

**Transcription ICANN Buenos Aires Meeting
New gTLD Update
Sunday 17 November 2013**

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Coordinator: This conference is being recorded. If you have any objections please disconnect at this time. Thank you.

Jonathan Robinson: All right if I could please call the room to order, if I could ask you to stop your private conversations and focus on the next session please. Could I ask for quiet and attention on the next session please? Thanks, everyone. If we could start the recording now that would be great.

Right, thank you, everyone. Welcome the second session, Sunday 17th of November of the GNSO working sessions here in Buenos Aires. Welcome to Christine Willett of ICANN staff who's going to be giving us an update on the new gTLD program.

Thank you, Christine. I'm sorry we were a couple of minutes late. I think you'll agree that it was an important topic to hear from the previous speakers on. So without further ado I'll hand over to Christine to give you a brief update and then we'll move into a Q&A. Please, if I could ask you to pay attention to the topic at the table now.

Christine Willett: Thank you, Jonathan. Good morning, all. I'll start with a brief update on the new gTLD program. Given the conversation you just had I won't spend too much time on name collision.

The - as you all know ICANN, through the new gTLD program, has begun to delegate the first gTLD as a result of this round. We've delegated to date four IDNs and 20 ASCII strings.

We are processing on a weekly basis just as we have through evaluation we have mirrored the process work for contracting pre delegation testing as well as the transition to delegations.

So you will see this weekly cadence as we go forward with the exception of some holidays I expect but this weekly cadence of processing. So you can anticipate this - a similar pace.

We anticipate abiding by the 1000 delegations per year which approximates 20 per week, some could be more. We haven't yet reached that. But that is over the course of one year we anticipate the average of 20 per week.

To date with the program we have 128 application withdrawals, four applications which will not proceed leaving 1798 applications which are active.

Nine hundred and sixty of those applications have been invited into contracting. They are eligible for contracting meaning they don't have contention, they do not have outstanding objections. They're not subject to pending GAC advice and they meet all of the criteria to have been invited to contracting.

Of those 960 invited 275 applicants have responded to those invitations so less than 1/3 of applicants invited to contracting have responded. And to date we have signed 144 new gTLD registry agreements.

We are scheduling and conducting pre delegation testing on a weekly basis. To date we have had 47 applicants pass pre delegating testing. And we have transitioned a total of those 20 - well a few more than those 24 strings have been transitioned to delegation and the 24 delegated to the entire process.

Evaluation is nearly complete. We still have a few applications remaining. Two applications remaining in initial evaluation; 27 applications remaining in extended evaluation. We are hoping to complete initial evaluation in the next few weeks and put those to bed. Outstanding change requests and other delays have led to those delays.

The extended evaluation we have anticipated for some time wrapping up by the end of the year. Due to clarifying questions and timeline we may - that may delay just into the new year but we expect to be materially on course.

In terms of another topic I know is of interest is objections. Sixty five - over 65% of objections have completed and received determinations. I know there's been a lot of dialogue in the community about some of those results and determinations. Staff is monitoring those. We continue to review the results of those determinations working with the DRC.

I can tell you that the New gTLD Program Committee is continuing to monitor the results of those objection determinations and it is a topic of much interest.

GAC advice, Category 2 GAC advice, the GAC identified 61 strings as generic terms under Category 2 where applicants proposed to provide exclusive registry access. One hundred and eight six applications were subject to that advice.

We inquired with the applicants subject to that advice as to whether they still intended - or did indeed intend to operate as exclusive registries,

nonexclusive registries or if their application had said exclusive but now they intended to be nonexclusive.

We are left with 11 applications who are stating applicants; who are stating that they intend to operate in an exclusive manner. Any applicants who have stated that their application previously said they were not going to be exclusive but are now intending to be exclusive we have communicated that we anticipate those applicants submitting a change request to clarify a change in status of their application that they do intend to operate in a nonexclusive manner. And we have had one nonresponsive applicants to those to increase out of 186.

