

**ICANN
Transcription ICANN Copenhagen
GNSO New gTLD Subsequent Procedures Policy Development Process Working
Group Meeting
Saturday, 11 March 2017 at 8:30 CET**

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

The recording and transcriptions of the calls are posted on the GNSO Master Calendar page:
<http://gns0.icann.org/en/group-activities/calendar>

Jeff Neuman: So as we get ready to get started, if everyone could log in to the Adobe room because we're going to do some polling. So if you go the meetings website and you go to the schedule, you'll see a link to the Adobe room. Click on there -- oh you've got to turn your volume off. Yes please keep your - when you click on the Adobe room, turn your volume off or turn your speakers off. Otherwise we hear that nice little echo.

Yes we should - so we should probably start the recording, if we're not...

Avri Doria: The recording is paused. Let me start. We can also kill the cameras so we don't have to watch ourselves.

Jeff Neuman: Oh that's probably - are we good? Are we recording? All right everyone. Thank you for coming so early in the morning. Welcome to the ICANN 58 Subsequent Procedures Meeting. I know there's a lot of conflicts. We'll see what we can do for the next few meetings to avoid all of these -- or at least some of the conflicts. I know that some people will be leaving, in theory, for the Rights Protection Mechanisms group that's at 10:15 or 10:30, or something like that. So thank you everyone for coming here.

I can't really turn around too much and talk in the mic. So thank you for everyone behind us. And if at any point anyone behind us wants to speak, this is (Emily) over here, she'll be watching for that. And so raise your hand and you'll be able to speak. So, Steve, anything else I need to do introductory before the introductions?

Steve Chan: Did you already mention the AC room?

Jeff Neuman: Yes. Everyone, again, join me Adobe Connect room because we have polling going on after - well we'll talk a little bit about the structure of the meeting. So do we want to start with a slide or should we talk about the structure? All right. So yes, so this is the agenda for today. We will talk about the current status of the working group and then we're really going to get into introduction on each of the work tracks.

The bulk of the meeting will be devoted to talking to actual responses to questions or ideas and brainstorming on the specific questions. Up until now we spent the last several months working on what we call constituency comment two, or CC2, which was - which is going to officially go out after the ICANN meeting for at least for a 40-day comment period for anyone in the public to respond to - they're very specific detailed questions.

But during this meeting what we're going to do, and I'll probably explain it again as we get closer, is each of - or one leader from each of the work tracks will give a very brief introduction into that work track and then we're going to do a poll on the Adobe Connect room to see the two, possibly three, subjects that we can talk about during that allotted time during this meeting.

So we'll talk a little bit more about that as we get into the specific areas. And then if there's any other business, we'll deal with it then. And I'm sure what we'll have are some issues that we put into the what we call the parking lot,

so we can make sure that we have issues that we're going to address at a later time.

So again, everyone if you can log in to the Adobe Connect. We're getting more and more people, that's great. And so if you want to go on to the next slides. I should probably introduce myself. So I'm Jeff Neuman. This is Avri Doria. And we are the co-chairs of the Subsequent Procedures Working Group, and we have the work team leaders that are here.

So for Work Track 1 we have Sara Bockey and (Krista Taylor). You want to raise your hand so people can see you. There you go. Work Track 2, we have Michael Flemming, who's here, over there, and unfortunately Phil Buckingham was not able to make it to Copenhagen, but he's the other work track two chair. But he's on Adobe, good. Fantastic. Hi, Phil.

Then for Work Track 3 we have Karen Day, which I saw - oh, hi, Karen, and we have -- I don't see her in the room at the moment -- Robin Gross, who should be joining us shortly. And then Work Track 4 we have Rubens Kuhl and Cheryl Langdon-Orr, who's starting the meeting. She actually has a conflict for the first hour or so but she'll be joining us in - at around 9:30. So it's great to have everyone here.

And now to just I guess a little bit about the current status. So I started mentioning it. We - when we started in February of last year, we - once we got the working group actually together, we had a bunch of overarching issues, six overarching subjects that we had started on, things like should we actually have more new gTLDs and if we do more new gTLDs should we do that in a first-come-first-serve or in rounds or in some other mechanism.

And on those questions we sought some feedback, which we called community comment one, or CC1. And we have gotten some good feedback from a few of the stakeholder groups, constituencies, advisory committees,

not all of them. But we did get some good input and we spent some time talking about that.

We still have some subjects that we are considering, although we did reach some preliminary conclusions, which again will eventually go out in a -- I always get confused -- initial report or is it preliminary report for the PDP, it's one of those two. Initial report, thank you. I should know this because I was the chair of the PDP working group at one point in time. So the initial report will come out and that will have our preliminary conclusions.

But we also have a few subject areas that we have created or drafting teams which we will start after ICANN 58, talking about specific areas, such as one of the overarching questions was should we have different categories of new gTLDs and if we had new - different categories of new gTLDs, should they, you know, what would be the differences in the application process, the contracting process, the evaluation process, et cetera, of those categories.

So the applicant guidebook from 2012 recognizes some categories. And then there was category, a brand TLD, which was added after the applicant guidebook but was added through a specification 13. The question was should we keep those different categorizations, should we create additional ones, et cetera. So there's a drafting team that's going to be looking at some of the more detailed questions in that overarching issue.

Another one was should there be rounds versus first-come-first-serve and what - if it should be in some sort of rounds, how would that be structured. So that's -- what's that? The framework. I should actually look at this list here because it's closer. And then, yes, the drafting team we created was on framework for predictability, and really that's going at some issues like, you know, what if changes have to be made, how are those changes going to be made in the middle of the process.

So we certainly saw a lot of changes to the 2012 round after the applicant guidebook had come out, even after applications were received. So some have said that there has not been as much predictability in the process as they would like to see. And so we established - yes, anytime anyone wants to ask a question. So Kristina?

Kristina Rosette: Kristina Rosette for the transcript. I actually have, I think for lack of a better way to describe it, an administrative point of order. We are already very close to running out of chairs. Can I make a suggestion that whoever it is that could get us more maybe start that process so that by the time they arrive, we don't have people lined up all the way around the room?

Steve Chan: This is Steve from staff. And my understanding is - we appreciate that concern but I think we're at capacity, from a coding perspective. So I don't think we can actually add seats. And I'll admit, I was a little surprised by the size of the room myself. Sorry. Thanks. Oh and as (Emily)'s pointed out, there's actually a few more seats at the table if anyone from the back or new participants want to come and join us in the front, that would be great. Thanks.

Jeff Neuman: Thanks, Kristina. We'll make a note for the next meeting that we probably should have, as we get closer potentially to a new application window or a new guidebook, I would expect and hope that attendance would get a little bit greater. So perhaps for the next meeting and future meetings we would have more - room for more people and hopefully less conflict as well.

So getting back to the current status, we have four work tracks that we've created: Work Track 1, which deals with general application issues, support and outreach; Work Track 2, which deals with the legal and regulatory issues; Work Track 3, which deals with objections, contention resolution and dispute resolution; and Work Track 4, which is trying to tackle more of the technical issues, including things like the technical evaluation criteria internationalized domain names, universal acceptance, et cetera.

So what we're going to do -- and I think we should go to the next slide -- during this is we'll go into a little bit more detail on the work tracks and then specific questions. Here's our current estimated timeline for our work. It's now March 2017, so after the ICANN meeting we're going to officially send CC2 out for public comment and then hopefully get responses by the end of April, early May actually at this point. Hopefully come up with some - an initial report somewhere around the towards the end of the year for public comment, and then for next year obviously publish the summary of the public comment period and then come up with a final report.

So this is just an estimate of when we think we can be ready. Of course we could, you know, get surprised and move everything up if everybody - we get good participation and good responses. But again, this is all really dependent on the community, and participation is vital in order to get towards that last milestone for the final report and ultimately a new I'm going to call it application window. What we're trying to do is avoid the term round since we don't know if it's going to be in a round or some other mechanism. So we're trying to avoid that but sometimes the word round comes out.

So here's another representation of the timeline. We have work track efforts that are going to go on until about, you know, midsummer I would say, or later summer, and then hopefully compile all of that for the initial report public comment and then considering those comments for a final report.

So I think now is the time we will go into some of the individual work tracks overall. We'll call Work Track 0 the overarching issues, which we sort of talked about. We're really not going to address during this meeting but really dive into the work tracks. So, again, the format for this is that one of the work track leaders will discuss kind of in general the topics that their work track has been considering or in some cases will in the future consider. Then we'll do a poll on which of the subjects we'd like to dive into a little bit more detail as a

group and address two, potentially three, of those issues and then go through each. So we'll go through each of the four work tracks in that kind of way.

Avri, do you want to add anything else?

Avri Doria: I don't have much to add. This is Avri speaking. Just that to explain that after each of the work tracks we will put up a poll in the Adobe Connect room and ask everybody, I think they get to mark up to three choices, two choices, I forget where we settled on it, but mark a number of choices. And then we'll basically go with the topics that are the most pressing, the most important to the people in this room, because we knew that we couldn't get through all 32 topics in any sort of detail.

And as opposed to us in the group picking which ones were the most important to talk about, we decided that we should leave it to the people that bothered to come or are online listening to it. So we'll be doing that. We're very thankful to the technical folks that actually did that for us kind of at the last minute and using the capabilities of Adobe Connect.

The only other thing I wanted to mention is while going through our schedule there was a note at the bottom of one them saying that one of the things that feeds into our work is the work coming out of the CCP, the work coming out of the country names working groups, et cetera. So there's a number of different efforts that are feeding into this one. We're not necessarily doing all the work in this group but taking the work from other input. And I think that was all I decided that you didn't already cover.

So I guess now we move into the first work track. Is that where our slides take us? Let's just look and you'll see that in the - hm?

Jeff Neuman: Steve might want to add something.

Avri Doria: Oh you want to add something, Steve? Okay, please. There's a question.

Steve Chan: No. It was more of a question to the work track leaders. So we can leave the slides up -- this is Steve, sorry, for the record -- we can either leave the slides up as they are for your introductions or we can put the CC2 questions up to put a little more context behind what you're discussing. So it's really up to the work tracks as we go through it what you preferred to have displayed.

Avri Doria: But it'd be good to also show the next two slides just so people have a quick view of the 32 topics that they get to choose from on - yes, so there's Work Track 2 and its topics and then three or four. So there's a list of 32 topics but we'll be picking, you know. It'll be easiest for Work Track 4 where you're picking two or three out of a smaller set.

Okay, so going now to - who's first, I guess that would be either Sara or (Krista). And which did you want? Did you want the slides of the CC2 slides or did you want to just stick with the table going back? Okay, go to the questions. So yes.

Sara Bockey: Thank you. This is Sara Bockey. Can you hear me? There you are. All right. Sorry, I'm not awake, so I apologize. Can you hear me? It sounds like you can - I got to get really close. Okay. All right so I don't know if anyone has a particular question that they want to discuss. I'm not awake so I don't know exactly how to lead this.

Jeff Neuman: Let's just start with a just general background of the different topics and overall, you know, what is Work Track 1 addressing and then you can kind of just list the subjects and then we'll do the poll.

Sara Bockey: Okay. So Work Track 1 has been going over the overall process support and outreach I guess topics for this sub team. So that includes the -- I'm not going to remember now off the top of my head -- the application guidebook, the accreditation program, systems and communications, variable fees and application fees. What are some of the other ones? I had my list in front of

me. I know I'm forgetting one. Application queuing, there we go. So that's what we're pretty much covering.

We've had a lot of discussion regarding the fees as well as the accreditation program. I'm blanking. So I know we have a lot of questions related to these topics because we're still looking for a lot of feedback from the community. And so I don't know if based off of what our conversations have been previously if there are topics that people think we need to focus on more than others as far as having three or four topics that we want to concentrate on.

(Krista), you want to jump in?

(Krista Taylor): So some of the topics that I think have been a little bit harder than the others -- and feel free to disagree me -- are costing, i.e. perhaps different application types have different kinds of fees and what that would be, along with should we have a floor and a ceiling amount. And if so, then what would that amount or the difference be?

So right now we have a methodology that it is breakeven. But going forward, if we do say there's a floor and it's, say, lower than the breakeven point then what are we going to do with those extra funds to make sure that we do do - or we do meet the breakeven point. And the background there is we don't want - this is a valuable piece of the Internet and we don't want to just say it's a commodity and anyone can come in and buy perhaps a new TLD for -- I'm just throwing numbers out of thin air here -- \$50,000.

And if we're going to say the bottom floor price is 100,000 then what are we going to do with the extra \$50,000. So those are some of the topics that did come up, along with applicant support on what are the areas that we should be focusing on and that middle applicants as opposed to a jurisdiction where perhaps basic needs need to be met first. And those probably wouldn't be our target kind of geographic area. And what does support look like.

So I think those are kind of the two big or a lot of the discussion focused on. I don't think I'm really - some of the other ones are more, you know, straightforward, i.e. the applicant guidebook. There was no real big issues there. But I think those will be probably the hot topics that people will choose from. Thank you.

Jeff Neuman: Thanks, (Krista). And one thing I also want to remind everyone here is that the CC2 specific questions if you jump on to I believe the agenda has a link to our wiki site, and on the wiki site it lists the site specifically for the CC2 questions. So if anyone want to follow along. And, (Krista) and Sara, you know, we spent a lot of time talking about fees but I want to remind everyone we're not talking about what that dollar figure should be but more on the philosophy policy I guess on how those fees should be set.

Should it be a cost recovery, completely cost recovery, and as (Krista) said, if we did cost recovery and it turns out that it's a much lower figure than a lot of people anticipated, do we set some sort of floor on that so that, you know, we recognize that it's a piece of Internet real estate that you're getting and therefore we don't necessarily want everyone to come in and apply for TLD, or do we? I mean those are the questions we're kind of grappling with in terms of the fees.

So we put this slide up in general, just the last slide, sorry, the one we had originally with the list of topics down there. If we could kind of take a poll of this group to see what we want to dive a little bit deeper into which of the subjects. So as that's coming up...

