

COPENHAGEN - Competition, Consumer Trust, and Consumer Choice Review Team Face-to-Face Meeting - Day 2
Saturday, March 11, 2017 – 08:30 to 16:45 CET
ICANN58 | Copenhagen, Denmark

UNKNOWN SPEAKER: This is the ICANN 58 Competition, Consumer Trust, and Consumer Choice face-to-face meeting. 11th of March 2017, hall B3, 8:30 to 16:45.

UNKNOWN SPEAKER: Okay, so let's get started then. Let's see if that's better.

Yes, it's recording.

JONATHAN ZUCK: So, welcome everyone. We're going to run fast and loose with the schedule a little bit here, because the first thing on the agenda, as you notice, is identifying findings, recommendations from the DNS abuse and RPM presentations, and both of those ended up being sort of methodological discussions.

So, we'll be able to answer questions about what's happening, but neither one of them has conclusions for us to share. So, let's jump ahead then, to the discussion on planning for the

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concentration, calculations, and parking adjusted, and country specific, and things like that, and to lead us in that discussion, Eleeza. Take it away.

ELEEZA AGOPIAN:

Good morning. Thank you. This is Eleeza Agopian. So, I thought we could use this time then to discuss the parking right calculations we received from NTLD stats for the rates in the legacy gTLDs. I sent a table, an Excel sheet, to all of you, I think, on March 3rd it was? Or 4th perhaps, about a week ago.

So, we have the figures now. We can talk about how these compare to the new gTLD figures. If you have the workbook in front of you, you can compare those numbers to the fourth worksheet that has a snapshot of what the rates were in the new Gs, from the same time period as when the legacy rate calculations were made.

[SPEAKER OFF MICROPHONE]

I can, it's in Excel, I don't know how well that will project.

[SPEAKER OFF MICROPHONE]

Would you like to make me a host and I can project, I can share my screen?

[SPEAKER OFF MICROPHONE]

Well, that's not helpful.

[SPEAKER OFF MICROPHONE]

So, I'm not quite sure how we can do this. We can look at averages and compare those to the new G numbers, but I think the important thing that we need to decide on, in this meeting, is which tables we'd like to see recalculated, which may involve going back to the draft report and seeing what figures it makes sense to recalculate using this data.

Jordyn.

JORDYN BUCHANAN:

So, I think it would make sense to first look at the averages and probably the, well, mid-max, or 10, 90%, some indication of what the dispersion of values looks like, and see how different they look from the new Gs. Because if they're basically the same, then it's not, then the premise that parking behavior somehow is different in the new Gs and the old Gs, is just incorrect, and I don't think it's worth doing effort to try and like normalize the parking rates.

STAN BESEN: There are actually two issues here. One is, there are a large number of parking measures. And I hope not to leave Copenhagen without a communal decision of which of these parking measures we're going to use. This is not a small matter, I've raised this now for months and haven't gotten a response to that.

So, issue one is which measure or measures are we going to use? Number two, I think the way to proceed is to go back to all, to the tables, in the original report, and well actually, let me put this in two steps. We are planning to update all of the concentration calculations in the report using December 2016 data. That's to correspond with these.

So, the first thing to do is update all of those reports, all of those tables, which is basically almost all of the tables. Many of them, almost all of them have data from March 2016, that's number one. And then, I would propose that we do corresponding tables using parking adjusted data, so that we have concentration measures that... So, we ask the question, does adjusting for parking, however we do that, does that effect our conclusions regarding overall concentration?

JORDYN BUCHANAN: I guess that's sort of, that begs the question that, there is a meaningful difference between the two. I think if we look at the data and say, this looks kind of the same, like, all that's going to do is confuse people, I feel like. If we say, we're doing this complex set of calculations over here, and we actually don't see any difference in the behavior between the two sets of TLDs, I think it doesn't add meaning, it just adds complexity to the report.

STAN BESEN: If the answer turns out, the concentration measures are exactly the same between them, we can say that. You can't just look at these numbers and answer the question, how does parking...? How does taking parking into account effect measured concentration? Because there is an interaction between these measures and the relative weights of the TLDs.

So, I think, in my view, the logical way to proceed is, update the calculations that are in the report using December 2016 data, and do corresponding parking adjusted, a separate set of tables, actually one of the tables. I only do it for the TLDs.

Do a calculation that asks the question, does concentration look different if you take parking into account?

JORDYN BUCHANAN: So, once again. I agree with the follow-up statement you said, which is that you can't just look at these numbers and therefore understand what the parking adjusted calculations will look like. I disagree that it is worth figuring out the parking adjusted calculations look like, unless we believe that there is a substantial difference of behavior between the two.

If, like, each TLD, today, until today, until our effort and Kaili's attempts to bring parking to our attention, no one ever, looking at this marketplace, has thought that it was an important factor to consider when looking at market shares or anything, in the space to compensate for parking.

And I think the only reason why it would make sense is if we saw, oh look, there is a substantially different body of behavior in the new gTLDs versus the legacy gTLDs, then it's worth overlaying this additional set of calculations in order to understand whether it makes a difference. We don't even, we have only a sort of fig leaf of a hypothesis as to why the parking matters in the first place, which is like, maybe it effects renewal rates.

We don't actually know that that's true, and I think, it would be, I don't know. I think it would be good to at least take a look and understand how these numbers differ between legacies and gTLDs before we start making conclusions about what we are going to do with the data.

STAN BESEN: That's actually not right, because if you look at the data for the new gTLDs, the range of parking information is very large. There are some that have parking rates in the 90% and some in the 30%. You're simply comparing, well... I don't even know what you're doing. Do you compare the averages?

It seems to me the straightforward way to proceed is to take our parking unadjusted calculations, the raw data, and see whether it makes a difference taking parking into account.

JORDYN BUCHANAN: But I guess that seems to me like roughly like saying, I want to see, understand competition in the lawn and garden industry in Ohio, and I want to only look at places with blue signs. Like, first of all, you have to have some reason why you think that blue sign would be relevant to the discussion, before you like go through the exercise of like actually doing that calculation.

STAN BESEN: The premise of this is, it may make a difference to take parking into account. People have various theories about why it might make a difference. Let's start with the premise that it might make a difference. The question is, does it make a difference

when you take parking into account in the metrics that we have, in fact, included in the report?

It seems to me the natural thing to do is to ask whether the metrics in the report change, and I'm only proposing doing it for one of the tables, whether those change when you take parking into account. You have your own hypothesis about what parking means. I just think this is the most obvious and straightforward thing to do.

And by the way, you can do the calculation very fast, because we have computers.

JONATHAN ZUCK:

In theory, we might... This is Jonathan. We might have been able to do the calculations in the time taken to discuss it. I mean, I guess the question is, these things aren't mutually exclusive. Let's, we can answer both of these questions, and just see. I mean, I guess, Jordyn, I feel like the community does bring up speculation a lot. It's not just Kaili, right? It comes up...

So, it's just... So, some of it is going to depend on our definition of what parking, I guess, too. But...

JORDYN BUCHANAN: I agree with that. I think at a high level, being able to have a discussion about whether the parking rates we see in legacy gTLDs look significantly different than the parking rates in the new gTLDs, I think that would be a useful conclusion. Much more so than I think saying, oh, once we do this... Like, and then if we say yes, it looks different, then we say, okay, then here is how it effects our calculations.

If we start with the calculations that Stan is talking about, that may be more sort of, that is another approach that you can take to the problem, but if we come back to the community and say, well, we looked at parking, and what we found is that when you make certain adjustments to concentration numbers, then either things look the same or look different. That's not really going to answer the question that the community wants to know the answer to which is, does the behavior look different between the two? I think, at least.

STAN BESEN: Jordyn can have his calculations done for him, and he can write them up, and then somebody [CROSSTALK] I'll write them up, and we can [CROSSTALK]. No, we can include both of them in the report. I'm prepared to write up the results of the project that I propose, if you volunteer to write up the proposed....

JONATHAN ZUCK: We don't need to decide what's going to go in the report right now, I think, necessarily, and I think, again, if parking turns out to be irrelevant, even if you write it up, we might not include it, right? Because it's just not, it becomes a red herring at that point. But...

STAN BESEN: No, I might end up saying, I've taking parking into account, and the concentration conclusions are robust to taking that into account. That's not, that is a relevant piece of information.

JONATHAN ZUCK: Eleeza, go ahead.

ELEEZA AGOPIAN: So, if I can suggest, we can at least start by comparing the averages right now. You have the numbers right in front of you.

UNKNOWN SPEAKER: Just before you do that, I think, I sent an email. I had a problem understanding the column headings. Maybe you could just tell us what each column...

[SPEAKER OFF MICROPHONE]

ELEEZA AGOPIAN:

It wasn't a lot. Okay, so the definitions are up here. I understand they're not easy to read, and I sent them around in an email as well. I, unfortunately, am not an expert in how they are, in this topic, so I can't explain them very well. I don't know if others may be able to help me. Like, I can generally tell you what they mean.

But so, we can start with either, we can start with the first one. Either no record, parking name server, there is a number of different categories. The total category...