Contention resolution, we have - because we still have the outstanding string confusion objections we have not updated the contention sets as a result of the objection determinations there. We do anticipate updating those contention sets as a result of all of those determinations together and once all of the determinations have been reviewed and understood.

We have started community priority evaluation not en masse. We have eligibility criteria to invite applicants into community priority evaluation again subject to a variety of other criteria. Four applicants have been invited into community priority evaluation and two have actually begun the CPE process.

The other aspect of contention resolution is the ICANN auction. On November 1 we published a set of preliminary auction rules around the ICANN auction. We are looking forward to further discussion on those auction rules. We had a webinar on 7 November and we have a session later this week specifically on auctions. We're hoping to get feedback from the community on auctions.

Given the current timeline unless there are further delays - unless we - at this point we do not intend to go out to public comment with those auction rules. The premise being that we are not changing the guidebook. We are simply

clarifying the details that are already within the guidebook and we are defining the implementation of the ICANN auction.

So on that premise we are actively working with interested parties to receive their feedback. But at this point we're not intending to go to public comment on that. If we were there could be further delay. But at this point the anticipated timing is we could be notifying applicants of the intent to auction by the end of the calendar year in December with the first auction being held as early as late February or March of 2014.

A brief update on operational readiness, an area that's my focus is beginning to shift to. SLA monitoring, EBRO, data escrow all of those functions are in place and operating today. SLA monitoring is in place. We have two tested and verified EBRO providers in (core) and (scenic) and we are working on - to finalize contracting with two more. So we expect - now that we have delegated gTLDs we are operationally ready to support and monitor those TLDs.

I will leave it there and open it up to questions.

Mason Cole: Thank you very much, Christine, for that presentation. We'll open a queue. I have Amadeu and Brian.

Brian Winterfeldt: Brian Winterfeldt, IPC. Thank you, Christine, for the update. A couple quick questions. First question, when do you anticipate clarifying the rules around indirect contention sets and the auction?

Christine Willett: So the rules around auctions, we have a preliminary set of rules published and we want to get feedback this week. We will continue to take feedback if the community wants a further time to contemplate.

In terms of the contention set updates, we have been - as applications withdraw although we haven't published revised contention sets we do

publish the individual results of that withdrawal. So applications become eligible as we understand the community is resolving contention amongst themselves we do allow those applications to then proceed once the contending application is withdrawn.

Once all of the string confusion objections have been determined, as I said, once that is done and we have staff and the NGPC has had sufficient time to review those results then we will look at updating the full set of contention sets anticipating that, yes, there will be direct and indirect contentions out of that.

Brian Winterfeldt: Thank you.

((Crosstalk))

Brian Winterfeldt: Mason, can I ask a couple of other questions or should I...

Mason Cole: Yeah, sure. Go ahead.

Brian Winterfeldt: Okay great. Thank you. My next question is with regard to the community's concerns around the high dispute resolution fees with regard to International Chamber of Commerce's - is there any movement to do anything about that or plans to address that?

Christine Willett: So we did publish a fee schedule from the ICC. They have their own fees also for their standard determination process on their own Website. At this point in this round I don't anticipate the ability to go back and negotiate those fees.

We have clarified with the ICC the expectation that once the prevailing party is determined that those fees would be returned promptly so that's - at this point, the best we feel we can do with the ICC.

Brian Winterfeldt: Thank you. One other quick question. Can you provide us any update on the issue regarding singular versus plurals and the inconsistent decisions that have come out?

Christine Willett: So there definitely have been various determinations, some would call inconsistent. The NGPC has considered this issue and determined not to impose any change at this time.

Brian Winterfeldt: Thank you.

Mason Cole: Amadeu.

Amadeu Abril: Okay good morning, Christine and everybody. I'm Amadeu Abril with CORE Registry Constituency. I have some quick questions regarding timeline in different areas.