Avri Doria: Yes this is Avri again. I wanted to comment that when you're looking at the PDF you'll see that the actual detailed questions for this area going through all of those from accreditation programs, applicant support, et cetera are pages four through nine. So we basically then take these topics and each one is broken down into multiple questions. So that's one of the reasons why pulling up that PDF yourself while we're talking about it gives you a chance to

look at some of the more detailed questions that are part of what we'll be sending out. Yes, Jonathan?

Jonathan Robinson: Hi, it's Jonathan Robinson for the transcript. I think one of the key themes of all of this has been the prospect of multiple phases of a single program or multiple rounds. When you discussed cost recovery in the past, did anyone talk about cost recovery across the different rounds? In other words, some of the thinking it seems to be that, you know, the next round would be in isolation.

But has, you know, if we talk - if we think about a new gTLD program overall with multiple rounds, has that come up at all? In other words, there must be some concern from existing applicants that they'll in effect be supporting future rounds and I'm just wondering if anyone's looked at it holistically or if the focus has been very much on looking at the new rounds in isolation.

(Krista Taylor): It's (Krista) for the record. So far no one's ever brought that up but I think that's a great idea.

Jeff Neuman: This is Jeff Neuman. In the one area it's been brought up is we did recognize that part of the funding for the 2012 round was, quote, historical costs, you know, to kind of - and that went historical costs from like 2008 since the board had passed the resolution to - that there would be a round. At that point it was thought to be it was going to be in 2009 or 2010. Ultimately it ended up being 2012.

So in the context of do we need to cover, quote, historical costs going forward, it has, but I think the way you framed it is a much better way to think about holistically as opposed to discrete rounds or maybe, you know, one thing that's been talked about is a first-come-first-serve type of process as well. So we don't know at this point whether it's going to be rounds or some other format.

But going through the list of topics that we'll kind of take a little poll on, the first one is accreditation programs. What that means is that was just the initial term that was given to it. It's whether it should be some sort of preapproval process for registry service providers or backend providers prior to the application window opening up. And if so, how would that preapproval process be structured.

Things like, would there be a separate contract between registry service providers and ICANN. If we did have a preapproval process, how far in advance would you open that up. If we did open it up or did have a preapproval process, does it matter in terms of scale, you know, how many top-level domains or how many second-level domains should we be evaluating a potential registry service provider on and what would they be approved for going forward.

The second one, applicant support. The third being clarity of the application process. Application fees, we talked about. Variable fees in this context means should different types of applications for different types of TLDs have different fees. So for example would a brand TLD have the same pricing or same fees to ICANN as a geographic TLD, as a generic TLD, as, you know, there's still a group talking about categorization and whether that's a good idea or not. So if we have categories, would there be different fees for different types of TLDs.

Application submission period refers to how long once you say okay the application window is open, how long do you give applicants just to draft up their application and response and then submit that to ICANN. Application queuing, you know, let's say you get 10,000 new gTLD applications, how do you put that into a queue for evaluation. Is it first-come-first-serve, is it randomized like it was for the 2012 round, do you bring back, what did they call it, digital archery, yes. Obviously those are all questions that we'll be thinking about or that we've done some thinking about already.

Systems refers to ICANN had a number of systems that were in operation to handle the last - different aspects of the last round. There was a (TAS) system, which was basically the application system. Then there was a separate support portal. Now there's a GDD portal. So there's all sorts of systems involved and whether - what issues there were with that.

I should also say that an important aspect for this particular work track is an implementation report that was drafted by ICANN staff where they looked at each - a lot of these items and had their own comments. And as you can imagine, applicant - as ICANN staff was much closer to a lot of these items than were the rest of the community, and so their feedback is contained in a final implementation report that you could obtain from going to the wiki, the subsequent procedures wiki. I'd encourage everyone to reread that or read it for the first time if you haven't read it.

Communications refers to things like when you submitted a question to ICANN about the application. A lot of applicants noticed that there may have been a sort of long lag time between getting a - or between your submission of a question and response, and that's because ICANN felt the obligation that it didn't want to treat applicants or treat any applicant more favorably than any other applicant.

And as a result, it didn't want to have individual communications with individual applicants. So when you submitted a question, it had to be in writing. Then ICANN staff would take that question back in writing, write out a formal answer and publish it in what they had called the knowledge base.

And while that certainly had a positive impact in treating everyone equally, a lot of applicants felt that that was not the best method of customer support. So that's what that topic addresses. And then finally the last one, applicant guidebook really is just about the overall structure. You know, is the applicant guidebook the right way to submit or to ask for solicitations for applications. Is that the right way or is there some other format?

So with that, Avri?

Avri Doria: Yes. So the poll is now up on the Adobe Connect. Now the poll lists all of these. The poll does not limit you in terms of how many you check but I'm asking you to check just two. Now obviously if you check more it just sort of, you know, diffuses your choice. But yes?

Mathieu Weill: Just a clarification -- this is Mathieu Weill speaking -- what's the goal when voting? Are we trying to select things that we can make actual progress on today or is it our special interests, personal interests? What do you want us to vote for?

Avri Doria: I think you should vote on what you'd like to see talked about today. Your reason for why you want to see us go into further depth on a particular subject is probably really your internal state. But basically pick two that you would like to see a deeper discussion on as we - after we've gone through all four of the areas and all four of the polls. So yes. I don't know that progress - I mean because we're still very much at the beginning of sending out the questions. So I would think it's more understanding, it's more getting into some of the detail, it's more exploration than coming to conclusion. We're certainly not at a come-to-conclusion point on any of these things yet. We're still at the exploration and what are all the issues point, I believe.

Jeff Neuman: Yes. This is Jeff Neuman. We are taking detailed notes. So this will feed into the CC2 responses and will be discussed. So if we pick a couple areas and we go a little bit more in depth, then that will feed into our ultimate - the draft of our initial report.

Avri Doria: So we should leave that poll up now -- this is Avri again -- while we now start talking about Work Track 2. So if we can - yes, we've got Work Track 2 there. The Work Track 1 poll will stay up until we finish this little bit of discussion and then we'll put up a Work Track 2 poll. Okay. So please, Michael.

Michael Flemming: Good morning everyone. Michael Flemming here for the record. So for working track two I'm just going to go as Jeff did previously with the working track one, a brief overview of the topics. We've got quite a bit in our working track for the legal and regulatory issues.

A lot of these topics actually overlap with what other current PDPs or reviews are actually looking at within the GNSO process. So the amount of depth that we actually go into some of those areas is a little bit less than what we would in some other areas.

Right up from the top, we have the base registry agreement. This is where we are looking at the universal question of whether or not, for example, should we have a base registry agreement for all types of new gTLDs or when we look at the question of categories, should we consider variation agreements, completely different agreements, and areas like that. This also looks at other specific areas of if there are necessary changes within the registry agreement, but it's a very broad topic when you get into that.

The second portion, the second level RPMs, this is one of those that actually overlaps with the current review that's being - sorry, the RPM reviews that's being done right now. So we're not really touching on this at the current time. The reserved names is one where we're actually looking at from a policy standpoint. Should there be new or should there be changes to what is in policy for reserved names on the top level and the second level? It's very important to distinguish those two when we look at that.

So we actually look at the applicant guidebook and the policy to see how things are different at the current time and then also look at whether or not we need to introduce some new things there. The registry protections is one where we look at a lot of things that are supposedly protecting registrants, of course.

This looks at, for example, the emergency backend registry operator -- EBRO, did I say that right, yes I did -- process, as well as looking at the continued operations mechanism for basically how you fund the EBRO process and also other areas like picks and background checks for applicants when applying. We look at whether or not some of those are necessary, whether or not changes need to be made to those, and other aspects like that.

And let's see, the IGO-NGO procedures. This is another one that is currently overlapping with a I can't remember if it's a PDP or -- it is a PDP, okay. It is PDP that's also looking at this. This is for the sorry, is it international government organizations and non-governmental organizations, I believe. Rubens, did I get that right? You're always correcting me on that one. Okay.

This looks at whether or not there needs to be reservations or what we need to do for those. But like I said, this isn't something we're getting into depth right now. Then there's the aspect of closed generics. This is what we talked about on our most recent March 2 call. This is looking at the very difficult question on whether or not there should be closed operation - closed operatable -- I can't remember if that's a word -- but there should be closed registries that can operate under a generic top-level domain. It looks at the question of, first of all, what is a generic TLD - sorry, a generic TLD and what defined a, quote, closed operations.

And then it looks at, you know, whether or not that closed generic is a trademark or a brand TLD for example. It can be very, a very disputable question but I think it's a lot of fun. So personally this is my personal recommendation for what we might want to talk about today. I probably shouldn't put that in there but to give everyone a heads up.

Then we look at the applicant terms and conditions. This was originally not an area we were looking at. It actually came out of the woodwork as we were opening up this can, and then we looked at addressing the applicant terms and conditions, seeing if we need to - needed to provide some advice or, you

know, basically policy recommendations for how those applicant terms and conditions could be much more clear or how could they - how we could provide recommendations for how ICANN could perhaps better write those out or better flesh them out.

This can be a very disputable topic as well, mainly because it gets into the one question of whether or not an applicant has the right to sue ICANN in regards to their application. We've had a lot of good discussion on this one and, hint, hint my second my recommendation for today. But after that, we also had the - the areas past this point are ones we have not actually touched on until - up until now. But I think we've made really good progress in the time in which we have up until now.

But the next topic, sorry, goes into the registrar nondiscrimination and registry-registrar separation issue. This looks at basically whether or not a registry and registrar need to be completely separated. I believe this is widely known as vertical integration, yes, and how that should come into play.

The next aspect is registry-registrar standardization. And I will be quite honest with you this one I am not - this one's not even on our CC2 questions.

Avri Doria: Yes it is.

Michael Flemming: It is?

Avri Doria: (Unintelligible)

Michael Flemming: That's registrar nondiscrimination and registry separation. That's the one above that.

Jeff Neuman: So -- this is Jeff - so that standardization came up as a topic of things like should there be a standard registry-registrar agreement that's in place with registries and registrars so that - we've gotten complaints, or I should say

we've gotten issues raised by registrars saying that, you know, if there's now with 600 really generic open TLDs, it's been an issue of reviewing everyone's registry-registrar agreement and so some registrars have asked whether there could be some standardization in the terms and conditions between registries and registrars.

Avri Doria: So this looks like it's the first note for us coming out of there is, you're right, we do not have any specific questions on that, so we'll probably have to look at whether we need to add any questions going forward before we actually roll this out for commentary. By the way, the questions on the PDF are pages 10 through 14 (unintelligible).

Michael Flemming: Yes. And just one thing to note, we do not have questions for all these topics. As I noted, the areas that we're actually - that are being covered in other working tracks are not listed. Sorry, we're not including questions on those generally. Steve, is it possible to limit to what we're actually asking questions for this time when we do the poll today? Okay, thank you.

Avri Doria: This is Avri. I think that, you know, we might as well leave it open and if we get to the point where there's a discussion on something that we didn't get around to having questions on, then it's a good clue that maybe we do need to get some questions in there. So I would say let people - and I'm sure that Steve, or whoever built these lists, built them from what's there. So changing it at this point would be a nightmare.

Michael Flemming: All right. Well I leave that open to everyone to vote on then. All right. So just closing out there. So we still have TLD rollout to cover as well. This looks at the - basically the deadlines applicants were given in order to complete the application process. This looks at, for example, the nine-month deadline to complete contracting with ICANN, as well as the 12-month delegation deadline and how those - looking at whether those timeframes were reasonable or not.

Then we look at contractual compliance. This really isn't an aspect that we need to go too heavy into, mainly because it's not necessarily a policy aspect. More so it is a -- what was the English word for it -- implementation, thank you, as much as it is an implementation aspect, but all the same, if we can offer some kind of, you know, recommendations in that area, it's something nice to look at.

And then last but not least, we have the global public interest and looking at whether or not the integration of the public interest commitments is really in the public interest, for example, and to see what mechanisms should be employed to serve the public interest areas like that. But we keep that - we try to keep that as short and simple and sweet as possible. So with that, I'm going to go back to Jeff, who has something else to say. So.

Jeff Neuman: Yes thanks. This is Jeff Neuman. So we're going to close the poll for one, track one, and then open up the poll for track two. I do want to say the other aspect in the reserved names that is being discussed elsewhere but may be at some point moved are things like geographic terms. I know a lot of people have an interest in that and there is a cross-community working group on the use of country and territory names that is working on that issue that has a report out for comment. And that comment period I believe ends at the end of March, is that right?

Okay, maybe in April. So that - ultimately that work will feed into what we're doing, and so I just wanted to point out that generic names is obviously something that we will ultimately be looking at. So with that, let's open the Work Track 2 poll and then we can - sorry, Avri wants to add something.

Avri Doria: I was going to add something after you say we're going to three.

Jeff Neuman: Oh, we're going to go on to Work Track 3 but we have a question first.

Jannik Skou: Yes this is Jannik Skou. So first of all, thanks for all the work you put into this. I'm only observing but I would find it super helpful if this is at all possible at this stage if the chairs of the groups presenting the various issues in question if you would review what is the tendency in the group. We would tend to recommend at this stage, yes we do have a (unintelligible) program for registries. That's what we envisioned as a better way forward. Yes we do envision that we need - we would allow or not allow closed generics, because that would help us decide, oh, there's something I think is very important because that's (unintelligible). That would be interesting. I don't know if you know this.

So far I only see questions. But that's maybe also because we don't know how decisions are made eventually. But it would interest me if you say we tend to go in this direction and then I could say, ah, I would like to discuss that. Because right now (unintelligible). I think everything (unintelligible). I don't know if it's too early to ask. But.

Avri Doria: I think for the most part, I think on a few -- this is Avri Doria speaking again -- I think on a few topics there may be initial indicators, but by and large most topics are in their first cycle through where people are trying to understand all of the issues. On very few, I think within Work Track 4 there may be one or two issues where they started to have a clue, but I think for the most part things are still rather open.

Michael Flemming: Just a comment on that. In my experience, every time I thought there was a tendency and then I stated that, somebody told me differently. So I'm leaving it rather open at this point. So far I don't think we have any general idea. Well we have ideas but, like I said, if I state them, someone's going to tell me differently again. So I'm - we're just leaving it open right now.