[SPEAKER OFF MICROPHONE]

It's a real average, it's not a weighted average. So, across all, we see 55.84%, but the range goes from, let's see, 29 at the low end, to 90, 90% in triple X.

So, if we go over to the new Gs tab and scroll down...

Yeah, I'll make that bigger.

There is a lot more data on this tab. So, in the new Gs, the average is 67.65. 57.

[SPEAKER OFF MICROPHONE]

So, these are again, raw numbers, not weighted. I'm not sure what conclusions you can draw from that. And again, the range in here is pretty high, from what I recall. I think it was around 25 or 30 all the way up to above 90.

[SEAKER OFF MICROPHONE]

STAN BESEN:

There is an old book called, How to Lie With Statistics, and one of the examples given is the man who was six feet tall, who died, who drowned in a lake that was only an average two feet deep. So, averages are a problem.

ELEEZA AGOPIAN:

So, this is one way of looking at it. You can compare it, you can look at the size of the zones and compare those into weighted averages that...

JORDYN BUCHANAN:

I think the computation is much easier than that. Can we just look at total parts versus total population? And compute the actual...

JONATHAN ZUCK:

And what's the definition of [CROSSTALK] in this context?

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JORDYN BUCHANAN: I think, we're using the comprehensive definition that they use, which is a combination of seven factors, I think.

[SPEAKER OFF MICROPHONE]

What was that?

KAILI KAN: What factors are those seven [factors]?

JORDYN BUCHANAN: I don't know them all. They are, is there no name server? Does that resolve? Does it return a HTTP error? Is it associated with a name server that is generally associated with parking? Is it associated with an IP address? Is it generally associated with parking? Is the page returned, parking page, and one more, I don't remember.

Any of those are true, then it cancels parts.

No, they are considered parts.

JONATHAN ZUCK: ...raised it, is that we... [McCormick?] from [inaudible] Stats has, in a couple of different places, talked about these numbers

being low, and Berry, who has also done a bunch of stats, intuitively thinks that they are low as well, 60 something. So, the assumption is that 40 something are in fact, resolving and returning web pages that are not park spaces.

JORDYN BUCHANAN: For new Gs it would be about a third would return a page that is not a parked page, correct.

STAN BESEN: Look, we hired NDLD Stats to do this months ago, it's now March. Eleeza assures me that it will be done by July. I think it's too late to start using some other source for data for this purpose.

JONATHAN ZUCK: I'm not trying to change the source for data, I was just trying to make sure that we, we're going to have these conversations over the coming week, and I just want to make sure that we're, have good answers for these. There seems to be a sense that these numbers are low, and I want to get at whether or not that was a definitional issue.

I'm not talking about switching versus the data, but.

JORDYN BUCHANAN: Yeah, the one thing... So, the UCSD study found a higher rate of parking in the new Gs, based largely on... They defined a category of a free domain, which they didn't considered park necessarily, but they considered unused. I don't know exactly that free... I think in some cases there is like, for example, in [inaudible] registry, the registry itself owns a number of domains, which they may have counted towards that, or maybe there is like, the X, Y, Z is like a template that you get when you get a free domain, if you had a dot com or something.

But it's some way of identifying things that they thought were free. And when you add that to the other sort of factors that NTLD stats looks at, then they've got a higher number of 90% parked, or something like that. I think that also coincides with when several of the registries were giving away more free domains than has been the case lately, as I understand it.

But it would be interesting to... I mean, we could go back and take a look at that data as well, potentially. But I think ultimately, it's not very helpful for people to tell us this data looks wrong if they have an alternative way of calculating it, and they have the data available to us. We could try to make a comparative statement, but they're just taking potshots and

saying, I don't think that's right, when they don't provide any data of their own isn't actually very constructive.

JONATHAN ZUCK:

Yeah, no, I mean, I certainly agree with that. But at the same time, I don't know if we're incorporating their data. I mean, that's the thing, he might have the data, but if I understand you correctly, then the numerator has changed, if it's about free.

So, if I got a free XYZ because I own a dot com, wouldn't these stats have counted that as a registration? Is that what you're saying?

JORDYN BUCHANAN:

No. I'm saying that the USDC study in particular, had a way of identifying that freedom, and they counted that as, they didn't say park, un-park, that wasn't the calculation they were doing. They said, how many domains have unique content on them? And they counted the free domains as not unique content.

They basically counted [inaudible] out as not, as parked. Once again, they didn't say parked. They said, the USDC study said, what fraction of domains has, you know, is the canonical source for information that served from that domain? And they found only about 10% of new gTLDs fit that description.

But so, for example, like if you go to Amazon dot plumbing, that redirects you to Amazon's like plumbing website, but it's still [CROSSTALK] still redirecting you to Amazon dot com. So, the USDC study would say, that's not unique content, and so they would count that as sort of unused.

So, I don't know that we would necessarily agree with those measures, but I'm just saying they have some buckets of things NTLD stats doesn't have, that people might use... You could understand how they might come to that conclusion, but you end up with a different number sort of depending on what your definition of what you're going after is.

The NTLD stats methodology seems reasonable to me, and until someone comes along and says, you know, no, no, here is a better measure, then I feel like we all agree that it makes sense to use this, to the extent that this guy has other better information, I guess we could have that conversation with him, but right now, he says, I have a magic formula that's, you know, it's like [inaudible] last theorem, you know, it's not helpful to have something scribbled in the margin unless we know what it actually is.

JONATHAN ZUCK: Agreed. I'm just thinking ahead to the conversations we're going to be having, because I'm sure you won't be alone in that presumption. Okay. So, if... But these averages are dangerous, as Stan said, but even just taking these gross averages, there is at least a 10% difference. 12%.

JORDYN BUCHANAN: We're doing an average of averages, right? Which is a particularly a bad way to do this. Don't we just have counts? Can't we just like do a, our own division here?

STAN BESEN: I hate to be harping on this. Comparing the averages does not tell you anything about how the concentration measures are going to change.

JORDYN BUCHANAN: Correct. That's not what I am interested in. What I am interested in is the overall behavior different between new gTLDs and legacy gTLDs. On average, yeah, that is correct. Kaili's hypothesis has roughly been, oh my God, there is so much parking in these new gTLDs, that we can't take them seriously.

And if, in fact, the amount of parking in gTLDs is roughly the same as legacy gTLDs, then we should take them just as seriously as we take legacy gTLDs.

KAILI KAN:

Well, I think you, that is not what I mean. Okay? Sort of [inaudible]. What I mean is that, well, parking has been an important issue for the DNS, for domain names registrations, okay. As a matter of fact I said, especially for China, which China has over half new registrations over the last few years, China speculation is large scale.

And also, that started from legacy, and overflow into new G. So, I was, did not compare the new Gs versus the legacy ones. However, when we say there is such a large volume of registrations by new G, we need to be cautious, because there is a very large percentage being parked. So, that is what... I've never compared the legacy ones and the new G ones.

JONATHAN ZUCK:

But Kaili, that is what we're tasked to do. [CROSSTALK] ...effect of the new gTLD program.

KAILI KAN: Yeah. That is, well what I'm saying is, when we quote the number, the volume of new registrations, new registrations in new G, well, we need to be cautious because a large part, say over half of them anyway, are being parked and not being used, which is not exactly the purpose of a new G program. Yeah.

JONATHAN ZUCK: Do we have a way to get the raw totals and do...? Is there a count?

ELEEZA AGOPIAN: Which totals, exactly, are you referring to?

JONATHAN ZUCK: How many registrations there are in the new gTLDs and how many are parked?

JORDYN BUCHANAN: In the legacies, because we already have that high level number from... We just look at the website, I guess it's not the exact same time period, but see down at the bottom, you have totals, right? And so, after the right, there is like a total for all parking. Right?

ELEEZA AGOPIAN: This number here, that I've got highlighted, I mean, that's the number of total registrations as of December 22nd.

JORDYN BUCHANAN: Right. And then somewhere further to the right you have like their total parking number, and you divide that by that, total parking by total number, and that's your percentage. It's an actual percentage.

JONATHAN ZUCK: 100%.

ELEEZA AGOPIAN: I think it's rounding up.

[SPEAKER OFF MICROPHONE]

67.65. It's this number.

[SPEAKER OFF MICROPHONE]

It's this, the total average number. So this, I guess, is not an average of the averages, this is the total number.

[SPEAKER OFF MICROPHONE]

I believe, let me check.

Yes, it's true for the legacies, so 56.48%.

JORDYN BUCHANAN: Okay, so we see about a 10% difference, which is not enormous, but not trivial either. So, that's probably worth saying that we see a difference and then Stand does his calculations and we'll see if it effects the concentration.

JONATHAN ZUCK: I think that's probably right.

ELEEZA AGOPIAN: So, given that, you have some time here to discuss what value you want to ascribe to this. I mean, what does it mean that there is this level of parking? What is the impact on competition? We can, obviously we'll do the concentration ratios, but I still think you haven't really had the discussion of what kind of impact this has, and what does the dynamic mean for the marketplace?

JORDYN BUCHANAN: I mean, it tells us that, I mean, as a starting point, the majority of domains in both legacy and new gTLDs is parked, right? And so, it's certainly the case that many, many, many domains are

parked. That does not appear to be an unique phenomenon to the new gTLDs, but it's somewhat more pronounced in the new gTLDs.