The first one would be do you have any feedback from ICC and (ICDO) when they would deliver the relatively big number of decisions on objection we have still pending?

The second one is on the famous 451 of the RPM and this 100 numbers that may be used by third parties according to Specification 5, the (unintelligible) so to speak. Does ICANN has a timeline for having a decision on that?

And the third one is general timeline. We know we have a bottleneck, I mean, you only have 20-something TLDs that have passed pre delegation or are not yet delegated. So you cannot delegation 20 a week from now on. But accordingly you have more insight than we have with the numbers you have, when do you believe that we will reach somehow still the numbers and we will somehow get to this famous 20 delegations per week that we were expecting some months ago? Thanks.

Christine Willett: Thank you, Amadeu. So if I got the first question right is about the timing of the dispute resolutions particularly around the limited public interest and community objections managed by the ICC.

We - I recognize and acknowledge that those are coming in later than we had anticipated. The 45-day timeline would have put those determinations somewhere in August.

The timeline has been affected primarily for two reasons. One, a number of those objected to applicants or objectors, in fact, have requested a stay or a continuance of the proceeding. And the ICC has granted those.

As I understand it, anecdotally, the - many of those continuances were granted or were requested due to GAC advice and being subject to other aspects of the program.

So based on those delays that was one criteria. The other rationale - reason for some of the delays is that ICC has a significant review process that takes somewhere between four and up to eight weeks to review the expert panel's determinations before they are published. So those are two reasons.

A third I understand there were a handful of disputes that the expert panel recused themselves, needed to be assigned, reassigned to another expert for determination. So those have been the primary causes for delay.

At this point I expect we will start seeing more of determinations in those areas later this month as well as a significant number of them in December. Although I do expect given that there are some of these states which have been granted we will not see all of them until after the first of the calendar year. And I think - number one.

The RPM process - remind me.

Amadeu Abril: The 100 names that could be used by third parties only for the registries, 451 of the RPM requirements in which it says that ICANN may decide to allow this to be used by third parties and that ICANN will publish a process for that.

Christine Willett: So we understand how important the RPMs are too many of the registry operators. I don't have a date on that. Let me get more information for you. We have an RPM session later this week, I believe Wednesday. So let me take that back to the team and we'll get you an answer for that session.

And then finally the question with timing and backlog and when do we think we'll get to 20 per week. So I think much of the delay to get to the to 20 per week has been due to the fact that we were holding off on delegation until the name collision report was - and the plan was put in place. That happened in mid-October.

Once that was completed we began generating - the team generated the alternate path to delegation - or SLD reports - and started publishing them. Now that we are doing that - and I know the team is working diligently to get the remainder of those alternate path to delegation reports completed and published very quickly - I think that that will open some bandwidth in the pipeline for the path to delegation.

I still think that the gating factors are going to be pre-delegation testing. Pre-delegation testing we currently have capacity of 20 test slots per week. That is with some notice to the vendor we are able to increase that at a rate of more than 20 per week to increase it to 40 per week if we needed to. So I think that there are other ways that we can manage the pipeline.

I think you've seen that although the contracting process has not been even and it had a steady flow that we are fine-tuning that and we have the capacity and the bandwidth to tune that process and that machine.

Just to reiterate I want to assure everyone that each of the queues - or each of these dates we do utilize and use the application priority number as a basis for determining movement onto the next phase whether it's receiving the contracting information request, getting - receiving the Registry agreement, scheduling pre-delegation testing, etcetera.

Mason Cole: Okay the queue now is Ching, Jeff, Kristina and Brian. Ching.

Ching Chiao: Think you, Mason and Christine. Hi, Christine. This is Ching Chiao from the Registry Stakeholder Group. My question is actually about the reconsideration requests noticing a kind of growing number of requests that have been posted on the ICANN page this year. So, Christine, could you help - perhaps help us understand in general on how these requests are being taken care of and do you see any impact or actually significant impact on any application or on the gTLD program overall? Thanks.