Jannik Skou: Then as we look forward to some recommendations on all this second round of comments. So.

Avri Doria: This is Avri again. As we move into Work Track 3, and I guess that'll be Karen, those pages of questions are 15 through 17, so if you want to look at those. Could you change slides to Work Track 3? Jonathan?

Jonathan Robinson: Sorry. Just before you go off -- it's Jonathan Robinson -- did you clarify that registry-registrar standardization point? I'm not sure.

Jeff Neuman: Yes thanks, Jonathan. Yes that is the - that was what I was saying should it be standard terms between registries and registrars as far as like a base registry-registrar agreement because registrars have raised a comment that it was tough for them to evaluate 600 different - well 200 of those are like (Donuts) but - so 400 other TLDs.

Karen Day: If you could put up the topic. There you go. Hi everyone. This is Karen Day for the record. Work Track 3, we have started out with looking at the different objection types. We looked at the limited public interest objection, which some of us refer to as the morality objections. We looked at legal rights objections. We are looking at confusing similarity strings. That's the third type of objections. The fourth type of objections we're looking at are going to be looking at coming up are community objections.

And for each of the objection types, we're concerning ourselves with cost, outcomes, how that is depicted in the AGB, and issues of standing to raise objections. Also under the big objections heading, we are - have looked at Hyderabad and we'll be looking at again the role of the independent objective. And the last thing under the objections topic is the DRP and we'll be getting to that sometime after we get home, probably April timeframe.

The next big area that we're looking at, we're going to start into -- we've just briefly done an introduction to -- is community applications. We're looking at the community priority evaluation, how it was rolled out in the last - in the 2012 round. I anticipate a lot of strong opinions and discussion on that one. Looking at the overall approach on communities, we're going to be trying to

incorporate in the work of - that was released last fall with the European commission on community human rights. That will bring - come into our work.

Then we move into string similarity, which we are - because of the synergy between the two, we're going to be looking at, and are looking at, string similarity at the same time as we're looking at the string confusion issues in the objections. We've had some proposals submitted by the registries so far. We're evaluating those. Those are up on the wiki and would encourage your feedback on those. We're looking at evaluations for string similarities. And then resolution mechanisms for appeals process and whatnot.

Next we're looking at accountability. We're going to be looking at the accountability mechanisms, which specifically are the PIC DRP and the PDDRP later in the spring. And then freedom of expression is the last overall topic that we're going to look at. We're looking at how GAC advice was implemented at reserved names lists, which also would cross over where the Work Track 2 - we'll be doing that in conjunction with Work Track 2. And again the whole community process will feed into the freedom of expression topic. So that's sort of our areas.

To answers the gentleman's question at the table, we do not have any trends at this point. As with Work Track 2, every time somebody says, "Oh it looks like we're heading this way," somebody says, "No we're not." So we're still very much in limbo. But we do have some good proposals out on our wiki. We have a proposal for redoing the legal rights objections process. So we're interested in feedback on that as well as the string proposals. Thanks, Jeff.

Jeff Neuman: Thanks, Karen. This is Jeff Neuman. One thing we really need are applicants, the community sharing actual experiences with the objections, with the community evaluation, et cetera. We have some good talks, like discussions within the group from a philosophical level but what would be great in the responses to CC2 or even here is to get much more of the actual experiences that applicants had or that objectors had or respondents had in these actual

disputes or objections, et cetera. But that seems to be one thing that's missing.

We have statistics on how many, you know, in how many situations did the applicant prevail, how many situations did the respondent prevail, but what we - what I feel like what we don't have is a good understanding of what applicants or respondents went through in filing these objections or in appealing these objections, if you will, to - for reconsideration or through the IRP, the independent reviews.

That's something that yes we have decisions out there and we could objectively review and have been objectively reviewing those decisions, but, you know, for example, you know, at a past employer I went through some of these objections. And I know, you know, how much it costs and I know it was a great cost and I know what it was like to respond to those. Those are the types of experiences that we're looking for people to respond to, not just the data, which we do have some of the data. Yes?

Mathieu Weill: Yes. Mathieu Weill speaking. I think it's a - it would be immensely valuable to get that information but we're not going to get it into a public comment period or within an open framework at these meetings. I make the analogy with a discussion we're having the accountability group on the CEP. We were really struggling to get direct feedback about people going through the CEP until the (unintelligible), Ed Morris, said, "Look if you have feedback, contact me privately so that I can collect them."

And then suddenly people jumped to him. In his meeting, he's having a lot of meetings with people who went through CEP. And the feedback he's getting is I can't disclose this publically, one, because it might privileged information that my employer or my client would not agree for me to disclose. And secondly because if I put it on the record and I'm still in the industry in the future, then that might lead to issues unforeseen right now, and so I fear unintended consequences of publicly stating what happened.

So I would recommend to get more valuable feedback on this to think of a way of collecting somehow confidential information that we can use when they're systemic but based on actual experience. Thank you.

Avri Doria: Okay. This is Avri. So we should probably close now the poll for two. It's just closed. And opening up the poll for three. And time to move into discussing the introduction into Work Track 4. And I see both Rubens and Cheryl here, so I'm not sure which one wants to do that one, but I figure the one who wants to do it will speak up. It'll be Rubens. And these are on the I think it's page -- what was it, I knew it and then I forgot it -- 18 and 19 of the PDF.

Rubens Kuhl: Rubens Kuhl for the transcript. In Work Track 4, which me and Cheryl like to call the less sexy of the work tracks, we have been looking at a number of topics. The first group of them among IDNs, where, answering the gentleman's question, we have been leaning toward allowing one-character IDNs for Asian languages where one character means a whole idea. And we have been leaning towards allowing IDN varying TLDs, which would disallow it in the 2012 round but provided that some policy restrictions regarding who can register IDN varying TLDs is followed.

In universal acceptance, we're mostly leaning towards not making any policy recommendations on universal acceptance. We might probably provide some guidance to guidebook implementation but that's hopefully. Regarding applicants review, where we include technical evaluation of the application and financial evaluation on the applications, the group seems to be leaning towards (unintelligible) the evaluation.

When applicants submitted 200 applications, they would be evaluated in both technically, say, instead of repeatedly evaluating the same technical infrastructure all over again, we evaluate it a single time, possibly using a pre-conditional program, possibly not. At financial evaluation, it would be also

evaluated in tandem as to validate the financial capacity as a whole throughout all applications that were applied for.

We still haven't started discussing name collisions for the next procedure but we have started discussion on collisions that - topics that are in our charter for the current TLDs, both legacy and new gTLDs, but don't have actual guidance yet. And we are still looking for topics, including security stability. We might get some from a CC2 comments. We have a CC2 question on this. So far we have only been five some IDN evaluations decisions regarding security and stability. So for Work Track 4 that's our first. So it's an easy pick. Thank you.

Jeff Neuman: Thanks. This is Jeff Neuman. One of the things I found interesting in Work Track 4, you know, in the applicant reviews includes also things like background checks. So many of you that applied remember a whole bunch of questions that you had to provide a whole bunch of information about your officers and directors and there was a background check.

And the background check not only had a criminal check and a credit check but also had a check for cyber squatting and - which meant that if the principals in the organization, whether the officers or the directors, were individually named in a UDRP, that was sort of held against them. So that I found kind of an interesting aspect and should we continue to have that going forward or should there be some other type of background screening.

Avri Doria: Okay at this point -- this is Avri again -- we should close Work Track 3 polling and Work Track 4 is open. And I guess at this point, unless there's questions on the process we're going to follow or anything on the Work Track 4 issues, it's time to find out what subjects we wanted to talk about in Work Track 1. Can we see - is it possible to see the results or do we just get them read out? Oh they're here already. Where are they?

Jeff Neuman: So on the Work Track 1 the results came out that what the people in the room want to talk about include the RSP registry service provider accreditation or preapproval process. Second item was clarity of the application process. And then third were fees. So we'll start with that. And we will allot - let's see just looking at Steve about the schedule.

Avri Doria: Yes what's our time? How much time should we give a question?

Steve Chan: Keep talking, I'll do some math.

Jeff Neuman: All right. We'll keep talking. Steve's going to do some math as to how much time we have to talk about each topic and then there will be a break somewhere around the 10:15 timeframe that we'll take a break. So with that, again, Work Track 1 the first topic is the registry service provider preapproval or accreditation process.

Now I will say that the discussions in that Work Track 1 have tended towards some sort of program. The name is something that's pretty controversial because every time you try to come up with a label, whether it's certification or whether it's approval, it seems to imply aspects like, you know, if it's accreditation people tend to think of registrar accreditation. And with registrar accreditation, there's a registrar accreditation agreement between ICANN and the registrars.

In this case I will say that the discussions in the group have focused on not having such an agreement and therefore using a term like accreditation wasn't necessarily the most appropriate term. So the term that we've now used is just a generic RSP program to have some sort of preapproval process at some point in advance of the next opening of the application window. I will say that there is - the discussions have tended to focus on some of the benefits of having such a program, which include increased competition.

It includes things like not having to do an evaluation 300 different times, that you could preapprove them, giving those applicants some sort of assurances that when they - if they submit the name of an RSP in their application that that RSP will be one that will be approved to go through the process. I should also note it's also intended to be a voluntary - discussions have focused on a voluntary type of program. So as an RSP, you would not be prohibited to apply or be in application for a new gTLD if you were not, quote, preapproved. So it was completely voluntary in nature.

And I think there - as far as tendencies, that's where it's tended to end up but lots of details to be worked out within those tendencies. And so I want to kind of open up the floor for any comments on any of those aspects of having a registry service provider approval process. And I should also point out that some have pointed out it's not all been benefits. Some have pointed out risks of having that type of program.

So the risks that have been pointed out are things like what some have called a race to bottom, that if you have such a approval process, basically you're setting up minimum criteria that registry service providers need to meet and that if you set up those minimum criteria, that's all some providers will meet and not excel and not innovate. That's been one of the comments.

Another one is that you're commoditizing backend service providers and making every registry provider - service provider look like every other registry service provider. So while the group has certainly leaned towards having such a program, there are certain benefits and certain draws and certain risks. So if we do move forward, how do we mitigate those risks going forward?

Avri Doria: Okay thanks. I just wanted to process while those questions for that section at the moment are in front of us, I would suggest that people use the hand raising mechanism for that. And I want to presume that people that checked something have curiosity questions or statements to make, so I really do

hope that people will be speaking up as opposed to the waiting and seeing and listening part because that - and I see a hand. Thank you, Mathieu.

Mathieu Weill: Yes I checked the box, so I figured I should lead by example. So this is Mathieu Weill speaking. This is more a reaction of what - to what Jeff said about perceived risk of race to the bottom. And I mean I'm a backend service provider, so full disclosure on this. I think there's also a risk of probably not race to the top, that actually using this kind of program as a way to ensure that getting into this market for a new backend provider becomes too difficult. So there's a risk anti-competitive type of measures by raising the level of constraints to a level that is not strictly necessary.

So I would say the right balance might be struck, but from the purely ICANN point of view, the only concern is making sure that a backend providers meet the minimum expectations and differentiations amongst backend service providers, that's not for ICANN to get involved into. And I would think it's - it wouldn't - well I would be very cautious not to add new requirement and new requirements and new requirements unless there is a very strong security and stability reason for that. And the rest we'll leave to the market. Thank you.

Jeff Neuman: Thanks, Mathieu. I have to go back and forth. Anyone in the queue? So we have a hand raised. Sarah?

Sarah Langstone: Thanks very much. Sarah Langstone from VeriSign. And we're also a backend registry operator. I think I said before at the last call that I was concerned that this would homogenize the services that the backend registry providers are able to provide. And I think that that wouldn't support or reward innovation, which was one of the reasons that the program was introduced.

And I think it doesn't solve the issue of portability. I mean people have talked about an accreditation a program needed because it enabled portability between backend registry service providers. But actually there's a really big

issues in terms of DNS (sec) and actually making that issue or that technical issue more able to support, you know, portability between backend registry services. And at the end of the day, you know, we are independent contractors, we're not franchises. And that would be my comment, Jeff.

Jeff Neuman: Thanks, Sarah. Jonathan?

Jonathan Robinson: Yes a couple of thoughts. So I'm obviously also associated with a backend provider and some of you may or may not be aware that there are some sort of current operational issues in addition to the concerns with the future rounds that this group is focused on. And the registries are actually trying to work with the ICANN GDD staff to deal with those. So there's potentially a mix of the two different issues. One is how do we solve for future round issues and the other is how do we best operate. So there's that parallel work going on and it's good to be aware of that, I think.

I suppose some other thoughts are that, you know, there is an overarching concern here that not all registries are equal. One could be operating in a sense a private brand registry where the concern is that of the brand owner, and the implications are very different to that of a multi-million TLD registry that serves many different customers and requirements. So the requirements might be quite different.

And the concern is the minute one puts some form of badge of, regardless of whether you call it accreditation preapproval, the likelihood is that in a commercial environment that will be advertised and there'll be, from some perspectives, a similarity across all of those. So these are the kinds of things - I'm not saying that these produce a conclusion, but these are some of the concerns.

And in terms of dealing with this, I would encourage all of us to think about what are we trying to solve for, what is the issue we're trying to solve for.

Because the temptation is to go straight into the solution without being absolutely clear what we're trying to solve for.

ICANN has told us that one of the issues with having SLAs that they've got at the moment is that some current operators are sailing very close to those SLAs. They're actually meeting the SLAs technically but there are some concerns with how they're operating. So in a sense there's your point about setting some form of minimum standard that you create a capability to meet that minimum standard but not necessarily a satisfactory performance. So those are some thoughts that I'd like to see, you know, in consideration by all of us as we talk through this. Thanks.

Avri Doria: Oh I see more hands. So perhaps people want to answer some of those questions. But some of the problems that were being solved for were the, you know, the problem that they have now in terms of changing from one service provider to another service provider. The other ones were the multiple testings of service providers. So some of the questions that have come up for why such a thing is being thought of.

Jonathan Robinson: Yes those good points and good concerns. So just as a direct response to those, clearly those are concerns and, you know, we and others faced that both in terms of initially getting TLDs off the ground, a very I would say dogmatic and -- I'm not sure what the right word is -- but specifically - a specific focus on this whole repeat testing of exactly the same criteria time and again. But to some extent, in my opinion, that's an interpretation of the rules, a form of application rather than the fault with the rules themselves.