So, if you were to just sort of say, I don't care about parked domains at all, like they have zero value in terms of understanding the marketplace, then probably all of our numbers where we say, this is what the market share looks like of the new gTLDs versus the legacy, those are all going to be a little bit lower.

I don't think they're going to be so much lower that it will really affect our overall conclusions, since we only see... If it was like, in the new Gs, parking rate was 80% and in the legacy Gs it was 20%, then I think that would be a big difference, and it would probably like make us substantially rethink some of our conclusions, but that 10% gap, it just feels like everything is going to be a little less rosy then it was before, not, but it's not a substantial difference, unless we do a recalculation and it really makes us rethink, makes us rethink our conclusions. But I don't think that's going to be particular, like I think it will just mute everything a little bit.

ELEEZA AGOPIAN: Anything else I can share from this table?

JONATHAN ZUCK: I mean, for one thing, are we in agreement that we'll use their measure, their seven measures for parking? So that we'll leave here with... Don't leave Copenhagen without a definition of parking.

STAN BESEN: I'm not sure what that means. Are we using the average of the seven, or all of the seven separately? What are you proposing?

JONATHAN ZUCK: Well, any, we're talking about a definition now, right? Which is how we're going to define parking, and the definition used by NTLD stats, the comprehensive one, is a list of seven things, if any of which are true, that domain is considered park.

STAN BESEN: Just so I understand, you're proposing that that we use the most comprehensive measure in the subsequent calculation. I hope we settle that. Is that...?

JONATHAN ZUCK: That's what I'm proposing...

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STAN BESEN: I agree with it, but...

JONATHAN ZUCK: But I wanted to get the group so that we came away with a decision about this, that's all. Does anybody have an issue with that?

Okay, one at a time.

KAILI KAN: Kaili Kan speaking. Just a question. So that's all, when you say almost comprehensive, then it's all inclusive? Okay, thank you.

UNKNOWN SPEAKER: Yeah, I think I would support adopting the seven, and we already have them in the draft report.

CLAVIN: Calvin here. As long as we say what those measures are, that makes sense, as long as we're consistent across the different categories of TLDs.

JORDYN BUCHANAN: So, is it worth actually talking through... Sorry, it's Jordyn Buchanan. Is it worth talking through what the seven are before we agree? Like right now, we're just saying, we should just do what they say, which is maybe fine, like use their expertise, but we can have a brief conversation [CROSSTALK].

I can pull them up.

MEGAN RICHARDS: ...supposed to be, Jordyn, because I want to check the time element as well. And if you put them on the screen, I think it's easier for everyone to see if it's possible.

JORDYN BUCHANAN: Eleeza can. I can't put anything on the screen.

JONATHAN ZUCK: Megan, I don't know what you mean by the time element in the definition.

STAN BESEN: They are listed in the report.

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JONATHAN ZUCK: People, turn off your microphones when you're done, because...
And introduce yourself.

DEJAN DJUKIC: Dejan Djukic. When we're speaking about the effects of parking,
it has very strong effect on consumer choice as well as
competition, so we should mention that as well.

JONATHAN ZUCK: The question, Dejan, if you want to elaborate while we're pulling
them up for discussion, is that if the behavior is 10% different,
what do you believe the impact on choice is?

DEJAN DJUKIC: Not about the 10%, but we mention a few minutes before,
effects on competition, but it has, I believe, stronger effect on
consumer's choice, then...

JONATHAN ZUCK: So, how would you describe it? That's what I'm saying.

DEJAN DJUKIC: There are also users who will use those domain names in a, let's say, proper way, instead of parking. But users who park their domain are not allowed to use them.

JONATHAN ZUCK: Turn off your microphone, thanks.

Yeah, Megan, go ahead.

MEGAN RICHARDS: Stan has very usefully pointed to the report, where it's saying... I thought you were changing the criteria. I just wanted to reiterate that according to this, it's a one shot estimate. So, when you look, it's at the time that you look that all of these factors, or any one of these factors is taking into consideration, and something that we might call parked, may have been so called parked for a perfectly, let's call it, legitimate reason.

You want to hold that name, because next week, or next month, or in a year, or whenever, in some future period, you're going to use it, so that means if you were to go back and look again and again every day, for example, on a regular period, you would find in theory, changes to what we've seen in terms of parking. Is that correct?

So, as long as that is absolutely clear as well, then... And we've already identified what those criteria are, I think it's adequate as we have it.

UNKNOWN SPEAKER: I did.

STAN BESEN: Just a technical point. It would be nice if... Stan. It would be nice if NTLD stats could write a paragraph or two about how they did the calculations for the legacy gTLDs, just as a footnote that we put in the report. It's a housekeeping detail, but they can do it, and they should do it, and we'll just have it as a footnote.

ELEEZA AGOPIAN: This is Eleeza. I have asked them for that.

KAILI KAN: Kaili Kan speaking. Yeah, that's a, line 399, there is a Chinese name, appears in column R, and it appears 190.91%. Maybe there is some kind of, I don't know how that was, appeared. Probably, because this will be published, made public, right?

So, that percentage could be 190%, maybe there is something wrong there.

Pardon me?

On line 399, there is a percentage of 190%, that doesn't sound...

ELEEZA AGOPIAN:

So, in this instance, the zone file has 11 names, but there are 21 that have no record. So, there are some... There is something wonky going on there.

[SPEAKER OFF MICROPHONE]

It's not my sheet, so I can't tell you what happened.

KAILI KAN:

Yeah, yeah, right.

[SPEAKER OFF MICROPHONE]

JONATHAN ZUCK:

...this is the definition.

What?

JORDYN BUCHANAN: It's Jordyn Buchanan. So, we want to just talk through these really quick. This is a write up I did a long time ago, when Stan asked what these things meant. So, the factors are, the first two factors are basically the same, they just happen in different ways, which means that there is no DNS setup for the domain.

So, someone has registered the domain, but either they haven't set up a delegation to a name server, or a delegation to a name server is setup, but the name server is not returning a result for that domain. Now, I will note, this is a little bit, this only looks for A records, so in a TLD like dot email, this might show a bunch of things as being parked, even though they're just being used for email.

So, it's not the best, but in most TLDs, it's probably reasonable, and the errors will sort of cancel each other out. There is probably some TLDs where like dot email, where it probably creates a somewhat misleading sense of the TLD.

So, can we scroll down?

So, the next category is that it resolves, but it resolves to an IP address that is not a public IP address. And so, for example, it resolves to an address like 10.10.10, that might be something you see, used on like an internal network, but it's not going to resolve across the public internet. That could actually mean

that it's being used inside a company, and they're just leaking these private addresses into the public DNS.

Or, it could be someone misconfigured it. We don't really know. But in any case, you wouldn't be able to resolve this address if someone else was publishing DNS this way, so this is like an error, essentially. Can you scroll down a little more?

So, the next one is the DNS, the DNS has been delegated to a name server, and that name server is known to be associated with parking service. So, in this case, we don't actually look to see whether or not parking page has returned, we just sort of say, oh, that's going to... DNS for that is handled by NS1 dot parking service dot com, and therefore we know that the result is going to be parking.

Can we scroll down?

The next one is, instead of relying on the name server, we look at the actual IP address that's returned. And we say, oh, that IP address is on a known parking service. So, it doesn't matter whether it came from a parking name server or not, but it's somehow being pointed at a host that we know to be a parking IP.

And then the last one is, there are two more, I guess. The second to last, oh no, there are three more. The last three are... One

that's like the best one is that we got a parking response back. So, we went to the page, and what we got back looks like parking.

And then the one after that is HTTP error, that is, we tried to connect to the page and we got an error. And then the last one is that instead of resolve, instead of returning a response on this domain itself, we got a redirect to another domain. So, this would also include the Amazon dot plumbing example.

That would count as a redirect, as opposed to a... They would call that parking, I guess. So, I guess, if reader X currently included in our count, I would say that we should take that out because I think there is all sorts of legitimate uses of reader X, and calling that parked doesn't make sense to me.

Megan is nodding, but do you want to speak Megan?

MEGAN RICHARDS: I agree. [CROSSTALK]

JONATHAN ZUCK: ...are redirects?

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ELEEZA AGOPIAN: This is Eleeza. The redirect number isn't included in the total calculation.

JORDYN BUCHANAN: All right, we already did that then, good job, team. So, what are the...? Eleeza, can you tell us which are included here?

ELEEZA AGOPIAN: So, included is the parking response, invalid response, parking IP, parking name server, as this, the... No record, and then no name server record.

JORDYN BUCHANAN: So, that leaves out... Does that leave out...? Do they have the internal IP listed?

ELEEZA AGOPIAN: Reserved IP. Yeah.

[SPEAKER OFF MICROPHONE]

That is included.

[SPEAKER OFF MICROPHONE]

HTTP error.

Is not included.