Christine Willett: So the reconsideration request is one of three options that anyone in the community, whether it's for the new gTLD program or otherwise, has - may avail themselves of as per our bylaws. The ombudsman is one path for fairness issues. There is the reconsideration request and then there is the IRP.

I think given the nature of the program and the sensitivities and importance of the program to many stakeholders and entities I think we are seeing an uptick in the number of reconsideration requests. The Board deals with those requests; staff does not. So those are considered as per their standard process.

Mason Cole: Okay Jeff.

Jeff Neuman: Good morning, Christine. I have a couple questions on the extended evaluation process. Did everyone that's eligible - I have a follow up too so.

Did everyone that's eligible for extended evaluation actually elect for extended evaluation?

Christine Willett: Yes they did.

Jeff Neuman: Okay. And then - and I guess as they're coming out you're publishing the results?

Christine Willett: That's correct.

Jeff Neuman: Okay. That was it. I was actually pretty easy. Thanks.

Mason Cole: Okay thank you, Jeff. The queue is now Kristina, Brian and Jonathan. And - okay, I have you, Steve. And then we'll close the queue there. We have 10 minutes left before Fadi arrives. Kristina.

Kristina Rosette: Kristina Rosette. Thanks, Christine. I actually have a follow-up question to Amadeu's question. Although it's helpful to have an understanding of kind of some of the buckets into which the delayed ICC decisions fall the vast majority don't fall into any of those buckets. So where the parties are now kind of 8+ weeks out from when the panelist had informed them that their decisions were due what information can be provided to the parties as to what's going on and when they can expect a decision?

Christine Willett: Thanks, Kristina. I will tell you my staff has weekly meetings with all of the dispute resolution providers. Although we don't get substantive information or results information we are managing them on a process basis. So we are monitoring timing in delays.

I wasn't aware of any that have passed that eight week mark. I would certainly want to know about that so if you would let us know about that through the customer service center which specific determinations because I think the objector and the applicant are notified by the expert whereas ICANN

is not. So I think you may have more information than we are getting at this point on that.

So if there are delays beyond that four to eight week review timeline I'd certainly want to know about that and we'd be happy to work with the ICC. We feel it's also very important that these determinations are published quickly.

Kristina Rosette: Thanks very much.

Mason Cole: Okay thank you. Brian.

Brian Winterfeldt: Brian Winterfeldt, IPC. Thank you again, Christine, for being here. A quick question about sunrise dates and eligibility criteria. Is there any plan to provide that information in a more simple or organized way on the Website to access it?

Christine Willett: Yes, so ultimately the intention is to provide a portal with all of the sunrise TLD startup information consolidated in one place. It has been designed. It's in the process of being rolled out. I don't have an exact date on that.

I also believe that the team is working on a consolidated webpage. Isn't there today? Ah, Kiran, of course, thank you, Kiran. So there is now a consolidated webpage so instead of the TLD startup information being on every registry agreement page it's now being put on a single webpage. But there is designs in the work for something - more user-friendly as well.

Brian Winterfeldt: Great. Thank you so much and thank you Kiran.

Mason Cole: Thank you, Brian. Jonathan.

Jonathan Robinson: Apologies. Thanks, Christine. Sorry, I've got two questions on dates and I hope you didn't already answer these. But just you talked about, as far as I

could tell, auction dates and notifying applicants, your best estimate was notifying applicants towards the end of the year and then taking place in February, March next year.

Will you notify applicants of the start date or were you actually notify - what date will you - I mean, and will it be all applicants in a batch? Will you...

Christine Willett: So thank you, Jonathan. I understand the question. So the process includes an initial notification of intent to auction that is not - does not include the notification of the auction date.

There is a process which I - my team will further articulate this afternoon - no, it's only Sunday - tomorrow afternoon in the CPE and auctions session where we'll be discussing the exact details. But there is a notification of intent to auction. Then there is notification of an exact auction date. We will go through a more detailed timeline. So the 60 to 90 days is based on all of these steps being conducted.