So you could argue that that's the case. And that also affects the transfer between different registry service providers where there's repeat testing of the same thing, notwithstanding the fact that that same registry service provider's been previously tested. So there is an argument to say that's not a fault of the rules but rather an application of the rules.

Avri Doria: Thank you. At the moment we've got four more people in the queue and then I'll probably draw a line if I can under it so we'll be able to get to the second question. But I've got Rubens, Kristina, Jim, and Jeff. So, Rubens, please.

Rubens Kuhl: Rubens Kuhl. I'd just like to answer Sarah regarding DNS (sec) transitions. When TLD moves between registrar providers, that's something that is not a roadblock, that is something that is doable. It just needs to be done carefully. There is experience in the community to do it right. It can be done - it can be done wrong and it's very easy to do wrong. The process really requires careful - but it can be done.

It's not something that requires at the policy level to see that as a problem because it's doable. Many have done and you're actually doing something even more critical, which is rolling over the (unintelligible) itself, which is much more difficult and being nicely, including by the (unintelligible) manager, so this is not a problem, a real problem.

Avri Doria: Thank you. Kristina, please?

Kristina Rosette: Sure. Kristina Rosette, Amazon Registry. We are a customer of backend registry services providers. And I think Mathieu's point is extraordinarily well taken and I think we have to be very mindful of the optics, quite frankly, of current market participants being too restrictive about who can participate in conversations about expanding the market going forward.

With regard to the concerns about homogenization, I'm not sure I entirely understand them, but it seems to me that if we can have, as we do now, a base registry agreement that applies to all of the registry operators that sets the core standards, that leaves plenty of room for innovation and competition. I'm having difficulty understanding why that's not necessarily going to be true in the RSP market.

With regard to the SLA concerns, I mean the easy answer to that is well then maybe we need to make the standards a little bit more stringent. And finally, I will say that I do think it will be difficult to come up with a one-for-one solution that allows for -- and I'm going to use accreditation for lack of a better word -- an RSP accreditation that will solve - I don't think we're going to come up with something that's going to solve all of the portability issues but I certainly think that there is room for us to think a little creatively about how we can use concepts that are already in place or that have been used in connection with the program to make the road going forward a little smoother.

For example, and I'm going to get the specifics wrong, but the gist of us was in the applicant guidebook if the applicant was an entity that was publicly traded on one of the 25 largest stock exchanges, the officers of that applicant entity were exempt from the background check. It would seem to me that there must be some way that we could think about what parallel model we could use for RSP accreditation, at what point do you no longer need to do PDT for the same exact set of services for the same registry operator for the same RSP. I mean we're really smart, all of us collectively. We've got to be able to figure us out. And I would just encourage us to think a little bit more creatively about it.

Avri Doria: Thank you. Jim, you're next.

Jim Prendergast: Sure. Good morning. Jim Prendergast with the (Gullway) Strategy Group. I would raise sort of two points. Do we already have an accreditation program? Have ICANN already approved a bunch of registry backend providers to provide services? I'm throwing that out there. I don't know the answer.

Avri Doria: They're talking about looking at something, but no.

Jim Prendergast: Okay. I guess, Jonathan, what you just raised, I heard about this but I wasn't particularly clear about some of the existing providers getting close to the SLAs and whether or not actions have been taken or not. I think, Kristina, you

touched on it too. There needs to be some concern about whether or not folks are meeting the SLAs in the current environment and what that looks like going forward under some sort of accreditation program.

The second question I would have is what sort of liability would ICANN be taking on if they did move into an accreditation program? An example being, if you're a new entrant to this market and you chose a backend provider based upon a certification and they fail you, do you go after ICANN, do you go after the backend service provider? Who's on the hook for that? Just a question. I don't have the answer but I'm throwing it out there.

Avri Doria: Thanks. I've got Jeff next and though I had drawn line, I've got two more, Sarah and Jannik, and then I really do draw the line on this subject before we go to the next subject.

Jeff Neuman: Thanks. This is Jeff Neuman. So I also - I want to be careful in this discussion, or at least within this PDP, this PDP is not looking at portability of changing one provider to another. That's not really in the scope of this PDP. In the initial discussions, it was thought that we could benefit from this other -- we, being the PPD -- could benefit from the discussions that were taking place with the registries and ICANN about that process. So it could be informative. But specifically in this group, we're not talking about changing - an existing changing providers.

The other thing is we've asked for data on the SLA so we have an outstanding request to ICANN about the data, at least anonymized. We don't want to know which registries have gotten close to the SLA violations. We just want to know the data that there have been X number of registries that have come within, you know, Y percentage of a SLA failure. We're trying - we have a request out there for that data.

One of the other benefits that - or discussions of why to have the program is essentially in this last 2012 round you had the frontend registries subsidizing

the costs of the application of the backend - sorry, of the evaluation of the backend service provider. And that was probably one of the greatest costs was technically evaluating the backend provider.

So you had, let's say in the brand context, you had a brand that applied for a TLD that just shows from a set of backend of providers that most likely was recommended by someone else or that they had a procurement process. But that brand had to pay ICANN for the evaluation of the backend provider, not even for an evaluation of them, and that was a good part of the cost. So it's thought that if there was a preapproval process, you could reduce the overall costs of an application to the frontend provider. That was something that was pointed out.

And on the liability question, it's a great question. It's something that was talked about a little bit but then people came up with the thought of well ICANN today in approving an application does the same thing. It says, yes, you've passed our criteria, you may now be a registry. So people said it really doesn't necessarily change the liability question at all from what it is today.

If you had a certification program, maybe, if you're certifying them to be able to do something but if it's just approving a registry in advance of like a year in advance, let's say, I'm making - I'm just throwing that out, it's no different than what it is today, you're just having their evaluation done earlier. So that's just some of the discussions that were taking place.

So we do have people in the queue.

Avri Doria: As a quick response.

Jonathan Robinson: Very brief response. This is Jonathan Robinson. I mean when you touched on the work going on with - between the registries and ICANN GDD staff, you mentioned the word portability and I wouldn't want this group to think that this is - that that group is working on portability per se, it's focusing

on concerns about current effective operations between GDD and registry service providers and making sure that, you know, whatever's not working as effectively as it might be, whether that's portability or not, it's dealing with a broader range of issues, so just to make that clear.

Avri Doria: Okay. I'd like to ask - certainly.

Steve Chan: Thanks. This is Steve Chan from staff. You mentioned that there's an outstanding request about SLAs being exceeded. That was actually answered by the GDD. It's been exceeded 27 times. And the EBRO has not been triggered in any of those cases. But if you want more detail, I can maybe put it in the chat or something to that effect. Thanks.

Avri Doria: Thank you. I'd like to ask the two comments to be fairly quick ones so that we can get on. So, Sarah, please.

Sarah Langstone: And, Kristina, I don't know if this helps but what I said about services being homogenized I meant that there was a risk that the accreditation program would be so prescriptive that it would actually prevent folks from being innovative. And, Rubens, yes DNS (sec) is possible but it's difficult, it's complex, and there are a lot of risks if it's not done correctly. So perhaps some of the conversation should be about that perhaps.

And just in general, I think that there could absolutely could be economies of scale in the testing, but even with all the testing that went on in the first round, you know, we're hearing that ICANN are preventing backend registries and registry operators that are not meeting SLAs they're preventing them from going into EBRO even with all of that level of testing. So that would be my comment. Thank you.

Avri Doria: Thank you. And the last comment on this one is Jannik.

Jannik Skou: Thank you. Jannik speaking. Okay so Jonathan you asked the question what is actually we are solving with this program, and I would assume if I remember let's lower the cost and make it more transparent and safer for (unintelligible) in the next round. But in my view, this is thought is they in fact already approved, right? There is no EBRO in place.

And if you want to differentiate, yes, we have a restriction on the bank and we need a special super safe environment for that, where the registry service provider can go out and differentiate themselves in their marketing and with their case stories. So why don't we see if this goes by recommending instead two things. One, that you can ask ICANN to bundle the evaluation.

So in the case of (Donuts), if they are using the same registry service provider, I'm not saying that they will be delegated at the same time but if we bundle the evaluation, that would lower the cost. The same with the pre-delegation testing. You can also say I want my (unintelligible) tested now even though they're not already for delegation. Then we didn't need to go through all liability issues with ICANN and we just focus on evaluation and testing instead of the accreditation program. Also they will have no new entry barriers for those that did not play a part in the first role and there (unintelligible).

Avri Doria: Thank you very much and thank you for that discussion on this one. We'll now move on to the next question that came out, which was the clarity of application process, if I got it right, which was question 1-3, which you will find Page 6 of the PDF. I'd like to ask all the current hands that are up to un-raise, unless of course you are staying in the queue to comment on 1-3. Okay, I now see no hands. Now I'd like to ask some of you that checked 1-3 and have some comments, I don't know if you wanted to lead off with anything, but.

Somebody must have had a reason for checking clarity of application process, because I'm sure it was absolutely purely clear to just about

everyone that filed an application and there couldn't possibly be any issues. So I'm curious, why did people check that one as something they wanted to talk about? You know, one of the things that was talked about and one of the things that's talked about in the question is, you know, the number of changes that were made after the release, largely for clarity, including processes for change requests, customer support, applicant prioritization, registry agreement, et cetera.

Many applicants have stated that the changes impacted their TLD applications through the application process, both before submission and after the applicants were submitted. And now I do have a question, so I'll stop reading the question and go to Samantha Demetriou.

Samantha Demetriou: Thanks. This is Samantha Demetriou from (Ferrin Partners). So as you accurately described, there's this whole body of information that was published post guidebook. So I guess the first question that I'd like to discuss -- ooh, sorry -- is if there's been any contemplation about how to capture and memorialize that information and if that would go into a next kind of applicant guidebook or some other sort of guidance for future applicants. Because I think just the fact that we did it once already is going to make a little bit smoother going forward. So what's the plan, I guess, for capturing all that information?

Avri Doria: Thank you. Good question. I assume there's a plan for capturing it. Now one of the things that is within the PDP and the working group is looking at the application guidebook and looking at some of those issues that were clarified. And also there's been conversation about did anything come out in clarifying questions that needs to be clearer in application guidebook, et cetera. But I don't know yet of a plan other than an assumption that one would take the whole bulk of the application guidebook plus all of the following memos that came out and basically collapsed them into a single document. But I have not heard of a plan yet.

Jeff Neuman: Yes this is Jeff Neuman. So just want to also be kind of clear that our mandate is not - our PDP mandate is not to rewrite the guidebook. So we can make suggestions, of course. And one of the suggestions that came up in Work Track 1 is that there's a more effective and more efficient collection of information and a better designed knowledge base I think is what they called it during the application process. So certainly one of the things that was discussed was collecting all of that information and having it in one place.

It was also discussed that if there is an applicant - if the method going forward is an applicant guidebook that perhaps we strip out of the applicant guidebook a lot of the rationale that's in there and just have the practical I call it the idiot's guide to apply for a TLD, really, what do I really need to know? I don't need to know why something is the way it is. Still having that information available if I want to look it up but just having the practical instructions in a guidebook that's not necessarily 300, 400 pages long but having a much more streamlined documentation on how to do it. That's come up.

Avri Doria: At the moment I don't see anybody - oh okay, thank you. Thank you.

Edmon Chung: Anyway, Edmon Chung here. Just adding to what Jeff said, I think that at this particular moment, we probably need to look at it a little bit higher level rather than all the memos that come out. There's still going to be the implementation team. I think that might be the time where, you know, some of those details need to come out. Because at the end of this particular process, it needs to be kind of policy-level recommendations out rather than, you know. Of course we can talk about those, which informs the policy-level output, but I think some of that detail could come in the implementation team time.

Avri Doria: Thank you.

Jeff Neuman: Thanks, Edmon. So I put my hand up in the queue. This is Jeff Neuman. One of our hopes, Edmon, I agree with what you're saying, but one of our hopes is

to reduce an implementation team after this. So I think what happened is the GNSO policy the last time was approved in 2008 and the implementation team came in and it took till 2012. So we are working on some implementation issues. And so even though we're not technically rewriting passages for the guidebook, the hope is that we've taken into consideration most, if not all, of the implementation issues and at least provided recommendations for those.

So one thing that's been encouraged is to the - is the pendulum the last time, if you will, because it kind of operates in a pendulum, the GNSO - we in the GNSO all we did is provide high level policy, really high level, and thought that the implementation be pretty simple in order to provide those details. What we found out is that a lot of things - it took - it was much more difficult to implement or things that we thought were policy ended up coming in terms of implementation discussion.

So the hope is that even though there may be a small period of time for implementation after this policy group is done, it's not - we finish our work in mid 2018 and then it takes another year and a half for an implementation to be worked out. The hope is that, you know, we've thought about most of the implementation issues and that it could shortly then start a new window.

Avri Doria: Thanks. Okay. So we have two more names, but I wanted to do a quick time check with Steve, who's probably completed all his math at this point, and tell me how much longer we go on this and then...

Steve Chan: This is Steve. Yes. My dad was a math teacher so he'd be happy I could do math. But we have - we're supposed to break at 10 and then take a 15-minute break, but I think if we want to do, we could speak another five minutes or so.

Avri Doria: Right. So we'll take the next two names. Anyone else who's going to want to speak on this, please add your name now so I know. But we'll go ahead to Jannik, please.

Jannik Skou: Thank you. Again, the same question what is the group's tendency at present? Has the work track group yet tending towards saying when we have the next applicant guidebook or whatever it will be, when we have the registry agreement, is it then closed or is it still open for additional regulated sectors and GAC advice? Is that the tendency? I would recommend that.

Jeff Neuman: Yes so we - I'm going to answer that sort of with a depends. This is Jeff Neuman. It depends on the methodology going forward. If it's like a - if it's rounds, then I think the tendency was to the - of the group, the discussions was to close it off as best as possible and only in, you know, exigent or emergency situations to kind of revise, you know, revise where you absolutely have to.

