closure within our own discussions on that.

As you see by the best practice indication here, we could not even reach closure on the simpler one, a (unintelligible) simpler one of a registrar who's going to send a message to me at westin.com after they have disabled westin.com should be something different.

It's been a difficult process. And we're trying to not make rules that will be very, very difficult or impossible for some registrars to implement. But if you think we weren't strong enough here, that's what the comment period is - make sure it gets that. Thank you.

Jaime Wager: I will.

Stefane Van Gelder: Thanks Jaime. Jonathan next.

Jonathan Robinson: Thanks Stefane. It's Jonathan Robinson. I think I have a quick question and a quick comment because I know we're short of time. On item - on Recommendations 7 and 8 Alan.

Question here really related so the fact that these require ICANN to develop content to and append these two recommendations. And I wondered - my question really is is that something which has precedent. It is common that ICANN would provide content to end users or registrants or is this an - is this a (odd) or something unusual? That's the question.

And the second, the comment really is in seven you make it a requirement that the link is from the registrar but not so in eight. And my suggestion would be that most registrants are more familiar with the registrar than ICANN. In fact many may not even know of the existence of ICANN. So even if it is usual or anticipated that ICANN would develop such material, it may be lost if it's not referred to by the registrars. Thank you.

Stefane Van Gelder: Alan, do you want to...

Alan Greenberg: James.

James Bladel: Thanks. James Bladel speaking. We had extensive discussions about this recommendation within the working group. And I think that the key concept that we arrived at was that it was necessary and that registrars should not necessarily be leading this effort because if given the opportunity to educate registrants, I'm going to educate them to be the best possible Go Daddy customers I can think of.

And of course many have seen our educational videos during the Super Bowl. But I just - we arrived at the idea that this would be something that we would like to, something that we would help contribute to. We would certainly fact check it. And we would make sure that our customers were aware of it. But it really should be developed by ICANN and possibly other groups such as the ALAC.

Alan Greenberg: I have a comment but Marika has one first.

Stefane Van Gelder: Hang on. Hang on. There's a queue. All right.

Marika Konings: I just wanted to briefly respond to Jonathan's question because what we have recently done on the request actually of the IRTP working group is develop educational materials on EPP status values where ICANN took the lead, developed the draft, shared it with the working group, got input, got that back and that, you know, should be shortly posted on the ICANN Web site.

So that might serve as a kind of model where here we tried to develop something very neutral, share that with a group of people, say, you know, do you think this works and then post it from on the ICANN Web

site where we think people might check or look for that kind of information and then hopefully encourage as well others that, you know, have Web sites that provide that kind of information to a (unintelligible) or that I think it would be something similar that the group is envisioning here.

Alan Greenberg: In terms of precedent, there is one. The last version of the RAA where required registrars to point to a rights and responsibilities document which was developed by ICANN. And that's already there. So we're following a precedent that is there.

Stefane Van Gelder: Thanks. I've got Kristina and Tim next. I'll close the queue off after Tim. We're already over time. Apologize for that. Kristina.

Kristina Rosette: I guess Alan the first question I wanted to ask you is was the same one that I approached Michele namely do the recommendations and the report - is Recommendation Number 1 the highest rank in terms of order or priority based on the working group? And similarly do you anticipate that the final final report will indicate for each recommendation the level of support in the (recommendation)?

Alan Greenberg: The level of support, yes. We would have done it in this report if we hadn't run out of time. At this point I can't say there is complete support but there have been no objections from any of the active members of the working group. There was one objection from an inactive member of the working group at the end but that is all. So at this point we think we have general support. But we haven't actually measured it.

In terms of priority, no. The recommendation ordered by the charter point - by the charter questions. We have talked about whether we

should order them by the charter questions or order them so they're at least grouped together. Because for instance Recommendation Number 2 and Recommendation Number 9 are something really got linked together. But they were answering different questions.

And we were - we need to debate the order. There is no priority in that they're not something that are going to require, you know, graduated resources. We're expecting them to be all implemented.