JORDYN BUCHANAN:

So, I guess the useful points I think I would encourage us to think about are, do we think that when you attempt to access a name and there is just no DNS for it, does that fit in our definition of parking? Because I think a lot of people, when you're thinking of parking, you're thinking of pages that you go to them, and it's like, this domain is parked, or has ads, or something like that.

Whereas if you try to go to a domain and it just doesn't resolve, that's a different situation. Now, they both indicate that they're not being actively used for content, obviously, so I guess we should try to decide which of those... Like, do we really just mean parked pages, or do we have a more inclusive definition that includes DNS errors as well? Calvin wants to talk.

CALVIN:

Calvin here. We're going to get criticism either way we go. So, any way forward, in my opinion, is to just say, yea or nah, and just clearly define what we consider that as, put that definition there. And then be done with it. I would vote for including it.

JONATHAN ZUCK: So, this is a potential can of worms, but since the thing that's most important to us is differences in behavior, I could certainly hypothesize that there would be a higher number of not yet used new gTLD then legacy TLDs. So that if you either included it or left it out, it might change the numbers, it might change the rations between the two, I guess is what I'm saying, just because of newness.

JORDYN BUCHANAN: I mean, someone could probably spend half an hour and compare the rates of each of the buckets between legacy and new, to see whether there is...

[SPEAKER OFF MICROPHONE]

Yeah, that bottom...

JONATHAN ZUCK: ...HTTP error column, and they just didn't include it in the totals.

ELEEZA AGOPIAN; That's correct.

JONATHAN ZUCK: I see.

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JORDYN BUCHANAN: So, maybe at lunch or something, someone can do that.

DAVID TAYLOR: Hi, David Taylor. Just a question. This is near to the subgroup that I was in, but were dot brands excluded from this specifically? Because I'm just scampering through, and I could only see dot Microsoft, which has a very low parking, funnily enough, at 4%. I'm just thinking if we've got [inaudible] brands in there, that will effect parking, because there is likely to be less parking in there, dot brand, then elsewhere, which would make sense.

ELEEZA AGOPIAN: Brands look like they're included in here, but let me scroll through again.

JORDYN BUCHANAN: If we look at the big averages, I doubt that brands matter, but if we were going to do the concentration numbers, we'd probably want to back them out. But, like, how many hosts are in, I mean, how many domains are in Microsoft. Probably like 20 or something like that. So, it's going to get lost in the noise in the XYZ.

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KAILI KAN: Microsoft has 25.

JORDYN BUCHANAN: I was only off by 20%. Yeah, I haven't seen a brand with a large number, maybe retailer might be the only exception that has like a decent number of domains, but it probably is worth backing out because we're doing other calculations.

DAVID TAYLOR: If anyone else... Sorry, David again. If anyone else can see another brand in there, so I just skimmed it, but I only saw one brand, so I just wondered if there was a reason for the exclusion, and the inclusion of Microsoft.

ELEEZA AGOPIAN: This is Eleeza. In any case, I can go through and check them and remove them, if that's what you would like.

JONATHAN ZUCK: What's our plan of action? We're going to try to do some calculations over lunch with respect to in or out of HTTP error, right?

JORDYN BUCHANAN: I was planning taking a look at each of the buckets, of the seven buckets, and seeing what the difference looks like between, on average, between the legacy and the new gTLDs to see... I mean, maybe from there, we'll see a pattern emerge that actually is something that we want to talk about.

And it may effect whether we want to include that factor or not in our analysis.

JONATHAN ZUCK: Okay. But it also may affect the definition we leave with as well. All right, so that's tabled. So the one question is about HTTP error, on the definition. And then we're going to go ahead and do updated concentration numbers, but I don't know what else there is to discuss about the impact on... Did you have thoughts, Eleeza, that you were thinking about?

I mean, it's a...

ELEEZA AGOPIAN: My only thought is that we've kind of discussed this topic a lot at the edges without getting into a deeper discussion of why we're delving so much into this, and devoting resources to it. Even in your report, you kind of say that we're not sure what, how to

access this behavior. And I think now that you've seen some numbers, and you have a sense of a comparison at a high level, it seems like the time to start discussing, especially because you have time right now, to have a substantive discussion about what this means.

And if you do want to ascribe value to it or not, or you know, whether you have recommendations for later, whatever the case maybe. Whenever you have a recommendation related to continuing study, and that's one thing, but what is the impact? Why do you see this as an area for concern or not? Or is it just another market dynamic?

I'll leave it there. That's kind of why I was pressing.

JONATHAN ZUCK:

I think you're right to press. I think, as Jordyn said though, at 10%, it's difficult to pin a large implication on it. I mean, there is some publication, that there was an enormous difference between them, then you might suggest that it didn't create real competition because it was ethereal competition. In answering that question we've been tasked with answering, about whether or not it enhanced competition.

If it was just speculation, for example, then that might not feel like it was real competition. If the 10% difference, it means that

the competitive effect is less than it was, but it doesn't change the underlying conclusions that we drew about it, I think. I think if that delta was bigger, it would.

I welcome folks speaking up, I'm just spit balling. Waudo.

WAUDO SIGANGA:

I'm just trying to see the impact that it would have on the draft report, and there is a place where we've written, if the parking rates of new gTLDs are higher than those of legacy gTLDs, and if parked domains are law of average renewal rates, estimates, or future penetration by new gTLDs based on their current registrations, may be too high.

So, it looks like now we have actually resolved that. We could actually remove that from our report, if we are certain that 10% is not really material. The 10% difference is...

JONATHAN ZUCK:

I think it's not immaterial, right? It's not dramatic, I think. I think it's still probably [CROSSTALK]...

WAUDO SIGANGA:

...to describe it. And those are considering that that 10%, I think it's not weighted. Is it weighted really? Because like triple X is

90%, you know? So, it's not, if it was weighted, it might even be smaller than 10%.

JONATHAN ZUCK:

It might be bigger if you control for outliers like triple X. Triple X is driving up the average percentage of legacy. Right? If you control for triple X, that number would be smaller. If anything. Jordyn, go ahead, sorry.

JORDYN BUCHANAN:

So I did my lunch assignment right now. It's interesting, the actual percent that are going to go to what we think of as parking pages, either from a parking name server, a parking IP, or a parking result, is actually a lower fraction in the new gTLDs than in the legacy gTLDs. The reason why the number is higher in, the overall number is higher because there is a much higher rate in the new gTLDs of the names not resolving.

Yeah, so whereas in the legacy gTLDs, there is only about 11% with no DNS record. And the new gTLDs, there is 32%. Yeah, 32%. So, that's your difference right there, basically, and all of the other factors are lower. And so, I guess that is worth having a discussion about, is the real difference that we see is that more people by their names, and just don't do anything with them, they don't park them, they don't... It's just not resolving at all.

So, if you try to navigate to the name, you would get no response. You'll get a DNS error.

HTTP error, you would get a DNS response, and then your browser would attempt to connect to it, and it would get like... I don't think 404 actually counts, but it would be like 404, yeah. Exactly.

The HTTP response is similar across the two. A 404 is not a DNS error. It's that you can connect to the web server, but the individual content that you were looking for wasn't found. So there are similar. But the HTTP error rate is, it's a little bit higher in the new gTLDs, it's 3.5 in the new Gs, versus 1.8 in the legacy, but that's not really a material part of the difference between the two.

KAILI KAN:

Yeah. Kaili Kan speaking. I'm just wondering, if Jordyn, yeah, the null resolve is very interesting, and there is a difference between the new and latest sequence. Is there anywhere to look into exactly where do they come from? I'm just wondering if they come from China?

Because earlier on, we discussed that. There is large scale speculation in China, from China, and so if that fits, that's typical.

[SPEAKER OFF MICROPHONE]

JORDYN BUCHANAN: As Kaili has pointed out, in the past, China had some funny regulations around the new Gs in particular, such that you may be able to register the domain, but not actually use it for anything, if you're in China. Unless the TLD gets a license, which most of them have not, and so it could be that like the state, if you're a Chinese speculator, this is really the only state that you can get your domain into until the TLD gets the appropriate license from the Chinese government.

KAILI KAN: I think the regulation especially, you can easily buy domain name from any register. But if you really want to put it on the internet, there is another whole procedure. And those people would not even bother with the part of even want the government to know they've bought hundreds of thousands of domain names.

JORDYN BUCHANAN: To answer your question, NTLD stats doesn't have any WHOIS data, so they can't tell where the registrant is from, so we don't, we can't actually answer your question, no.

KAILI KAN: Do we have, well, because all of the gTLDs, new gTLDs are listed here, just by looking at them, can we roughly identify any typical ones, or the largest, highest percentage ones? Where do they come from?

JORDYN BUCHANAN: So, Kaili, if you see between rows 406 and 422, with the exception of 416, using my amazing pattern matching skills, those look kind of Chinese to me.

ELEEZA AGOPIAN: So, this is Eleeza. I just sorted the table by the highest to lowest under the no record category. So you can see who falls into the highest categories there. These are the TLDs. So, there does seem to be quite a few, like they're Chinese IDNs, there are some others, mom.

JORDYN BUCHANAN: Yeah, some of those, they aren't Chinese IDNs, it's like [foreign language], is Chinese, Pinyin.

KAILI KAN: What column are we looking at?