But then discussions came up, if this is truly a first-come-first-serve process and where there is no ending, then how do you make changes. And so that's a subject that's come up. I will not say there's any conclusions on that but certainly a lot of applicants have expressed their concerns with the amount of changes that took place and trying as best as possible to eliminate those.

And I will say that even organizations like the GAC in their comments to CC1 said that it's not - that they recognize that their advice caused hardships on certain applications and that they too want to minimize the amount of changes. And so to have the clear rules going in is best for everyone involved.

Avri Doria: And Michael.

Michael Flemming: Thank you, Avri. Just two comments and one quick question. The first comment is that we're also - as far as this working group is going, we're also

looking at the aspect of predictability, yes, predictability and basically making this as clear as possible and being able to predict those possible changes. Whereas when we get to that point, we're not too surprised at the change occurring. So that is one factor to consider when we're looking at this.

And then another aspect is I think (Krista) pointed out before this - before the ICANN meeting, but this ties into the applicant terms and conditions. One of the questions we have on there where ICANN reserves the right to make changes to the applicant guidebook. And in that situation it also looks at the aspect that if hardship is - if the applicant has any hardship, then ICANN must work with applicant and yada, yada, yada. I can't remember exactly how it goes. But in the long run, ICANN must make sure that hardship is mitigated as much as possible.

A quick - really quick to note on that is that the response we already got on that was that hardship really wasn't mitigated very well. But - and then my last question really quick is -- and this is just looking at the implementation aspect, but - and this is a question to ICANN -- if the applicant guidebook were to go as is it today again for a second window for example, would - does ICANN foresee changes or those clarifying questions to go the same as it did in the previous round? So would it still be as unpredictable as it was when it originally went - sorry as the first round?

Woman: We have a comment from the room participation. It's from (Jamie Baxter) from (.get). For areas of the AGB where there is an expectation of future engagement by third parties, such as community priority evaluation, it is perhaps imperative to have those third parties in place and include any necessary guidelines that will be used in their processes in the AGB and not have them generated after applications have been received.

Avri Doria: Thank you, (Jamie). Okay at this point I think I call the break.

Man: How long?

Avri Doria: Fifteen minutes, as was planned, correct?

Man: (Unintelligible)

Avri Doria: Okay. Sure. No, 15 minutes. But I'll start in 15 minutes, as opposed to start drifting back in 15. So if takes you five minutes to come back, it's ten minutes. So it's ten after now, so ten minute warning is at 20 after and we start at 25 after. Thank you.

Man: Working Track 2 is next so don't go away. I said Working Track 2 is next so don't go away.

Avri Doria: I'm not going away.

((Crosstalk))

Jeff Neuman: So as we - as we get ready to get started, if everyone could log into the Adobe Room because we're going to do some pollings. So if you go to the meetings website and go to schedule, you'll see a (unintelligible).

Man: (Unintelligible) 10 p.m. last night. It is and then I slept - I woke up a couple of times and wasn't able to go back to sleep so 6 o'clock.

Man: (Unintelligible).

Man: (Unintelligible) East coast (unintelligible).

Man: A little bit. A little bit. Now two hours maybe.

((Crosstalk))

Man: Yes, but not on those flights.

Man: What flights?

Man: The flights are shortened. Like as soon as you get off ...

Man: That's true.

Man: It's not, it's not, I'm sorry?

((Crosstalk))

Man: I slept 12 hours. I can't remember doing that but ...

Female: (Unintelligible).

Man: I figured tonight - tonight's going to be fun. I figured I'd be exhausted. I'd be able to sleep tonight. I'll say than I'll get dragged out.

((Crosstalk))

Man: That's the way (unintelligible).

((Crosstalk))

Man: Definitely going to want to do that for (unintelligible).

((Crosstalk))

Man: All right. So (Drew) just text me. His audio (unintelligible).

((Crosstalk))

Man: (Unintelligible) mic is on because (Judy) just texted me (unintelligible).

((Crosstalk))

Man: Hi, (Judy). We love you. If you can hear me, send me back a hug.

((Crosstalk))

Man: Second paragraph. (Unintelligible).

((Crosstalk))

Man: Trying to make a point (unintelligible) registration data.

((Crosstalk))

Woman: Five minute warning.

((Crosstalk))

Woman: Okay. We're starting up in about a minute.

((Crosstalk))

Woman: Okay. We're starting up in about a minute, about a minute.

((Crosstalk))

Man: I'm going to keep eating my sandwich. Try not to talk with my mouth full.

((Crosstalk))

Avri Doria: Okay. It's now 10:25 so we will start again and in - please start the recording.
Oh, I see it has started. Thank you. So on work track 2, poll results. The first

issue was closed generics. The second was reserved names. We'll give about 10 minutes to each. Let's see how the conversation goes.

Jeff, did you want to start with some comments?

Jeff Neuman: Sure. So close generics again. This is whether an entity could apply for a string and then restrict the registrations for that string only to itself and its affiliates. So as we saw in the 2012 round, there were applications for a number of strings, things like dot grocery was applied by an organization Safeway who actually ended up withdrawing but it was determined there were a fair amount of public comments that were received that said that an entity or their comment was that an entity should not be able to apply for a string and keep all the registrations within that entity and its affiliates unless it was a so-called brand topper of a domain.

So the NGPC, the new GTLB program committee, all the ICANN board decided in not - or it didn't come from the policy development process but came from the board that said for this 2012 round we will prohibit so-called closed generics.

So now we are tackling that issue of what should it be going forward. There have been comments - there is no tendency on this one to answer that question. I think there have been comments both in favor of continuing the prohibition and there have been comments against continuing the prohibition on having so-called closed generics so let's open up.

Avri Doria: Don't have any hands yet but this is on Page 12. So if you could bring up the questions upon there. It's 2.4 on Page 12 of the questions and now we do have hands. We have. Anne Aikman-Scalese and then Edmon. Anne, please.

Anne Aikman-Scalese: Thank you, Avri, for pronouncing my name correctly. I really appreciate it. This is a procedural question. My understanding was that the board, so it doesn't really get to the substance and I apologize if that's the

case, but the board had made the rule that it made some - I think somewhat in relation to GAC advice on closed generics and so what happens going forward on, you know, and how does that advice operate in relation to the, you know, the results of this (PEP) and if there's still a potential for a conflict in seeing the two.

Jeff Neuman: Thanks. That's a great question. This is Jeff Neuman. Again GAC advice is an important input into our (PEP) deliberations. It's not the only input and this - again the rule did not come from the GNSL so it is something that we are discussing within our group but yes, with everything that we recommend, there is always a risk of having GAC advice at a later point but there are participants in the group from the GAC.

They're not able to be here right now because again of a conflict in scheduling but we are getting their input. So certainly in areas where they did provide advice, we are taking that into consideration. We are getting input from GAC members as to the context and that's again considered in what we do.

Avri Doria: Thank you. I've got Edmon next, please.

Edmon Chung: So I wonder as Jeff mentioned there are different views but in terms of if we are going to remove this kind of (unintelligible), what happens to the ones currently. Does it retroactively affect the existing round? What is the thinking about that? And that relates also to the - what we just discussed about the changes after the applicant guidebook and stuff so these applicants were allowed to substantively change the application to continue with the application process, which is interesting whereas others are not allowed to. So I wonder, you know, whether those discussions were had and I guess stealing from others.

Man: Want me to take that?

((Crosstalk))

Jeff Neuman: Okay. So this is Jeff Neuman. We have not had the discussion of retroactive - I guess what you're saying is the retroactive effect of things that we talk about now other than to say that, you know, I would think in some of the discussions on the legal agreement, it was certainly recognized that we would need to take into consideration whether such changes we make now would unfairly advantage either the new applicants or the old ones but I think our mandate right now is to really focus on moving forward.

So to the extent that let's say -- and I'm not saying we are tending this way at all -- but let's say we completely allow and say close generics, yes, great, going forward, you know. We have not considered, nor do I necessarily think it's within our scope to consider the past applications for that type of string.

Avri Doria: I'm going to offer a slightly differing view, I think but we've got a long way to go on it. This is Avri speaking. I think that this question of the retroactivity and such is something that we're going to hit in a lot of the issues. So and so I think that at the end of the - once we've come up with recommendations and so on and so forth, I think it may be reasonable to have that discussion and to make a recommendation to the council.

I think I agree with Jeff that it's not necessarily the job but I do think it will be a non-inappropriate - and we can certainly confirm with the council before we get there whether they want to hear from us on this but I do think it's something that as opposed to discussing it while developing the recommendations to once we have our set of recommendations, then look at that issue in relation to things that have changed. But to have that discussion before, you know, we've made that might be premature, I would say.

Man: Quickly and the reason why I'm bringing this up is and in relation to what I just said in terms of what will change after the implementation plan or

guidelines is that, you know, even if we recommend certain path, you know, we might end up with a different path down the line.

Avri Doria: Hopefully that's just like - this is Avri again. Hopefully that's a little less likely to happen this time partly because we're being more specific about recommendations and partly because we will have an implementation review team formed out of the group that will be working with staff more closely.

So hopefully the degree of change and the degree of migration will be lessened. Let me go back to the list now. (Della) had - okay, I have Samantha next and then Alan Greenberg and then Michael Flemming and then we'll be close to the end. Okay. And then - okay. Yes. So you're not using the - so Samantha Demetriou.

Samantha Demetriou: Thanks, Avri. This is Samantha Demetriou from (unintelligible). To respond to Edmon's point and the points that you and Jeff discussed, I don't think there is any way to go back and make this kind of like retroactively applied to the first round. Like, Jeff, you laid it out right?

The corporations or brands that did apply for closed generics either had to withdraw or completely alter their application. And so in the cases where they withdrew, if there was contention, than that (unintelligible) went to an operator who's operating it out of an open fielding and you can't just take that away from them. But to the point of, you know, the impacts going forward, I think there is going to be some dissatisfaction and there will be complaints of unfairness if closure (unintelligible) are involved in subsequent procedures or application windows because it would disadvantage those companies that did or could theoretically disadvantage those companies who did try to apply and were told that they couldn't and were shut down.

Avri Doria: Thank you. Alan?

Alan Greenberg: Thank you. On the same subject, I really think that we need to, as we're going along, not evaluate whether we should do it or not because of that issue and it's not only talking about closed generics but at least flag the ones where there may be an issue going forward.

It doesn't make a lot of sense for us to go all the way to the end and then be told basically you're opening - you know, this would open ICANN up to huge lawsuits and there's no way we can agree to it.

So I think we need to at least flag the issues that are potential. Quite how we handle it, I don't know. Maybe in the background ICANN legal was looking at this and deciding, you know, is there a risk, is there not a risk, does someone have to intervene. Does the board have to be warned about it but I think it's foolish for us to go all the way to the end and then start thinking about it so I think we need to do a little bit of work along the way but not come up with the alternate scenarios of how do we handle it but at least flag it that there is a risk and an issue.

Avri Doria: Thank you, Alan. I apologize for having recommended something foolish. Now I have Michael, then Annebeth and then I'll try to move onto the next subject.

Michael Flemming: Just to be brief, it is my understanding that any changes that would come out of this PDP and registry given for example would be applicable for past registries to - when they actually review their own registry agreement with ICANN to update to, for example, the - for example, the potential 2020 registry agreement. That could come out down the line.

So I think these changes could be applicable to those registries in the future and we can't rule that out but at the same time, though, I think that those registries that already exist will have the opportunity to update their own registry agreements coming down the line and I think everyone is aware of

how those past registries are already updating to the 2013 registry agreement. Am I right on that one?

Sorry. I can't remember the number but the current registry. A lot of the past registries are already updating as we see now and I think that will be the potential argument for the future.

Avri Doria: Okay. Thank you, Annebeth?

Annebeth Lange: Annebeth Lange speaking. I just wanted to point to 242 where we're talking about what is really a generic when we're talking about closed generics, generics because if you see the definitions there, that's in line with what I as a lawyer also thinks what is the difference between a generic and a specific name. But during the process, it's very easy to see that a lot of those names registered as a generic actually is not.

So we have to be very careful to find -like brands is it really a generic? Like country names, are they generic or are they given names like we do everywhere else in the law. So we just have to be very careful about the difference between generic and specific when we discuss these things.
Thank you.

Avri Doria: Thank you. And so at this point we'll move onto the next topic, which was I guess reserve names was the next one that had in the poll and that's 22, reserved names on Page 10. If people want to bring up the questions and I understand that we lost connectivity for a bit but I have someone called 5422. That must be a telephone number or something?

Jeff Neuman: So this is Jeff Neuman. I will say that this is reserved names for big topic, covers a lot of things. In terms of group tendency, I think we for second levels, for the reservation of second levels, I think there's a lot of them where the group went through each type of reservation, like there are certain ones that are reserved by, like things like example. Those, you know, the group

just kind of breezed through it and said, yes, a tendency is to just accept that and keep that going forward.

There are other examples that have come up with - until we get people in the cue, there is the IATF is - has what's called special - there's special use domains that an RFC on special use domains. So they just recently, I say recently, I guess within the past year or so, approved dot onion and so dot onion now is a reserved name at the top level and they're working on other ones.

So the question is well, what happens in the future? Do we just keep adding whatever the IATF comes up with, however they come up with it to the top of a reserve? Okay. We have Michael in the queue, and then Edmon and Anne and anybody else that wants to join, so Michael.

Michael Flemming: This is just a suggestion but should we bring up the table that we used when we went over this in the webinar, I'm sorry, not webinar, the meeting several weeks ago or should we just leave it with the CC2 questions.

Man: (Unintelligible).

Michael Flemming: Just see what the questions are, okay.

Avri Doria: Edmon, please?

Edmon Chung: Edmon Chung here. So last time around we had this list and then it's kind of that the applied strings should not be - that the string similarity review should be compared with reserved names as well. But that wasn't really done fully, I think.

One of the interesting things is that we banned numbers, right? But OOO which would be very similar to zero, zero, zero was not banned. You know, I guess OLO or O1O, you know, all those would not be banned. What is

interesting is, you know, we should probably think about, think through it and give a recommendation more clearly whether, you know, these reserved names also be applied for string cannot be similar, you know, or confusingly similar to those reserved names.