Kristina Rosette: And just a quick follow up question. When - in Recommendation 7 and 8 because this is where I got a little confused especially since I had just read the IRTP report. When you're talking about materials for registrants to avoid loss, you're not talking about loss in the context of the SSAC report that already covers that from a hijacking perspective. You're talking about under the renewal and expiration. Yeah?

Alan Greenberg: We're talking about finding out that you didn't renew prior to expiration and now it's too late. Someone else has taken it over because registration agreements do allow that to happen right now.

Kristina Rosette: Okay. I just wanted to make sure that you all weren't reinventing the wheel. So I'm...

Alan Greenberg: No. It is - it's the same net result. You don't have the domain you thought you - that you wanted and thought you were going to be able to keep. But completely from process.

Stefane Van Gelder: Thanks. Tim.

Tim Ruiz: Yeah. I just wanted to comment on Recommendation 14 because I know Jaime had some concerns with that and others might as well. But one thing I just wanted to point out in why I think maybe a best practice on that particular is best is that one - another one of the recommendations, I don't remember which number it is, actually now requires that at least two of the notices for expiration be sent prior to expiration.

So that email address should be active and still usable at that point. In fact I think today you'll find probably - I would say the majority but certainly a significant number of registrars who already send multiple notices prior to expiration. So if they're not responding to that email address, then they would take a number of different steps even after expiration.

So the other issue I would have with doing more than best practice at this point is that, you know, what - making sure we have solid evidence that it's really a significant factor in why domain names are not renewed. And I think if you talk to registrars you'll find that - at least I believe that it's probably not a significant factor.

So we just want to be sure before we, you know, confirm policy that would require a lot of changes because keep in mind, there's tens of millions of domain names registrations already out there that we'd have to go back to and try to get that information so that when those names expire we'd have it on file. So that is not a simple process.

So before we do that, let's just make sure that there is a problem. So best practice and we can look at how things move going forward with

the rest of the recommendations and something we could revisit down the road.

Stefane Van Gelder: Thanks. I think we can all agree that these are useful discussions. I just want to ask you guys if you want to carry on just for a bit. I had two other people that potentially were in the queue. Would it be okay if we just go over a little bit? I think these working group discussions are very useful for us. And they're useful in many ways especially as we look to prioritize. So is everyone okay.

Hearing no dissent. We had Jonathan and Jaime next.

Jonathan Robinson: All right. So just a brief follow on comment from my previous one. I fully appreciate James' point that, you know, many, many users out there choose to recognize Go Daddy as a major provider of domain name services and may not know about ICANN yet ICANN is in a very good position to develop objective and neutral materials particularly held by registrars.

So I can see that the value and the material and in fact (Ching) helpfully pointed out to me a beginner's guide or learner's guide to domain names. It's - I hope I'm not being disingenuous here but apparently buried within the ICANN Web site.

So it strikes me that there's a role for this sort of thing. But the question is how does it get out to end users to make it of real value? And it seems to me there's two ways in which it's done. Either in the form in which it was suggested in the recommendations, that is to say it's either mandatory or best practice for it to be linked to by the registrars Web site.

And second, ICANN might like to think about in some way syndicating or getting that content published and out via other means other than hoping that it could be recognized as an end user brand, which it clearly in my view is not. Thank you very much.

Man: (Unintelligible).

Alan Greenberg: I think the two answers are noted. And the reasons we were talking about ICANN developing and posting it on their Web site but then being pointed to by the registrars so whoever your registrar of favor is, they will be pointing to it.

So, you know, they may or may not notice that it - the ICANN brand when they get there but hopefully there will be an obvious link to it from the site that they are comfortable in using. But we understood that posting in an obscure place on the ICANN Web site is not going to solve our problems.

Stefane Van Gelder: Thanks. Jaime.

Jaime Wagner: Excuse me. But my intervention is not to do with that. But it follows of Kristina's interventions. So I would like to point that Kristina is the demanding always that working groups put their report in the prioritized manner and I think it's good idea to delegate our prioritization effort to the working groups. And she is putting this very (slowly) and I like the idea.