ELEEZA AGOPIAN: I sorted the data by the no record column, with the highest percentages at top. So that one that you noticed that is 190% is up top. And then the rest follow.

KAILI KAN: I think that...
[SPEAKER OFF MICROPHONE]
Anyway, I think this kind of an ordering does say something. They do look Chinese, yeah.

JORDYN BUCHANAN: Yeah. I bet you could tell whether the symbols were Chinese or not. Yeah, I mean, so it does, Kaili's hypothesis that these no records is skewed towards Chinese TLDs seems correct. You get a lot less Chinese names the further you scroll down.

KAILI KAN: And also these are only mostly the IDN ones. They're ASCII ones, which we do not see here, but...

JODRYN BUCHANAN: Yeah, except for [foreign language], which is really high up.

KAILI KAN: Okay. I think, for me, that is sort of a comfort that the Chinese parked ones, no record was to significant, more significant lull here. Okay. That's it. That sort of hypothesis is somewhat confirmed.

UNKNOWN SPEAKER: It would have been interesting to have some new calculations, parking calculations excluding those Chinese IDNs for the new gTLDs, just...

JORDYN BUCHANAN: The Chinese IDNs are actually not very big in general. If you look at the, there is that one on row nine that seems to be pretty big. But the other big numbers, you actually will see are the ASCII Chinese names, so like [foreign language] and Wong are much larger than most of the IDN names, and contributed a much larger number of no record events.

DAVID TAYLOR: Thanks Jonathan. David for the record. While we've talking about this, I've just been skimming through them and looking, hence look at the question about the brands, whether they've been excluded for a reason, but that's what I've just found. I've

just been looking at what types of TLDs have been parked to the Chinese ones are definitely high up in there in the parking, pornography is high up in parking, same as we see in legacy.

So we've got something there, we can sort of start comparing and contrasting because we've got the dot triple X at 90 odd percent, but then we've got dot porn at 79%, dot adult at 84%, dot sex at 78%, and dot sexy at 74%.

So again, that's sort of an interesting statistic in comparison. Where we've got low parking...

[SPEAKER OFF MICROPHONE]

I'll have to ask my colleague to the right about that area.

[SPEAKER OFF MICROPHONE]

And interesting those, I'm trying to see if there is any sort of trend with those with low parking. And the dot, ccTLDs actually seem to have quite low parking. You've got Istanbul at 49%, dot [inaudible] 48%, dot Cape Town 46%, dot Moscow 39%. So again, it's interesting there where we're seeing a TLD is being used and there is parking in it.

So, there is some stuff that we can get, some findings and some thoughts in, I think, but when we look at the type of the TLD and what they're doing. Interestingly, dot gold I saw is way up, 83%

because obviously you need to invest in the new gTLDs and gold is a sound investment today, so a lot of parking in there. I'm sure there is some material there that we want to, but then dot pub is 84% as well, so either you get some gold or you go to the pub and get drunk.

JONATHAN ZUCK:

So, as a practical matter, where does this take us in terms of our definition of parking? Are we interested in just having two different numbers and calling one parking and one called holding, or speculation, or something like that? So that we see what the different results are. Or, do we want to include no name server as part of the parking definition?

Or do we want it to be more of the typical definition of, you know, a parking page?

JORDYN BUCHANAN:

If we don't include no name server, then the rest of the exercise is mute, because the parking rates are actually lower in the new gTLDs.

JONATHAN ZUCK:

That's interesting in of itself.

JORDYN BUCHANAN: But I don't... I would imagine the community would look at us skeptically, if we, askance, if we came back and boosted the numbers on behalf of the new gTLDs because the parking rates were lower, even though [CROSSTALK]...

JONATHAN ZUCK: ...if we do it, we had to show both if we did it. But I mean, and the question, I guess, is there a functional difference from a standpoint of competition and choice between parked pages and sort of just speculative pages? Does that matter? Does that distinction matter?

JORDYN BUCHANAN: If we start with the premise that the reason why we care about this, is that we think that over the long run, that parked pages, for whatever definition, are likely to have a lower renewal rate, and therefore we're sort of over-valuing their impact. I don't think we ever... We don't actually have any data to back this version, that's just like complete speculative hypothesis at this point, but to the extent that we believe it, I don't see any reason to think that one, a name that doesn't resolve is more likely to renew, or less likely to renew than a name that is at a parking page.

Yeah, maybe, it would even be less likely to renew than a parking page, because, like you say, someone can be making money off the parking page. And that is probably the reason why we do see this difference in behavior between the legacy gTLDs and the new gTLDs.

A lot of dot com pages are parked because they get type in traffic, someone will type whatever, screwdriver dot com, expecting to be able to buy a screwdriver, and so then you can just put adds in for screwdrivers there and expect to make some money. But if you put like screwdriver dot tools, probably no one would ever visit that, and so you're not going to make money off of your ads.

So, I think the dynamic is probably pretty different, and probably skews to having more parked pages in the legacy... What we see makes sense to me, but the question is, do we...? Is it worth...? Like, it's probably worth in a narrative format, describing these distinctions, from a calculations perspective, it's probably not worth trying to separate them out, would be my personal opinion.

I would agree with Calvin from before, we should just include it and explain why we did it.

JONATHAN ZUCK: Other thoughts about this? David, go ahead.

DAVID TAYLOR: I was just wondering, is there an inverse correlation between parked pages and TLDs and TLDs with say, we've got... That might be looked something to consider or think about.

UNKNOWN SPEAKER: What do you mean, David? Do you mean a direct correlation between the two or causation? Or what...? I didn't quite understand that.

DAVID TAYLOR: Yeah. Basically if there is n TLDs with safeguards, they would be seeing less parking, then in TLDs without safeguards.

UNKNOWN SPEAKER: Do any of the safeguards address parking?

DAVID TAYLOR: I just think, is it...? A safeguard is there for a TLD, so is that discouraging parking, and are we seeing a different behavior in that TLD? I'm guessing yes. But, who knows?

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JONATHAN ZUCK: Picks as well?

DAVID TAYLOR: I could include anything we want to include, but yeah, I don't see why not.

UNKNOWN SPEAKER: And I press on why you think the answer would be yes?

DAVID TAYLOR: It's a feeling, a gut feeling. There is not much that much safeguards in porn and gold, and they seem to be high. And that's why I'm just looking through the TLDs and trying to see, I know we've got safeguards in and have low parking, and that's, I'm just looking at this really now.

I thought one thing was interesting for me, anyway, but I don't know whether that's to do with dot law had 31% and dot lawyer had 70%. I'm trying to think, there has got to be a conclusion there somewhere, I'm not sure what it is yet.

STAN BESEN: Can I summarize what I think we've come out?

JONATHAN ZUCK: ...I think you're going to summarize? That we should probably just bring up the other calculations the day for December 2016 and do a new calculations and concentration, and then also do the concentration statistics where we control for the parking numbers.

STAN BESEN: Close, but not quite. Number one, I'm going to try and be more precise. Number one, we're going to use the most comprehensive definition, and somebody is going to write up an explanation of why it is that we used the explanation that they did. I'm nominating Jordyn.

Two, we're going to compare averages as parking as using that measure, compare parking rates as between legacy and new gTLDs. I'm nominating Jordyn to write that up. Third, if we go to table eight in the report, there are registry concentration measures for March 2016, is the four firm concentration ratio, the eight firm and the HHI, those are going to be updated for December data, and there will be a corresponding table that calculates parking adjusted concentration measures, those particular measures using the comprehensive measure of parking.

And that will be able to compare the measures of concentration unadjusted with the measures of concentration adjusted.

JORDYN BUCHANAN: Stan, do you think it's worth also calculating the market share definitions and market share calculations with this as well? That will just tuck the averages.

STAN BESEN: You have to calculate the market shares in order to calculate the concentration measures.

JORDYN BUCHANAN: I'm just talking about the gross market shares of new, versus legacy, versus see.

UNKNOWN SPEAKER: Maybe we can include...

STAN BESEN: I'm sorry, I don't understand the question.

JONATHAN ZUCK: It has been a big talking point of ours that half of the registrations, since the start of the new program are new, and will those calculations change?

STAN BESEN: Okay, to be precise, you're asking whether or not table one should be modified to take that into account. Is that the question?

JORDYN BUCHANAN: Without having the table in front of me, sure. I believe that is the table we're talking about.

STAN BESEN: Fine, we can do that. I didn't have that on the agenda, but if somebody thinks that's important, we can do that as well.

JORDYN BUCHANAN: So, the problem with adjusting that table, I guess I'll raise that includes ccs, the table itself includes ccs...

STAN BESEN: No. There are three separate calculations to table one. One involves only gTLDs, one involves gTLDs and ccTLDs, and one involves gTLDs and open ccTLDs.

JORDYN BUCHANAN: Correct. We can only adjust the first one of those based on...

STAN BESEN: Fair enough. So you're talking about modifying one set of numbers in table one.

JORDYN BUCHANAN: I guess I'm asking whether it's worth doing if we can only modify one of the three calculations on that table.

STAN BESEN: I believe easy to do.