Jeff Neuman: Thanks, Edmon. That's actually a new area that we hadn't really thought about too much and I would add that to probably work track 3, which is looking at string similarity. I think there were some names that were added to the reserve list at the top and second level, things like the Red Cross, Olympic where they specifically said in the guidebook it wouldn't go through the string similarity that it was only the exact match, so I think that's something that we have not yet considered and a good note for work track 3.

Avri Doria: Michael (unintelligible), Michael?

Michael Flemming: Sorry. I thought we covered that a little bit in - I think - wasn't that part of the policy in the table that we looked at? Strings, letters that look similar to numbers. I think that was a part of that but I could be wrong, no? I guess that was a dream. Okay. Sorry.

Avri Doria: Or nightmare, it depends on how you're going to look at it. We're obviously having problems with connectivity but Anne was in the list next.

Anne Aikman-Scalese: Thanks, Avri. Ann Aikman-Scalese with (unintelligible) property constituency. (Greg) got this chair warm and my question in relation to reserve names was I think, Jeff, we talked during the last round about reserved names also including a category of names that the registry may reserve at its option for re-sale purposes and that there was potentially an issue of some overlap between reserve names and premium pricing on names and for those of us in the IPC representing trademark holders who experience some very, very high pricing with respect to those names, that issue I think is a continuing one for our constituency.

Jeff Neuman: Thank you, Anne. This is Jeff Neuman and there are questions in CC2 that do ask about the registry's ability to register 100 names for its own promotional and operational use and also the recognition that right now there's an ability for registries to reserve an unlimited amount of names as long as those are distributed through ICANN accredited registrars and that would go towards the comments that you were just making and so absolutely during CC2 when those questions come out, please make sure that the IPC responds with those calls.

Avri Doria: Okay. At the moment we do not have - oh, at the moment we do now have connectivity so if there's anyone else that wanted to comment? Okay. Yes. Sarah.

Sarah Langstone: I don't know if this is in scope or out of scope but registry operators are currently using an unofficial list of reserve names, you know, based on the direction in Spec 5 and I would really push for a list to be provided to all of us so that no one's guessing.

Jeff Neuman: Thanks, Sarah, and one just to add some flavor to that, I think Sarah's referring to some of the requirements in Spec 5 that say you must reserve certain types of terms and the we - the registries I know have asked ICANN for a definitive list of these and ICANN has not necessarily provided that list and I think that is definitely something that would add more predictability to the process so I think that's a good point for work track 2 is to specifically enumerate those lists.

All right. We still have lost connectivity, so if anyone in the room wants to speak on this issue?

Avri Doria: Otherwise it's time to move on.

Jeff Neuman: Yes, Edmon?

Edmon Chung: Just a quick note on that. I guess there are many reasons why ICANN doesn't want to commit to a particular list and I respect why that's the case. I wonder if we as a community bring together a list that might be even, you know, easier for ICANN to then say okay that's a reference. Not necessarily definitive, so, you know, maybe that's something we can do bottom up rather than asking, you know, ICANN to direct and create a definitive list.

Jeff Neuman: Okay. I see Jim's hand. Oh, there's a bunch of them here. So Jim and then Rubens.

Jim Prendergast: Yes, thanks. Jim Prendergast. Edmon on that question, though, when it comes to ICANN compliance what's the definition against everybody's - what are we getting judged against? It can't be the community developed list. It's what ICANN compliance deems as a list. So Spec 5 was very specific about (ISO) 3166 and UN list and things like that yet ICANN doesn't necessarily refuse, they refuse to actually develop that list and put it out to the community, so.

I mean when compliance gets ahold of that, whose list is definitive?

Jeff Neuman: So Edmon, did you want to address that quickly because it's directed to you?

Edmon Chung: Sure. Edmon here. So the problem there is there are no definitive lists and, you know, depending on which country or which government or, you know, which groups of governments you ask, that list could be different and that's the inherent challenge that ICANN has.

The reason I why I am suggesting the community come up with it is that ICANN doesn't have to say this is the list but at least, you know, specifically for the compliance side, they can at least, you know, have something to refer to and registries have something to refer to. Whether at the end of the day it's considered compliant or not it might have to depend on the jurisdiction you're in, the final jurisdiction at that time where ICANN and the registry sign the

agreement and a bunch of other things. So that's the inherent problem or the nature of the beast.

Jeff Neuman: Okay. Rubens.

Rubens Kuhl: Rubens Kuhl. There is already a community grow list made by (Santonic) available in (unintelligible) and maybe (unintelligible) have used it to at least implement that and at least have the same (unintelligible) that prevented ICANN from publishing like (unintelligible) if not depending on who asks but the list is out there.

Avri Doria: This is Avri. I mean from a policy perspective, we had said no list in the beginning so it was very difficult for them to create a list. Now if this policy were to say there ought to be a list as opposed to there ought not to be a list then the situation may be different. I don't know but we went into - yes, you wanted to speak and then I think you'll be the last on this unless we had - yes, you'll be the last.

Sarah Langstone: Thank you Avri. I was just going to say, I mean if there's no list than how can it be in a contract and how can anybody be held to it and I think that's the point.

Avri Doria: And as I say, our policy recommendation last time had been no risk, just objections.

Okay. So now we'll move on to work track 3. Still not connecting to the ...

Jeff Neuman: Community applications.

Avri Doria: Yes. It is community applications but I just lost the little thingy that was telling me what our first and second topics were. Oh, you've still got it. All right.

Jeff Neuman: So, yes, the work track 3 poll was community applications and community priority applications and then number 2 is string similarity, the evaluation and - oh, no, sorry. The objection part of string similarity. So let's start with community applications.

Avri Doria: And community applications for those that are following along in the PDF list of questions starts on Page 15. It's 3.3.

Jeff Neuman: So I'll start this one in the sense of - well, a couple aspects. Number one is there was a report that was submitted to the group by - and discussed briefly on the last, which I recall, by the Council of Europe. I should say it was commissioned by the Council of Europe. It's not officially endorsed or has any status that talks about the human rights elements of the community priority evaluation process within ICANN, within the last round for 2012.

So that was introduced in the last call. The other aspect that we should introduce is that at this point, community (unintelligible) evaluation was only used to evaluate those applications that both applied for community and in which there was contention. If there was no contention for that string, even if someone applied for it as a community, there was no evaluation done on whether that actually met the community standards or not. It was if they were the only applicant, it went through. Yes, they have to commit to it in a Spec 12 but there was no evaluation as to whether that string actually met the community requirements.

So I guess because we still don't have connectivity, people will - yes, people will need to raise their hands in the room.

Avri Doria: I wanted to add a comment.

Jeff Neuman: Oh, sorry. Another comment from Avri.

Avri Doria: But I think one of the things that - yes they weren't judged on whether they were a community but as they were the only applicant for a name which is basically what put most other names forward through to deployment and they were committed to the obligations that they had put in, it's not like they got some amazing advantage from having applied as a community.

In fact, in a sense, it's a risk for them because if you are the only applicant, and you made all these commitments as a community applicant, you know, there is the notion oops, I made commitments that I have to live up to when I didn't really need to. So it's not like being a community applicant gave anybody an advantage in any way if they were the solo applicant. So I just - that keeps being brought up that they got through without, you know, being judged as a community but since community was just for contention purposes not - contention and obligation purposes, it's not what the advantage that people seem to try to indicate it was.

So still - I still don't have Adobe - you do. So you can tell me are there any hands up? Only yourself. So please, Anne.

Anne Aikman-Scalese: Thank you. Anne Aikman-Scalese again and I didn't see any other hands so I decided to jump in. I read the content of your report with great interest because I think the primary observation was, hey, guys, this is the internet. It should belong to everyone and we don't see any, you know, strong community presence. Why weren't there more applications? Why were so many community applications defeated and I have to admit that when we talked about, well, wow, this is valuable real estate and we've got to make sure the prices aren't too low, I guess my own view is a bit different.

When I look back in at least in the U.S. history in relation to the public airwaves and I'll talk about an old, old topic. Community access television, which is almost really kind of dying at this point in the United States but which was originally quite vibrant because it was essentially required to be funded and so my own view, which is - I'll state very clearly, this is not the view of the

IPC or hasn't been developed within the IPC so I think that the issue of community applications and even the question of community priority round as well as the cost to communities for applying and assistance with applying and applicant support, the very important one - I'll also say that I know we do have clients within the firm that would benefit from a structure that would allow, you know, an easier route to community application, so that's also by way of disclosure in terms of statement of interest.

We know of clients who, you know, if the - seems quite a barrier to entry, many of the situations, you know, that applied in the last round. Thank you.

Avri Doria: Thank you, and Jeff, I guess you're next. I wanted to make sure, did any - had anybody put their hand up while we were with the system down that I missed? No. Oh, okay, great. So people can now use the system again to put their hand up and Jeff you were next.

Jeff Neuman: Thanks. I wanted to throw out, sorry, this is Jeff Neuman. I wanted to throw out a question to see what the thoughts were at least in this room. On one of the recommendations made by the Council of Europe Commissioned report, which was that their report recommended that every string that's applied for, what should happen is that there should be some form of intent process where applicants would say I intend to apply for the string whatever and that would be given a period of time, let's say 30 days, for anyone else to apply for that string as a community and then so the community, if it can establish itself as a community would get that TLD over the original one that applied for it unless the original one - or sorry, the original one that it was intending for apply for it unless the original one that was intending to apply for it was also a community.

So in general, what do people feel about the proposal that applicants should express their interest in a string and then have a period of time for which someone could come forward with a community-based application and I'm

glad to see some hands raised and people in the queue so Kristina has her hand raised and Alan has got.

Avri Doria: Hers went up quite quickly first.

Kristina Rosette: Kristina Rosette for the transcript. We've had this conversation and I am pretty sure we had it I'm thinking of my life and where we actually where we were for the ICANN meeting. I want to say it was Sol. And the board took public comment on it and the idea was rejected for a variety of reasons and not the community aspect of it but the idea that you would have this early expression ...

Woman: (Unintelligible).

Kristina Rosette: Exactly. So before we go down this road again, let's go back and see why that idea was rejected in the first place.

Jeff Neuman: Thanks, Kristina and yes that was - and if I remember correctly, it was a proposal from (Anthony VanCouvering) that he had mentioned that he wanted to have an expression of interest for the purpose of figuring out what the volume would be of applications because there was a lot of focus on the root scalability and there was a lot of concern that there would be too many applications that couldn't be handled and so we should go back to that to see what the comments were.

A lot of the comments were, hey, we're too close to starting around. If we introduce that now, we'd just be delaying the ultimate round even more than it was. The (unintelligible) we probably should have had that or maybe we should have had that process but I agree we should go back to the archives to look at the comments that were received during that to look at expressions of interest in general.

Avri Doria: But it was for a very different purpose, though.

Anne Aikman-Scalese: Right but as somebody who put comments in, I know that a lot of the comments that came in were broader than just the timing implications of it. So I just think before we go down that road again, let's see why it wasn't picked up in the first place. I'm sure there's a report with a summary in the public comments so we don't actually have to read them all but we've got a lot of work to do. Let's be efficient where we can.

Avri Doria: You're right and I'm not sure how people remember. I know I put in comments against it but I really don't remember what my comments were. I have them up here but Alan, yes, you're right. Okay, please. Alan.

Alan Greenberg: Just with the name, Alan, I'm always at the top of the list so. We did have this conversation before. My recollection, however, is that time around the concept was it was going to be a secret submission but there was concern that it could get leaks because you never know and then someone would steal your really great idea and, you know, this is very different.

This one says it's going to be public and we're going to be advertising your really great idea. One questions whether that's going to help community applications or hurt them and I personally think it's a really bad idea but I think we do have to have the discussion but it should be framed with whatever happened before so we don't repeat the exact same thing again.

Avri Doria: (Unintelligible).

Man: (Unintelligible) Yes, thank you. I think indeed it was a completely different context, which doesn't mean that there were actually very good arguments already put on the table and I support the idea of reviewing the public comment summary of the time.

However, I don't think we can just dismiss the idea. It has some merits. Especially if you think of a TOD as a potentially common good or something

that is to be shared for the global public and not only from a perspective of entrepreneurship and private interest and innovation, which are valuable as well. So and there are also areas where this is the kind of approach that's being taken.

For instance in the (unintelligible) management systems, there's publicity about the type of resources that are going to be allocated based on requests for interests, is anyone interested in this, then there's discussion about how to allocate it. And I think we should be careful not to dismiss the idea. The context may have changed so we might have to investigate this further.
Thank you.

Avri Doria: Thank you. I see there's a comment in the chat, which I'll read out before I continue with the list if that's okay. It's from (Jamie Baxter). Comment: The reality with your question, Jeff, is that each community may take its own pace to establish community consensus. Our experience given that our community is global is that ample time was required to engage, have dialogue and build consensus towards a community application model. Not sure how anyone could draw a line around the time that would be given to potential community applicant if faced with the reality that a standard applicant had expressed interest. End of comment. And Edmon, I have you next.

Edmon Chung: I guess building on what (Jamie) said and understanding from Kristina, yes, of course we should review all those comments but this is very different proposition. We're saying that, you know, we allow the application to go through, list all the names and then allow communities to then say, hey, wait a minute, instead of just objecting, we can put in - file a community application.

That's very important because, you know, my experience working for with for example dot kids, they don't want to have it but I've been able to convince them to put it in because if you don't put it in, if you lose the objection you lose the entire community so that's very important. So just back to what, I

guess, (Mattieu) mentioned is yes, it may be difficult to set a timeframe that community can respond but at least some timeframe that allows them to say, hey, there is something out there. If you lose the objection, you know, it's a public interest at stake. Is this community willing to band together immediately and, you know, do something about it. It creates some urgency.

I think it's worth exploring the idea, absolutely. I don't think we should throw it out just because we talked about similar concepts before.

Avri Doria: Thank you. I didn't actually get that we should throw it out but just that we should review previous concepts that may have been similar. Anne?

Anne Aikman-Scalase: Thank you, it's Anne. For the transcript, I think one thing this group is going to have to address actively is the question of priority round for community applications because as a very specific recommendation and the council of your report and I think you can expect a great deal of discussion within the GAC about that and a great deal of emphasis on a priority round for community applications. So it's - I think it's really important for subsequent procedures to address that specific thing.