So I would propose that the next working groups do this work this way and the report follow some (diverness) and prioritization.

Stefane Van Gelder: Thanks.

Alan Greenberg: I've already told Kristina I want to talk to her privately about this
because I don't quite understand. We're talking about issues, which
are not going to require GNSO activity and workout once this report -
the final report is approved. So I'm not sure of the need to prioritize the
individual recommendations, which will fall upon ICANN staff to
implement.

Stefane Van Gelder: It may also be just a need to make the reports more
readable and to understand how the working group rates the results
that it's coming out with. That can be - even if we're not expected as a
Council to take action, I think that might, you know, have some use.

Jaime Wagner: Kind of I think there is a good example. (Mike)'s report on the low
hanging fruits and this is some kind of priority. And the other would be
the (severement) how it may affect all the community. And I think both
aspects should be contemplated.

Alan Greenberg: I think that there is an answer that's really necessary here. What you
see here are the recommendations that we managed to agree on. And
if we got that far, there was a strong feeling that they were important.
There are a whole bunch of other recommendations you don't see
here. If you read the detailed report, you'll see reference to them.

Ones that we felt were exceedingly important but we didn't think we
knew quite how to implement or we didn't think that we understood
them well enough. So we have - the ones you're - the ones that we

would rate as low priority you're not seeing as recommendations. They didn't pass the barrier.

There was a crucial one that everyone, registrars, users, ICANN staff; everyone agreed it was absolutely mandatory. Not there because there was some implementation details that were complex enough that we decided we couldn't put it in. There was a few other ones that are similar. Mikey and then I'll give up the floor.

Mikey O'Connor: I want to follow up on Jaime's point and that - I'm sorry, this is Mikey O'Connor. I co-chaired the prioritization work that followed the RAP working group. And I think we're all happy to do that. But that little tiny working group that came up with all those priorities was a little dismayed to then see the priorities get essentially rewritten by the Council.

And so I think this is an important discussion to have as to who's doing what and what people can expect because as a working group member, I'm trainable. If it turns out that I'm going to work for a year and a half on the working group and then work for another eight weeks pretty intensively on a subsequent priority setting working group and the Council's going to rewrite it, after a while I'm going to stop doing that.

And so as we have this discussion, I think we need to be clear on sort of what roles are and what the expectations are and where the authority lies for these things. And if you want to delegate it to the working groups, that's fine. But then delegate it. Don't delegate and then un-delegate it because it makes for sort of duplicate effort from

over committed curmudgeon emeritus volunteers types like me.
(Okay).

Stefane Van Gelder: Thanks. Yeah. Can I - I'll go to Mason and try and close this
off so we have five minutes for coffee.

Mason Cole: All right. I'll be brief. Mason Cole speaking, Chair of the Registrar
Stakeholder Group. Just to follow up on Jaime's comment which I think
is valid. I'm aware of an analysis that staff has done on its own
prioritization issues. Staff is working at overcapacity. I think it's fair to
say that many in the community are working at overcapacity.

I would agree with Alan that I think this workgroup has done a great
deal of good work in analyzing the situation as it exists and making
some recommendations that are probably implementable if that's a
word. One of the objections or concerns I've had in this workgroup is
lack of quantification of a problem in order it to be solved.

I think if the ICANN community is going to accept the workload that it
has, problems addressed in a workgroup need to be carefully
quantified in order to understand whether or not they truly exist. As an
operational registrar, I could make a pretty good argument that the
incidences of accidental loss of a domain name are disproportionately
small to the effort put into this workgroup.

I think the community needs to take care with documenting facts in a
fact based policy development process before it embarks on policy
development.

Stefane Van Gelder: I'm going to cut it off here. Sorry. I do want people to - I do want to give some break time to people. We're scheduled to start again at 10:30 meeting with Patrick Falstrom who's the new SSAC Chair and I recommend being there for that because we do need to understand other groups and I think (Peter) has a lot to say - a lot of interesting things to say about the SSAC's work. So we'll meet here again in roughly 15 minutes at 10:30. Thank you very much.

                              END