JORDYN BUCHANAN: Yeah, I agree, it will be easy to modify that one number. The question is, is it weird that we'll modify one number and not the other two on that table?

STAN BESEN: I'm sorry to be a complete crab here, but you can't tell whether something is going to make a difference until you make the calculation. Speculating about whether some number change will change a number, to change a conclusion, it's conventional to do the calculation and then see whether it makes a difference.

JORDYN BUCHANAN: I'm asking a different question, which is, is it a useful exercise to modify one number on that table, knowing that we can't modify the other two calculations because we don't have the data?

STAN BESEN: It could be.

UNKNOWN SPEAKER: I think we could include five larger ccTLDs in calculation in order to discover, is it usual behavior of registrants? It could be useful.

JORDYN BUCHANAN; We could, but we don't have that data.

ELEEZA AGOPIAN: This is Eleeza. We didn't receive any... I don't think we received any zone files for ccTLDs, so we couldn't do the parking analysis on this.

JONATHAN ZUCK: So, we can run the numbers and look at them, and then decide, as we go through them, whether or not we think they are adding or detracting from the pedagogy of the paper, but let's go forward with Stan's three agenda items going forward. I think those are right. I think that's a good summary. And we'll do the calculations and just see what the outcome is, and then discuss them again to understand what their significance is.

STAN BESEN: While we have everybody's attention here, can we say something about the LAC study, and the LAC data, and the...?

JONATHAN ZUCK: That is the next thing on the agenda.

That was smooth. All right, so, anything else that we need to cover on this parking data? Anybody else have questions or comments?

Okay, so I guess that's it for parking. So then the next issue has to do with trying to do regional data. And so, where are we on that?

UNKNOWN SPEAKER: We have not received the spreadsheet from the study participants.

JONATHAN ZUCK: We received a promise to get it or anything?

UNKNOWN SPEAKER: We have not. We received a promise to check into it. I know staff has checked into it, but we haven't received anything from the study vendors. So, I don't know where to go at this point, other than press for it more. Send another email.

STAN BESEN: This seems really odd to me, because the LAC study reports the actual market shares that we would need to do the calculation, except it often reports them in fonts that are so small that they can't be read. If I had a good magnifying glass, I could probably, we could probably generate...

We're not asking anybody to do any calculations that have not already been performed. What's the problem about giving us the spreadsheet?

JONATHAN ZUCK: They haven't explained that either.

UNKNOWN SPEAKER: I have no explanation. I'm sorry.

JONATHAN ZUCK: I don't know if it would do any good, Brian, but if you want to give me the information, I could try to make a separate appeal.

UNKNOWN SPEAKER: Okay, that's fine.

JONATHAN ZUCK: And then by the circle ID post about how mean they are or something like that.

And that's our only avenue for doing any kind of regional based calculations, right? What about the Mideast report?

UNKNOWN SPEAKER: We could try. I don't know.

JONATHAN ZUCK: Okay.

Okay, that is what it is. We'll keep trying to get the data then for that calculation, and if we don't get it, we'll break our promise to form those calculations, or we'll get a big magnifying glass.

Anything else on data, on updating the data?

Because that's, all data we have coming and stuff, that's something else that the team needs to do.

UNKNOWN SPEAKER: In terms of the regional?

JONATHAN ZUCK: Well, no, data generally. The updates that we're trying to do for the, for December 16, we have that data and we just need to perform the calculations.

UNKNOWN SPEAKER: That's correct.

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JONATHAN ZUCK: All right. So, is there anything else for this agenda item? Have we discussed everything?

UNKNOWN SPEAKER: I don't know if we've discussed everything, but I think we know what to do next. Thank you.

JONATHAN ZUCK: Okay. Well, that's something. Thank you.

STAN BESEN: Mr. Chairman, could we take a brief break so I can talk with my colleagues here, so that we can turn this into a very precise work plan going forward?

JONATHAN ZUCK: Yes, take a brief break. Thank you.

STAN BESEN: Your name came up in a brief discussion with Jonathan. This has to do with the study that these guys were doing, talked about yesterday, the guys from [inaudible].

UNKNOWN SPEAKER: Oh, the abuse study.

STAN BESEN:

Yes. And I think what they're doing is actually pretty interesting. The question I raise is the following, let's assume that we get the report end of June or sometime around there, that's not the sort of study that's easy to describe in our report, because it's basically going to be, roughly speaking, regression coefficients, right?

They're basically, what's the measured effect of X on Y, holding Z, A, B, C, whole constant. I mean, it's inherently a more sophisticated kind of analysis than anything that's in the report. And so the question is, how are we going to write it up in a way that will sort of fit in the report?

One thing you might think about, or you can get them thinking about a presentation suitable for the report, as opposed to their report to us. That is, if we can lay off some of the work on them, that would ease the burden on you.

The reason this came up is Jonathan said that maybe you can write it up, but I think even you could, but that's not easy. It's kind of easier for them to do it, then for...

UNKNOWN SPEAKER:

Oh, I mean, they'll do a write-up, but...

STAN BESEN: Their report is going to be denser than what we use for ours. And I'm just trying to anticipate, partly it's a timing problem. How can we do it in a way so that there is a kind of convenient, I don't know, executive summary or something that we can just piggyback off and not have to have few rush write it up. I'm thinking of you, basically. You're the obvious person to do it.

UNKNOWN SPEAKER: Yeah, I mean, I'm not too worried about it. I think there is some plain language way we can put it to the community, put it in the introduction...

STAN BESEN: There is. I'm just thinking it's a much harder to do with that kind of analysis than anything we've got in the report. And I'm just, you pay me nothing to worry, okay?

UNKNOWN SPEAKER: I'm not worried about it. I mean...

STAN BESEN: If you're not worried, then I'm not. I let you worry about it, but I am somewhat concerned because I can see not having, not being easy to describe to an audience.

UNKNOWN SPEAKER: Yeah, I mean, I think if we describe, in lay terms, what a regression coefficient tells us, and what statistical significance tells us...

STAN BESEN: But that's an interesting thing. That's actually a good idea, because maybe you have to actually write some of this stuff up before you see anything. If you're doing that. I have an old friend who does market definition stuff.

He did a lot of expert reports, and he had boiler plate. He had written up a discussion of how to do this with examples, and he can just plug it into a document for a specific case. So, maybe give it some thought as to...

UNKNOWN SPEAKER: Actually, I've kind of already been thinking...

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STAN BESEN: Okay, good. Because that's, actually, yeah. If you can find a diversion that's already written up, so it can't be long, but it has to be clear.

UNKNOWN SPEAKER: Yeah, I don't think it's going to be more than 20 pages. 15 to 20 maybe?

STAN BESEN: I'm thinking of our version [CROSSTALK].

Okay.

UNKNOWN SPEAKER: Yeah, 30.

STAN BESEN: Okay, well, good. Then I won't worry about it.

UNKNOWN SPEAKER: You won't worry about it. I'm worried about getting all of the data we need.

STAN BESEN: But you guys, you already have the December data in house.

UNKNOWN SPEAKER: What December?

STAN BESEN: December market share stuff.

UNKNOWN SPEAKER: But not for abuse data, I'm talking about abuse data.

STAN BESEN: Actually, I did have a brief conversation with them. You know. The way I think about this, maybe this is wrong, is you've got all of these explanatory variables, like do they have policies or whatever? All that stuff is on the right. Then you have some measure on the left of bad acts.

You don't need, for the purpose of this study, this report, you don't need a comprehensive... I mean, the more measures you would have, the nicer it would be, but suppose they can only get data for three measures? That would be an advance in knowledge, right?

UNKNOWN SPEAKER: Yeah.

STAN BESEN: So, they don't need to have every source of data they might think of.

UNKNOWN SPEAKER: The only problem is that draws lots of fire from the fire technical. They're saying this is not enough, this is not...

STAN BESEN; I completely understand that. But what I'm saying, for the purpose of doing this, and where timing is an issue, don't get so hung up on the fact that the bad acts data are not comprehensive. You can even sell this [inaudible] just like our LAC thing is going to be put forward as an [inaudible] think of things that can be done in the future.

If you key it up that way, you have enough qualifications, then... And it's interesting, people would say, oh, maybe now [CROSSTALK] more information.

UNKNOWN SPEAKER: And actually, we're talking to Drew last night, and we should be able to get more data regardless. So it would be...

STAN BESEN: But my point is, you don't, for the purpose of this, and given the timing, a few equations with somewhat different measures would be a tremendous... If you start with nothing, right, even a fewer is useful. So, I mean, I came away with that thinking they worry too much about not having access to all of the data. Having access to some might be sufficient, but would be sufficient for our purposes.

[SPEAKER OFF MICROPHONE]

I'm sorry. You can put that in an executive summary.

[SPEAKER OFF MICROPHONE]

JONATHAN ZUCK: All right folks, why don't we try to reconvene and...
Okay. So, this is the engagement session slides in their current form, minus the updates from safeguards and trust, which we'll go over at the end of the day. But we thought we would get a start on them here, because, whoops.

Because we'll get a... Will be a little bit more pressed for time after the GDD discussion, I think. So, these are the slides as they currently stand, so why don't we just go through them and make sure that people feel comfortable with what's in them. So, next slide.