Avri Doria: I do have a question on whether there should be any priority rounds and we do have a lot of contention for what sort of category would be deserving of a priority round. Okay. Do we have anyone else on this one or should I move onto the next - you have a comment on this before we move on? Okay. Then the next comment since I see no other hands or comments on that one is string similarity objections. So Jeff has a comment to make and please take down your hands if you've already spoken once before.

Jeff Neuman: So on this one just to get conversation rolling while people are thinking of raising their hand on the same similarity, there was a proposal - there was a small group of registries that are trying to contribute to the process that met and came up with a couple of recommendations. One of them particularly on

plurals and singulars which is an issue that was not a policy decision in the -
for the 2012 round.

I think a lot of people just expected plurals and singulars to be similar to each other but that didn't end up being the case. So we have on a going forward basis we now have the ability to determine whether plurals are similar to singulars and registries have basically submitted a recommendation that plurals and singulars be considered in the string similarity evaluation up front so that it didn't have to get to the objection level but throwing that out, you know, what does this group feel. How does this group feel about having plurals and singulars of the same type of string as long as they've intended to be plurals and singulars, not just necessarily adding an S which could change the meaning completely if it's in ASCE but actually meaning to be the plural or the singular of something that already exists or is applied for.

So with that, I see two people. Edmon are you new in the queue. Okay. So Sarah is in the queue and anybody else feel free to join.

Avri Doria: And just wanted to point out that this is 3.4 on Page 16 for those following through in the PDJ.

Sarah Langstone: Thank you very much. Sarah Langstone from Verisign. I mean I've got a comment around string content and evaluations and resolution mechanisms and I see TLDs as being public assets. Why do I see that? Because they are run with the public interest in mind and I think whether private auctions of these public assets is part of the resolution, a contention as, and I struggle to think all agree, that that's in the public interest.

Avri Doria: Thank you.

Jeff Neuman: Thanks, Sarah. That's another aspect of the string contention. So that's - thank you, Sarah for making that as well. And feel free to bring up any aspect

of it. I just kind of introduce the topic but thank you, Sarah, for that and if anyone has anything around that as well. Michael?

Michael Flemming: Jeff, you - I'm sorry. Just to reiterate your question. You were asking whether - what our feelings are, or not what our feelings, but what our thoughts are on the - whether or not this should be plurals versus singular, correct? You said that adding the S on the end - I'm sorry. I guess I sort of misunderstood the question because I was wondering if you were asking in an IDN type of sentence or that you made the comment about in ASCE if you just add an S on the end it can change the meaning entirely. Could you be - I don't understand that.

Jeff Neuman: I was just - thanks, this is Jeff Neuman. I was just throwing out topics that we could potentially talk about and one of them is plurals versus singulars and I said it's not merely just in aske, it's not merely just adding an S ...

Michael Flemming: Okay.

Jeff Neuman: ... which automatically eliminate it because that could change the meaning of the world but for IDNs it's much more complicated and if you want to introduce a comment on that, that would be great or ...

Michael Flemming: Yes, I guess. I mean it's without a doubt that in other languages, I mean I'm not - in other languages, there is no plural, for example, in some languages. You literally have to shout out the number or it's a separate word that you have to combine. The way you expressed the plurals isn't just adding an extra character or an extra letter or something like that. That's - and then when you come back to English, if you look at the public interest issue, that can completely confuse non-English speakers, for example, if you start talking about the plural and singular issue.

It's - but I think it's - there's no end to the topic when you get out and start talking about the public interest. You really need to make a definition and just go with it if you really want to limit the plurals versus singulars.

Jeff Neuman: Thanks, Michael. I see Alan and then Annebeth. So Alan?

Alan Goldberg: Thank you. I'll point out even in English it's not just adding an S. There's man and men and then of course there's sheep and sheep.

Woman: Yes, those are good.

Alan Goldberg: They are confusing similar. You will not that the plural and singular are confusingly similar in that case. Confusion was one perhaps the single poster child of the (SSACH) in this whole process because when it comes down to it, we are trying to build something for the three billion users or whatever and confusion is a real issue.

It's interesting that the (SSACH) is now using the term confusion related to an IDN issue but they're now considering confusion as a relevant issue in terms of making sure that the domain name system is usable. You know, plural and singular is not something ever referenced in an RFC so it puts them in an awkward position from that point of view but I think - I think the issue is one that we are really going to have to pay a lot more attention to and singular - plural singular is certainly one of the examples.

The registry recommendation or proposal, I believe, says go to the dictionary of the appropriate language and look at what singular and plural is for those words, so it's not a matter of constructing all the rules ourselves but simply letting linguists who have done it already reign and I think it's one of the more important things we're going to be looking at and one of the perhaps substantive things that will be different from any future rounds and the next ones. Thank you.

Avri Doria: We've to Annebeth next and then Michael.

Annebeth Lange: Annebeth Lange here. I support Alan. The confusion is very relevant here and we had the discussion in the last round and hotels and hotel and I remember that very well and if we are looking to protect users out there, especially for non-English speakers, they will never remember if they ordered their hotel at dot hotel or dot hotels. It's too similar and looking at trademark law, when you apply for a trademark, that's exactly what you are looking for in the patent offices. That you conflict another brand or trademark if it's too similar to the other and that's the confusion behind it.

So I agree we should pay much more attention to that and in my view it was the wrong decision that last time.

Jeff Neuman: Thanks Annebeth. We have Michael.

Michael Flemming: Now that I've already voiced what the non-English speaker issue, I'd really like to just voice my own feelings on this. We need to have a rule and it needs to limit one - well, not necessarily - it doesn't need to limit whether plural or singular but depending on what applicant - application you have, you need to have a limit and there needs to be a way to resolve this issue. It has got to be decided. That's flat out what I think.

Jeff Neuman: Thanks, Michael. (Yanuch).

(Yanuch): Yes, thank you again. So I agree we simply cannot take the - the add the S or these other roots. We should never go down the linguistic road. We also have to compare with existing utilities, imagine dot (unintelligible), right and then add an S to that but as to us creating these rules and as much as we are against as hotel and hotels remember in a different language it can have - just adding one little letter to an English word it can have a completely different meaning, right?

So then it will be ruled out because it has another meaning in another language and we have a (unintelligible) for a word that means something completely different in that script. I don't think we will ever get around it. I think we simply have to educate people. We have to be aware of fraud but I don't think we should make any - as much as I understand it, I don't think we should go down that path and it will also take forever to solve all these issues. So I think it's occasion, yes, there's fraud out there, there's also fraud under dot com, so I don't think we should continue this at all. It's too complicated.

Jeff Neuman: Thanks (Yanuch). So we have Samantha Demetriou, Edmon and Alan and then we'll cut it off so we can get on to some more check four issues.

Samantha Demetriou: Thanks, Jeff. This is Samantha Demetriou from (unintelligible). I was involved with the group of registries who came up with the recommendation, and I'll be honest, I haven't read the document very recently but during our discussions, we did cover these concerns. It was primarily English speakers in the group and we all kind of admitted that we don't know every language that's spoken on earth, right? So I think the recommendation boiled down to plurals and generic, or sorry, plurals and singulars of the same term should not be allowed unless there is like a semantic argument as to why something that looks like a plural of something is - has a different meaning. And that would cover, you know, different languages or different dialects even of the same issue where the meanings would be different.

It would also cover brand examples where like in this round there's dot apple, which is the computer company but there could be a case made for dot apples because it would be, you know, completely different. So the recommendations, it was a little bit more than just don't stick an S on it if it already exists. So I wanted to just clarify for the group that those thoughts have been considered.

Jeff Neuman: Thanks, Samantha Demetriou and yes, we - that proposal can be found on the Wiki, there's a link from the work track 3 items that was discussed. We

should also note for the record that it hasn't formally been adopted by the registries. It was just submitted by a group of registries that worked on it.

Okay. We have - there is some people that were still in the queue that haven't lowered their hands, so Edmon, are you back in the queue? Okay. Edmon.

Edmon Chung: Just a quick comment. Edmon here. What we - on this issue, I think what we need to understand is that we can't leave it to the technical side because last time around, we left it to it and we thought it would, you know, catch these kind of things but if we are going to weigh in - you know, we have to weigh in on it and I think that's the important part because the technical guys really look at it as identifiers then, you know, not semantically driven in that case when they consider string similarity review. And we should take that in mind when we set our policies.

Jeff Neuman: Thanks, Edmon and then Alan, you've got the last word on this.

Alan Greenberg: Yes, thank you. Much of what I was going to say has already been said, so this will be short. Number one, it's not just fraud. Confusion is an issue in its own right regardless of the fact that that confusion may help fraud but its confusion itself that we're considered with.

Yes, it's unfortunate that a word in English and you add an S has a completely different meaning in another language. It's equally unfortunately, Samantha said that apple has two meanings in our life and they're confusing but we're dealing with a single resource over the entire world in all the languages for the internet and we are dealing with something where there is going to be multiple interpretations but we can only have one. So I don't think we have a choice. We have to consider it and we have to probably be a lot more stringent than we were the first time around. Thank you.

Jeff Neuman: Thanks, Alan, and I will note that, you know, this room seems to be coming towards some sense of it seems like from the sense of the room that a lot of

people are against having plurals and singulars but there have been some comments that have been submitted where people do believe that they should be allowed much like you have plural and singular of a second level name dot com, let's say, you have a different or pet and pets dot com may be different. They allow that.

So again, I'm not personally saying I believe that, I'm just saying that there have been arguments on both sides, even though the sense in this room is it's pretty much one directional. So it's good in a sense from this room that we're getting that.

Okay, let's go to work track 4, which we have the issues to be discussed are, I believe name collision was Number 1. Number 2 was applicant reviews and 3, IVNs. So let's go onto Name collision and Rubens do you have anything specific, any question you want to kind of throw out to the group to address name collisions?

Rubens Kuhl: Rubens Kuhl for the record. I think the main question is whether the people thing that the name collision framework that was adopted was adequate or not in length, in substance in what they did ask. I have one (unintelligible) do that but (unintelligible).

Jeff Neuman: Okay. So thanks, (Rubens). I see a queue here but I think some of them are left over. I know Edmon is - I don't know if Edmon's got a comment on this one. Nope. Alan, you're next in there. Is that a leftover? Okay. And Anne, I believe is new. So Anne, please.

Anne Aikman-Scalese: Anne Aikman-Scalese for the transcript and I'm going to ask again a procedural question again for this group to consider but I should also disclose that we have a client that was involved in dot mail in many respects which is the United States Postal Service, so I'll disclose that but something very frustrating about that procedure for name collision and it was - and I think it was frustrating for all the applicants for dot mail as well is that the name

collision freeze, if you will, with respect to dot mail came very late in the game notwithstanding the fact that actually the (unintelligible) raised issues with name collision as early as Beijing and I'm not pronouncing Beijing correctly but there was frustration over the fact that there were disputes about dot mail that applicants and our client and the universal postal union got into these disputes.

They were very expensive and then two applicants withdrew and then, you know, determinations were made and then it was determined, I think, by JAS Advisors that that mail should be frozen. Now I understand there's a movement underway to get dot home, dot corp, dot mail, unfrozen and that a letter was written to the board, in fact, in August in relation to requesting action with respect to the frozen names dot home, dot corp, dot mail.

I'm assuming that there will be no action on that letter until the recommendations from this group come around but could we get the order right this time in terms of can we go to the (SSACH). This is an area of expertise that is required here. Can we go to the (SSACH) because that doesn't cost as much money and then determine do we need to go to the experts and then, you know, have an orderly manner of proceeding. Thank you.

Jeff Neuman: Thanks, Anne. Rubens do you want to comment on that as far as the discussions that we've had so far?

Rubens Kuhl: Rubens Kuhl for the transcript. We have included one question in our CC2 comment is what strings do you recommend not to delegate due to possible name collision issues so we now have the opportunity for everyone in the communities to at least (unintelligible) people. So hey those PODs are at risk but that point is more part of the predictability issue discussion we have because it was actually a problem that when I can realize it, they acted on it.

So acting on behalf of security and stability is actually one of the (unintelligible) core values. So the - acting on that was actually good no matter how late it was. The problems that they actually ignored, years and years of people comments so that was the root cause of the issue not actually delegation but specifically on dot mail, I still believe that that question still needs to be assessed further because ICANN is putting all three strings home, corp and mail in a single bucket and that's not what actually we see during technical analysis.

Home and corp are actually pretty similar in their profile but not about mail. Mail has very different profile that could possibly go to a different name collision framework. So you should probably go look into that.

Avri Doria: Before we go on the list, I just want to add that it's probably an exaggeration to say that they've actually acted on it. The only action has been sort of postpone acting on it even to the point of further discussions and further technical discussions that the board recommended they have. Should probably disclose it. It's a problem I'm working on but it is - I can understand why it's frustrating to many people but we've got Jim and Kristina next.

Jim Prendergast: Jim Prendergast. Yes, Rubens, I think you've raised a good point. It wasn't Beijing where this issue was raised, it was raised well before that and unfortunately ICANN didn't take any action on it. So it could have been prevented if ICANN had followed - I don't have the specifics but I know that Beijing is sort of where it came to a head.

Let me answer your question about are there any other strings that folks shouldn't apply. I'm going to steal Kristina's question, I think. Did the (JAZZ) report identify any other strings that may not have been applied for that could fall into that category?

Rubens Kuhl: The (JAZZ) study only looked at applied for strings. So they weren't looking for data that would be recommendations for further strings. They were only looking at the ones it would apply for.

Avri Doria: Kristina.

Kristina Rosette: Kristina Rosette. That actually wasn't my question but that's okay.

Man: (Unintelligible).

Kristina Rosette: I - my question actually relates to what we've identified as 443 up here, namely is there any opportunity to reduce the duration of the controlled interruption period and it would seem to me, I guess I'm not really quite sure whether we anticipate that the folks responding to these questions are going to have that data or where it's going to reside at because it would seem to me that provided that we can get the data, I would think that you would see kind of an initial spike within the first half of that 90 days and then kind of a lower tail and I think that would be really helpful to figure out how much can you shorten it because I think there could be opportunities in subsequent procedures where either applicants knows exactly what they want to do and how they want to do it. They've got everything ready and like the minute they delegate they're ready to go but the 90 days is going to keep them from doing that.