Jonathan Robinson: Thanks. Thank you. And then second date - and you may have touched on this - is when you've done all the work on a name collision study will you - I mean, when we you provide the actual list to applicants so that they - and will that be before contracting or after?

Christine Willett: So in terms of the alternate path to delegation report at the moment we have been providing them prior to delegation post-contracting. However we are working to get all of those reports completed and published soon so they will be public prior to contracting for applicants.

Jonathan Robinson: Thank you.

Mason Cole: Steve.

Jeff Neuman: Yeah, can I ask a quick follow up? So I thought Cyrus had made the statement saying that all the reports would be out prior to Buenos Aires? Did I misread that?

Christine Willett: You did not misread that. The team is actively working on making that happen.

Steve DelBianco: Hey, Christine. Steve DelBianco with the Business Constituency. With respect to the dispute resolution determinations the said that staff reviews and that the NGPC monitors them. And what I'm anxious to understand particularly with respect to the singular plural decisions is you have promised in the past that staff is looking at ways to ensure consistent and understandable results. What's your progress on that? And what should we expect staff will be able to do with decisions to make them understandable?

Christine Willett: So frankly I don't think staff has - it's within our purview to change the Guidebook and change the criteria of determination. We review the determinations to understand them, to understand the basis and the rationale being used by those experts.

We share information on those results with NGPC. The NGPC continues to consider options for handling that. So I expect that staff will not initiate action but should the NGPC determined to direct staff to take action we certainly will do so.

Steve DelBianco: So that's it a singular plural group of applicants then - while we're waiting on the option to make the results consistent I assume then they won't be invited to go to contracting while you finish exploring your options?

Christine Willett: So the - specifically on the issue of singular versus plural the NGPC has considered the issue on multiple occasions and has determined not to take action on the singular versus plural.

Steve DelBianco: So there won't be an attempt to make those results consistent?

Christine Willett: Well I think that the view is not common and shared that they are inconsistent. I think there's an appreciation that there are different results for different reasons and different rationale. But the idea of differences due to a single letter or singular versus plural there are already strings in the root that vary by one letter. There are many other strings applied for that vary by only one letter.

So the issue of singular versus plural is, to my mind, a narrow part of a broad issue of variance between strings. So the NGPC has looked specifically at singular plural and I can say at this time they have elected - I want to say was a month ago, June, determined not to take action on that.

Mason Cole: All right we have just one more minute before the close of the session. Any other questions from the floor? Okay, Amadeu and then we'll close the queue there.

Amadeu Abril: Okay, Christine, this is Amadeu Abril from CORE again. And I have a question regarding name collisions. When we received the name collisions report and we received the other ones you have just a list of the names not appearing the name collision list.

Now there is some important information that's missing they are to make an informed assessment of what to do not for our TLDs but for future TLDs that will come which is where are these requests come from and how frequent they were.

And I'm saying this perhaps regarding those that may have much larger names and that some of these names may come from their internal networks. For instance we have some telcos that had, you know, a very large amount of collisions in the first report we had.

So in order for them to know whether they move into, you know, alternate delegation path or, you know, the way - because they have a serious security risk just knowing the frequency of each name and the origins, the IP addresses, perhaps this may not be published. But could this at least be communicated to the operators so they can understand whether there was an internal problem, it was an external problem or how they could handle that please.

Christine Willett: Thank you, Amadeu. I am not close enough to the data to report on what is or is not available but I will take that request back to the team to see what information is available so we can respond to that. Thank you.

Mason Cole: All right we'll close the queue there. Christine, thank you very much. And we'll take a break if we could stop the recording and we'll prepare for our meeting with Fadi. Christine, thank you.

Jonathan Robinson: Thank you very much, Christine. So just to give you all an update on the schedule, the current schedule has asked meeting with ICANN CEO, Fadi...

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