This is the way that it was before, except we moved, if you recall, moved the goals to this initial slide, perform a data driven assessment of the new gTLD program and inform policy related to the entry of new gTLDs. Everybody good? Carlos. This is how you wanted it.

CARLOS GUTIERREZ: This is Carlos for the record. Would you consider changing the title and say report not effort? The top, thank you.

[SPEAKER OFF MICROPHONE]

JONATHAN ZUCK: Next slide. So, the initial conclusions, there are improvements in competition, consumer choice, adoption of safeguards. There is more data collection that's in the offing to look at some of the negative consequences. So, the DNS abuse and the inter-survey to look at whether or not there were increases, incremental increases in cost and trademark holders.

We've got a save the date in here. I guess Alice was going to reach out to the translation team for dates, but I guess, so that's still to be determined, but we're hoping that we can figure this out before the end of the day. Laureen, go ahead.

LAUREEN KAPIN: This is Laureen. I just wanted to kind of get the group think on this. I don't know why, but that green light bothers me, because I'm thinking [LAUGHTER]. Because I don't think we're getting the green light, to me, it's more of a proceed with caution that we, you know, preliminary things look good, but there is a lot of information we don't have.

So, I just, but it may be just me. So I wanted to kind of... Well, I said it, but you don't have to agree with it. But I did just want to raise it, that just kind of jarred me.

[SPEAKER OFF MICROPHONE]

CARLOS GUTIERREZ: We have this cost, and I don't know if you want to raise the issue or not, that PDP and subsequent procedures is waiting for this report as part of their considerations and inputs. So, I would look at it from that perspective. I mean, are we giving a green light ahead or not? I think this is a very big responsibility.

Yesterday, you mentioned we are doing this because of the AOC, but also because we are feeding the policy process, so I think it's a very, very important issue. I wouldn't mind to leave it in green, but I could also go with yellow. Thank you.

Meeting - Day 2

UNKNOWN SPEAKER: Why don't we just take it out? Wouldn't that just be easier? I must say, I'm rather sympathetic to Laureen. I was a bit nervous about the light.

KAILI KAN: I agree. Sounds complicated, and just take it out, it's easier.

JONATHAN ZUCK: So, a yield sign. No, we can just remove it, that's the easiest thing. It's sort of a random graphic in the text of the slide anyway. Speak of the devil. Did you manage to have any conversation with the translation folks?

[SPEAKER OFF MICROPHONE]

Okay. We just need to remember to remove that slide if we don't have a date, or tell them where to look for it in the future. So, are these your slides, Jordyn?

[SPEAKER OFF MICROPHONE]

No, I didn't know they were still in. I thought that they were going to be replaced. So, I'm looking at them more carefully now.

What do folks think of this slide?

I'm not sure that I love the black on gold from a readability standpoint, for...

[SPEAKER OFF MICROPHONE]

It's like we're hiding the caveats.

It looks fine on the computer screen, but projected, it might not be great for the audience. Carlos.

CARLOS GUTIERREZ: On the contrast issue, dark blue with yellow works well. And on the third of the caveats, I don't understand if it's a new gTLD are still quite new, or quite few. Thank you.

JONATHAN ZUCK: Well, the program itself is new, I think is the issue, which decreases the significance of the fact that there are a few.

CARLOS GUTIERREZ: As far as I remember, we're talking, we were talking... I don't know if it's like of the growth rates, so that would be an absolute comment. I mean, we were initially, when we started looking at the numbers, we said that over the last two, three quarters, they have been growing at the same rate like the TLDs, which is for me, quite a positive, and here we have it on the negative.

You can keep it either way, but we should be consistent with the report.

JONATHAN ZUCK: Carlos, I think you underscore the point. The caveat is in fact, it's a new program, and it's typical of the conclusions about it. So, it's not that it's few.

UNKNOWN SPEAKER: [Inaudible] for the record. I don't know if it's just me, but the last bullet in the caveat is incomplete data hindered the review team's analysis. I get that, but I'm not sure if somebody else reading it might feel like, oh, they didn't do anything. They were just like hiding behind the incomplete data.

JONATHAN ZUCK: That is what we're doing.

UNKNOWN SPEAKER: ...like effected rather than hindered. Hindered is like we really didn't do anything at the end.

JONATHAN ZUCK: Maybe limited.

UNKNOWN SPEAKER: Why don't you say limited a fuller analysis, or more complete analysis? Something like that.

JONATHAN ZUCK: Okay. Yeah. That sounds redundant to me.

[SPEAKER OFF MICROPHONE]

The capitalization is bothering you? All right. Well, talk to Alice.

[SPEAKER OFF MICROPHONE]

Well, because it's the completion of a sentence. On balance, it has demonstrated and is somewhat successful.

[SPEAKER OFF MICROPHONE]

And they should probably be both present tense or past tense, right?

STAN BESEN: Where possible, why don't we track the language in the report? So, it says our analysis has been hampered significantly by the lack of relevant data, that's precisely what we say there. I don't know what we do for language here.

JONATHAN ZUCK:

For fun.

I don't feel strongly. We can say hampered. It gets to the same issue, hindered, so this criticism applies to what we wrote to, but I mean, it's a... I think it's fine, limited. And then take a look at the capitalization that consists and say, I guess. Okay? All right. Everyone have any substantive issues? Not that these are important, I just mean in addition. Are you okay saying those things?

They're all saying things we said in the report. So. Okay. Let's move on to the next slide. This is just a description of the categories of the recommendations that we talked about and how they impact the timeline. So, that's pretty straightforward. I would say next slide.

This is a snapshot of all of them, which is just to show that they break out into categories. I wonder if we should do something to make use of this slide and show like how many of them are in fact not prerequisites or adding a circle, you know what I mean? Something like that, that underscores the fact that, despite the fact that there is 50 of them, that's not how many are standing in the way of a new program. Carlos.

CARLOS GUITERREZ: Yes, I think this slide could very well remain in the presentation, as you said, it's a permanent record, but I wouldn't present it in the public meetings.

JONATHAN ZUCK: ...just ICANN and we assume that means the corporation, basically.

[SPEAKER OFF MICROPHONE]

Okay. Carlos?

CARLOS GUITERREZ: Thank you, Jonathan. I would go back to the previous one and divide them by the timeline, so we have four percentages, and I would keep the first column of this slide, which is the other way to look at the recommendations, by subject. I think that would be, would make sense. We have four percentage numbers in the previous slide, and in this, we have one, two, three, four, five, six percentage numbers. That would make sense.

And this is a nice way to present the 50 plus recommendations. In the previous slide by timeline and here by area.

JONATHAN ZUCK: What do other folks think? Do we want to create a timeline of the...? Yeah, the previous one wasn't laid out as a timeline, but we could create it as a timeline to show how the, what the distribution of the recommendations looks like. Do people think that's useful for the community to see how they kind of fall in terms of...?

Can you go back one slide, Pam?

There you go.

CARLOS GUTIERREZ: So, we could add a column here.

[SPEAKER OFF MICROPHONE]

Numbers or percentages, if you want to sound more techy.

And then the following slide by the six areas, so that gives a feeling of how these 50 are distributed, nobody should be shocked by the raw number.

JONATHAN ZUCK: So, you like that slide then. The spreadsheet slide. You've changed your mind about that?

CARLOS GUTIERREZ: I said only the first column. I would eliminate only the first column of the following slide. So, in this slide, we would distribute their recommendations in four groups, and in the next slide, we would distribute the recommendations on the six areas. We have six slides in the next slide, but I would use only the first column, forget about the following columns.

JONATHAN ZUCK: Okay, what do other people think? Thanks Carlos. Does anybody else have an opinion?

UNKNOWN SPEAKER: I am warming to the idea Carlos has of putting numbers, in this slide.

JONATHAN ZUCK: You're supportive of that?

UNKNOWN SPEAKER: Yeah. The following slide, I think you should leave it as it is, because it tells you who is responsible, more information on that. But this is the first slide into that, I think adding numbers to it to make it a little more interesting.

JONATHAN ZUCK: Okay. Can you...? Who owns this now? Is it you? Okay, so you can make those changes to this slide please? This is just... Add another column that says how many recommendations fall into the category.

UNKNOWN SPEAKER: Yeah, yeah, but as a number or presentation?

JONATHAN ZUCK: A number. I think the percentages is ridiculous. Okay.
Okay, next slide. So, Carlos, you're talking about this first column that talks about sections of the report, or the row that talks about... I mean, that's part of the problem.

[SPEAKER OFF MICROPHONE]

Yeah, what about the totals along the bottom that talk about how many recommendations go to which entity? Because that's the other piece of information.

[SPEAKER OFF MICROPHONE]

What? Go ahead, Alice.

ALICE JANSEN: Might as well have a complete snapshot, otherwise you're going to end up with a lot of slides and not spend time on the substance.

JONATHAN ZUCK: What do folks think? Does it make sense to divide this into two different slides, or to draw a red box, animated red box, around that first column and then the bottom row? I mean, what's the...? What do people think? Jordyn, go ahead.