Even when you take into account submitting your information to TLD start up and getting it approved and then, you know, arguably this could prevent you from going forward with a start date, sunrise of a lot earlier, and I think it would be really helpful to find out is the 90 days too much. I suspect it probably is but where do you draw the line. And if it isn't too much, I think that is information that applicants or potential applicants need to have now, sooner rather than later.

Avri Doria: I think there's been various requests out about trying to get that information and trying to take a look at it. I don't know that we've got it nipped on the work track but I know that there's a general need and request to get those statistics out and to show how indeed it did work. Next is Anne?

Anne Aikman-Scalase: Yes, Anne again for the transcript. I think another important question in relation to name collision and maybe Jeff has knowledge of this and can clarify it is the possibility of obtaining waiver for - to conduct a dotless domain. I don't know what the future is of dotless domains in relation to what registries have planned but I have heard that there is the ability to make an application for a waiver to operate a dotless domain and I think that this is an issue that affects the analysis of name collision risk.

Avri Doria: Thank you and apologies for talking while you were talking. Michael.

Michael Flemming: On a note for what Kristina asked, in an alternative idea, I was wondering if it would even technically - well, if it would be possible for one string - I mean just before delegation, you know, once a registry has signed out with ICANN for the registry agreement, wouldn't it be possible to just kind of drop the TLD in the zone and then put a wildcard on that too. Do the name collision, controlled interruption before the string is technically even delegated to the registry itself. You delegate it prior to that and then do a controlled interruption. It's just one idea but ...

Jeff Neuman: This is Jeff Neuman. Just to respond to that, that was considered but then it still has to be delegated to someone and ICANN was not in this pass around willing to have it delegated to itself and didn't want to delegate it to the registry before it went through PDT, right for the testing. Supposedly, I guess if we combine the subject with let's say a pre-approval of the registry where all the testing is done before you actually sign the agreement, then in theory, once the agreement is signed, you could do something like that because then you could delegate it to at least the registry service provider but that's

something that we can take up depending on a lot of other factors. I just know for the past round, ICANN didn't want to delegate it to itself.

Avri Doria: All right. So we have a bunch of names here but I think everyone has spoken except for Edmon down at the bottom. If that's the case, please remove your hand but Edmon.

Edmon Chung: Edmon here. I don't know whether - I wanted to make a note on IDN but is this the right time to or it's the next topic?

Avri Doria: It's the next topic.

Edmon Chung: Okay.

Avri Doria: It is the next topic?

Jeff Neuman: No, the next one was evaluation.

Avri Doria: But go ahead and make your comment on IDN.

Edmon: All right. So I did get the sense that - well, single character IDN, TLD, that's being considered, it's a great thing. I guess just two notes on this. There is an (SSACH) report on that specific issue as well so probably need to deal with that problem and there was previously report from the joint group between (unintelligible) once we say we open this up, we probably need to think about whether that's open to IDN CCTLDs as well. So just that point.

Avri Doria: Okay. Thank you. And seeing that we have no more comments on name collisions and I guess we've got - since we came in with IDN, I don't think we have anyone that wanted to respond to the comment that Edmon just said, just to be fair. Oh, we do have a response, yes, Michael.

Michael Flemming: Just for clarity. You were saying considering whether or not we have two character IDNs on the top level? Oh, single.

Avri Doria: Okay. Then applicant - yes, sorry. We're going on then to what is it? Applicant evaluation, was that it? Was that the next one in our poll? Okay. So that's 4.3 applicant evaluation, Page 18 of the PDF for those following and I'll ask for hands on applicant evaluation. Anybody wish to comment? Jeff, did you want to do your bit of giving an initial pitch on it?

Jeff Neuman: I'll try, sure. This is Jeff Neuman. So one of the things we had talked about was the background checks and to my knowledge, I don't believe any of the applications failed due to a background check and that background check consisted of criminal check, I believe a financial credit check as well as a check on cyber squalling. To my knowledge, no application failed ultimately. Now there may have been questions. There may have been clarifying questions but no application ultimately failed because of a background check.

Does that mean anything? Does that mean we shouldn't do it in the future? Does that mean we should add additional safe guards? There was one complaint that, you know, I guess one of the issues looks into for subsequent procedures, this is one of the questions that is being asked. To what extent should a breach of another ICANN agreement be held against them in a background check in applying for a subsequent TLD.

So for example, let's say you have a registrar that was, which breach was alleged or a registrar in which an accreditation agreement let's say was terminated but that registrar then applies for a new TLD. Should that be - should that eliminate them from consideration? Waiting for hands. Michael has got his hand up, good.

Michael Flemming: Jeff, not to be - just an administrative point, but are we talking about the applicant evaluation for the 4.3 or are we walking - because it seems like we're mixing track 2 with working track 4 right now.

Jeff Neuman: This is the evaluation ...

Michael Flemming: Evaluation criteria.

Jeff Neuman: ... criteria that's actually applied. So that includes things like scoring ...

Michael Flemming: Yes.

Jeff Neuman: ... of the evaluations. It includes, like I said, the background check. It includes ...

Michael Flemming: Just some of those questions that you're asking were actually address in the working track 2 area, I believe. As far as for example - because this deals with - for that background check at question whether or not a registrar, whether there was a breach should that deter an applicant in the future from applying for a new CTLD.

Jeff Neuman: (Unintelligible) got a comment.

(Corrine): This is (Corrine) for the record. Just wanted to clarify background screening is dealt with this eligibility and not necessarily - not necessarily evaluation, so henceforth that may be the reason why it was put in work track 2 and not in work track 4.

Avri Doria: Yes. This one is specifically referring to technical and financial. But if someone had a comment on the other one ...

Michael Flemming: Sure, all the same.

Avri Doria: You know, we don't have to be that strictly tracked but I understand the tracking but I don't see any hands on technical or on financial.

Man: So it's (unintelligible) another questions and forgive me, I believe this is still work track 4 that, you know, so ICANN did ask for a lot of information on a business plan on projections, on, you know, things like registry to estimate how much it would cost, things like that. It asked a Question 18 on business model. Even though they asked these questions, they were not considered - they weren't evaluated per se. They were looked at maybe potentially but they were not scored. Is that something that should be changed and then if it is scored then how do you deal with things like changing business models going forward. Any comments on that?

Avri Doria: Michael is that hand from before or it's a new one.

Michael Flemming: I'd like to respond to question 4.3.2. sorry, 4.3.2.5, 4.3.2.5.

Avri Doria: Do you believe that financial capability, oh. Do you believe that financial capacity should be demonstrated application time or could it be demonstrated at or just before contract signing time or at both times, please explain.

Michael Flemming: So I think I raised this point at the last ICANN meeting as well but I'm very against waiting until the contract signing time in order to demonstrate the financial capability. I think we've seen this with - sorry, applications for trademarks, though. A lot of applications will be submitted for trademarks but then when it comes time to pay, the get thrown out the window. But I mean I think that can be - you can look at this for an aspect for gaming of new GTLDs in a lot of ways. So I think it's very important to demonstrate that financial capability beforehand - sorry, before the string is evaluated, the application is evaluated as opposed to waiting until contract timing or even doing both.

Avri Doria: Thank you. I've got Kristina and then Anne.

Kristina Rosette: Going back to 4.3.2.3, Kristina Rosette for the transcript. I don't believe that the Question 18 response or whatever the subsequent analogy counterpart to

that is should be evaluated and I don't think the applicant should be bound by it.

I think particularly if - I think doing that unnecessarily restricts the possibilities for innovation and particularly where if you look at the timing from the last round, the amount of time that passed between when applications were submitted and when the first registry agreement was signed. A lot can change. And if you bind an applicant to that, that type of general explanation about what the business plan is, I think the outcome is going to be that you're just going to get such general statements that they're not really going to be meaningful. So I guess I would say what would you - what problem would you try to solve by requiring that that question be A scored and be binding on the applicant?

Avri Doria: I think we both have follow-up questions. One thing I wasn't quite clear. Do you even think it should be collected because you said it shouldn't be evaluated, it shouldn't be bound but I'm wondering whether you think it should actually even be collected, which is part of the question and then Jeff had a question.

Kristina Rosette: My personal preference would be to make it optional for the applicant.

Jeff Neuman: So I guess the follow up and I'm not again this is not I'm just trying to present that arguments have been made on both sides. I'm not saying I believe this or support this but there were some that say that Question 18 is vital in order to - if you're going to file an objection, you should know what the intended use is of the string that you're applying for. So that was what Question 18 was helpful for in terms of filing those objections. So that was one thing that was offered.

Avri Doria: Okay. So then we have Anne and then Michael and then I believe that will be sort of the end for that, other than any other business, but please, Anne.

Anne Aikman-Scalese: Thank you. It's Anne for the transcript and I'm actually in favor of keeping the required response to Question 18. I think it is very useful and helpful in evaluating and especially in relation to as we were talking about before community applications and multipole community applications. I think and maybe even some other categories of applications that for comparison purposes as well in terms of merits of the application and I believe that one can later seek an amendment to its application and file for an approval with the board if plans change and then the question could once again be looked at from a public interest standpoint, so I'd be in favor of that, keeping that question.

Then the only other thing I wanted to say quickly. I realize I am going back but I heard some comment with respect to name collision where Rubens has said yes, but dot mail is different and then Avri said yes, I'm working on that and it all sorted like sort of a behind the scenes private thing. I mean I have assumption that the name collision issue is being considered in this group - excuse me in subsequent procedures and will be fully aired within this group and it's not something that's being dealt with privately behind the scenes.

Avri Doria: What I was saying in terms of my own self is on the corp, home, mail problem in terms of it being stuck is that is a project I am working on separate from the group. This group will be discussing those issues.

Anne Aikman-Scalese: Thank you Avri. As long as it's confirmed they're being brought back into the group.

Avri Doria: (Unintelligible) disclosure bit.

Anne Aikman-Scalese: Right. Okay. Thank you.

Avri Doria: Okay. We have Michael and then (unintelligible) is going to get out last word but Michael.

Michael Flemming: Yes. In response to Question 18, I also am very much in favor of keeping that because I think this ties very closely to the closing (unintelligible) aspect. How do you even tell what the - if it's going to be a closed generic or not. You need to be able to understand what the application is intended for. Everything, I think everything - sorry. Post or - much of the application process is defined by that Question 18. What entirely is the intent? Is it going to be a brand? Is it going to be - how is it going to be - is it going to be community? I know there's questions that are oriented towards community but still I mean this is defining question that resulted in so many of the unexpected changes or the unexpected properties of what came out of this round specifically and - but I also think that it should be contractually binding but I think there should be ways to make changes to that in order to move forward in the future.

If we take what came out of this round, for example if we take, you know, the expected way that you're going to run the TLD, are you going to keep it a closed TLD. Are you going to make it a grand TLD? In the future, are you going to change from a brand TLD to an open TLD. We need to be able to make - we need to be able to predict those types of changes and allow ways for those changes to be done and as long as we can predict those, perhaps then we could lose - sorry Question 18, not specification 18 but perhaps then we could lost that but at the same time, until then, I think this question will be necessary for us to know what is - what that intent for the TLB is going to be in the future. It's just too important to lose.

Avri Doria: Thank you. I've got (unintelligible) and then I'm going to cut off. (Yunach) you came after. I said I was going to cut off because we're pretty much at the end of our time so but lots of time to have further discussions on this going forward.

(Trah): Thank you, Avri, this is (Trah) and I'll keep it short and I've made this comment before but the financial evaluation in the 2012 of new GTODs did not evaluate business models. It essentially evaluates whether or not the

applicant understands what they need to financially have in place to operate a TOD, right? It's all based upon their own projections of how many domain names that we're going to sell under the TOD within the first three years, how much they think they are going to sell it for et cetera, so it's not really an evaluation of a business model but just do they understand how much it is going to take to operate the TLD. Thanks.

Avri Doria: Okay. Thank you. Basically we've got only two minutes left to the session. So what I wanted to say is that we have talked a little bit about one-quarter of the 32 questions that are going to show up in all of your constituency, stakeholders groups. SOs and ACs after this meeting. So I just want to encourage you all to look at that, to think as much as you've been thinking on the questions here and realize that we've only touched about one quarter of the questions that the work tracks are involved in.

So any of you that's spoken, even those of you that were silent that may have something to say in the works tracks, please, please join them. You don't have to join all four of them. You don't have to join the main group. Just get involved. Yes, Jonathan?

Jonathan Robinson: Yes, a very brief comment on process. I suppose in many ways, that's maybe something append to it or to link onto the questions that go out to the SAs and ACs because it strikes me that in many ways the priority would be to get participation here because if this group struggles to deal with only a proportion of those questions, imagine how they're going to feel when they go out to the SOs and ACs, all these questions, so I think the - you are the most focused group, so I would suggest you to remind people to come along to this as well.

Avri Doria: To this, you mean this meeting?

Jonathan Robinson: No, in general to ...

Avri Doria: Oh, because we could have used a whole day or two here.

Jonathan Robinson: In general to participate in this group is what I'm suggesting. This is probably where their participation input is most valuable.

Avri Doria: Yes. Okay. Thank you. And it's over. Did you have any last words that you wanted to say?

Jeff Neuman: I just wanted to thank everyone for participating and like Avri said, yes, encourage you to participate in our group calls and I know there's a lot of them but if you can make them, please come in and participate and, you know, again the answers to the CC2 are going to be very important and we're going to analyze every one of them so please encourage your groups to respond to all of these as well and also your help in throughout this meeting in letting ICANN staff know how important this subject is and hopefully to avoid conflicts for the next one. I note there's a lot of people that aren't here for the last hour and a half because of the right's protection mechanism that's conflicting and the first two hours there was an IGO, INGO facilitation session that was conflicting so it would have been better to have a larger room that could hold more people that didn't conflict so much with other subjects. So other than that any last, we're a minute over. So we can stop the recording.

Avri Doria: Thank you.

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