JORDYN BUCHANAN: I like Carlos's suggestion. I think the number of slides is much less important than the information density on each slide. It would be easy to... It seems very easy to get stuck on this slide with people asking all sorts of weird questions about various things about it. Whereas, if we just slice it into relatively coherent little bits of information. I'm not sure it matters...

I'm not sure the slicing into like which org they're directed at is actually, I don't think people will care very much. I wouldn't include that. Once again, I would keep this as a backup slide, but I wouldn't necessarily present that as part of the original...

JONATHAN ZUCK: So, your recommendation is just doing the first column there, division of the second column, or whatever.

JORDYN BUCHANAN: Yeah, just the first two, topic and number.

JONATHAN ZUCK: Okay. Anybody else have thoughts?

Okay, let's do that. All right. Next slide.

All right, go ahead.

So, this commitment to data driven effort and recommendations. There were some challenges associated with that, a lack of data, data on the markets was insufficient, it was largely anecdotal data. That feels overstated maybe, a little bit. But some additional data that's needed. Now, we've got parking concept in here, but we're... I guess we can discuss the fact that we already have that coming. I guess that's different then the recommendations that we're going to make about data, right?

Pricing hosts... Jordyn, go ahead.

JORDYN BUCHANAN: I mean, I think this has already been called out the need for data previously. I don't think this slide does anything useful.

[SPEAKER OFF MICROPHONE]

Yeah.

CARLOS GUITERREZ: I agree with Jordyn, but nevertheless, the title commitment to data driven effort or recommendations, I like it, and I would reinforce in the previous slide, when we talk about the additional readings. This is not additional readings. This is the data we used, and it's primary data, primary search.

It's maybe too short, we need time serious and so on. So, I thought it was too soft in the second slide to say additional readings. I mean, we should reinforce that there is a lot of data, primary data, produced in this process, not enough, but we work really on Neilson and analysis and all of the other studies.

I would reinforce or try to bring this title in a shorten way to the previous list that we have, instead of additional readings.

[SPEAKER OFF MICROPHONE]

Yes, if you go back please, a few slides, I can show it to you.

[SPEAKER OFF MICROPHONE]

...we spent half a million dollars or more on this group. I would put that there...

JONATHAN ZUCK: It's for the public, though. This is... What I mean is that these are other things they might want to read in addition to our report.

CARLOS GUTIERREZ: I would reinforce that this is primary data, developed for this report. I would make it a little bit stronger.

JONATHAN ZUCK: Okay.

CARLOS GUTIERREZ: Promote these documents.

JORDYN BUCHANAN: I like the framing of what Carlos is proposing. I think you can speak to that, like we can say primary data sources, and then you can, in your over voice, you could voiceover, that's another word for that, you could say, this might be good additional

material for people to read if they really wanted to get in deep, or something like that.

It's helpful to emphasize that we... There was a bunch of data sources that we did actually.

MEGAN RICHARDS:

Yeah, it's Megan for the record. No, I agree, absolutely with Carlos on the data sources, or whatever you want to put. But, if we go back to the slide that we're talking about just a minute ago, I wanted to ask you about anecdotal data, that makes me a bit nervous.

First, the box is there twice. I don't know if you intended that to be there, twice. That doesn't make sense to me. But the important thing is anecdotal data, I don't want to talk about anecdotal data, or suggest that we used anecdotal data. What is that?

An anecdote is an anecdote. It's not data, it seems to me.

CARLOS GUITERREZ:

I guess to economic standards, the research we did on the ones who didn't apply, it's kind of soft data, probably not anecdotal. The [inaudible] study, I wouldn't call it anecdotal data, that was a nice sample, but we might rephrase...

JONATHAN ZUCK: It's no more anecdotal than the Neilson's survey of applicants [CROSSTALK]...

CARLOS GUITERREZ: Neilson has a totally different methodology. I mean...

MEGAN RICHARDS: Excuse me, we're here talking about consumer choice and competition, we're not talking about the evaluation section. Isn't that correct? This is just...

JONATHAN ZUCK: We're talking about our review generally, and the data issues associated with it. So, this is not consumer... You've seen that slide flash by, but it's after this. We're not talking about consumer choice and competition yet.

MEGAN RICHARDS: Okay. But still...

JONATHAN ZUCK: So, this is more about, the question of data and the challenges that were posed to, you know [CROSSTALK]...

MEGAN RICHARDS: ...data covers it.

JONATHAN ZUCK: It probably does. We've already said that to Jordyn's point. So, the question is whether we're adding anything new with this slide by breaking it out into these categories.

MEGAN RICHARDS: No, I think that's useful to break it out. My point is, just to remove anecdotal data, because we will be heavily criticized on that. Anyone who wants to attack this will say, what on earth were you doing using anecdotal data? If you say positive of data, that's sufficient. Data on markets was insufficient.

JONATHAN ZUCK: Carlos.

CARLOS GUITERREZ: Yes, I also object to data on markets what is sufficient. I mean, it's too short a time period. We don't have time periods, but I also object to this second line. If we want to keep it, if you want to keep the slide, I would just mention the time [CROSSTALK]...

JONATHAN ZUCK: That wasn't the issue, though.

CARLOS GUITERREZ: I support taking it out, because of that reason.

JONATHAN ZUCK: I appreciate that, but the insufficiency of data wasn't just insufficiency of time. It was the unavailability of data, not that there hasn't been enough time that's passed. That's a different issue.

CARLOS GUITERREZ: That the time series... [CROSSTALK]

JONATHAN ZUCK: None of the registrars got to us with [CROSSTALK] pricing, that doesn't have to do with a period of time.

CARLOS GUITERREZ: Well, for me, these are different issues. We don't have [CROSSTALK] but the price, the data we have, is too short for having a time series that allows for aggression analysis, the way we look at it yesterday for him, for example, for the abuse. We

cannot do a good statistical analysis with three quarters, or two half years, or two years.

This is just too short. A time period to have good statistical analysis.

JONATHAN ZUCK:

Right, okay. I can see that point. The point that we're making here is that, in fact, data we simply didn't have for any duration. I think that was the point that we were trying to make in terms of insufficient data.

What do other folks think? Jordyn thinks we should drop the slide all together, Megan thinks a modified version of it. I don't know where Carlos, you really are, you want a modified version of this slide. Drop the whole slide.

[SPEAKER OFF MICROPHONE]

Well, it's not a reference slide either, I don't think. I don't know. We're talking about it.

UNKNOWN SPEAKER:

Before you drop it, I just wanted to understand. If I walk in the room and see this slide headed, key findings, and you

[inaudible] about a review team, and then I say commitment to data driven effort, I would not understand that.

JONATHAN ZUCK:

Agreed. This is because it said data before this on a previous slide, so the key findings is probably not the right heading. The challenges with data or something like that is probably what the slide should be titled.

Waudu, that's not a reason not to drop the slide. Then we won't have the problem with the title either. Just saying.

Other thoughts? Laureen, go ahead.

LAUREEN KAPIN:

Okay. So, I think what this slide is actually the heading should be commitment to data driven effort, I believe, and then you can have your additional data needed on, and challenges, because then the whole slide is about data. I do think that these are important framing issues and context issues. You know, you can fiddle with how it's presented, but this is a slide about our approach, and I think that's important for context, to know that this was one of our focuses.

We realize that even though we're committed to data, there was some data absent, and we had some challenges, and put it that

way. It's not about findings, so I would change the heading, and then I would just, I would start with the additional data needed on, or maybe you can just call that all challenges, because we're really just talking about all of the challenges.

We have a data driven effort, here are our challenges. We were missing some data. This is all about missing data, I don't know why it's, this is an organizational issue, I guess, is what I'm saying. The slide is about data, and it's all challenges, and that's how it should be organized. In my view.

JORDYN BUCHANAN:

And presumably there is a slide later on that talks about the data we're recommending. I mean this just feels like... I don't get any unique value out of this versus like, I think somewhere... Well, we already have the point earlier when we said we had data challenges, and then later we blow out all of the information that we actually need.

This is just like another... Like one thing that became clear from our conversation with the Board last time, is they thought we were saying they couldn't do anything useful because we didn't have data, because we kept talking about that.

And that's all the slide does, right? It's just says like, oh, we're missing some data, but it doesn't really advance like the

conversation in a meaningful way, I don't think. All the points that we make here, we make somewhere else. So, why don't we just make them in those other places?

[SPEAKER OFF MICROPHONE]

And then subsequently, there is, here is all of the additional data that we think we need to gather in order to do a better job.

MEGAN RICHARDS:

Right, and I get that. I know that we go into ad nauseam about all of our data recommendations. And I guess what I'm raising the question, building on what you're saying Jordyn is, do we have a slide in the beginning? I don't think the end replaces the beginning if you're setting context, and I just want to make sure that prior to this slide...

[SPEAKER OFF MICROPHONE]

I think it is worth a slide. I mean, this is one of really, one of the big themes that we've identified. So.

DREW BAGLEY:

This is Drew for the record. I think that it also provides an opportunity for anyone who, I don't know, and their own mind thinks they know of a data source that we haven't considered to

speak up. I mean, I think it serves as a reminder to the community, hey, if you have any contributions in these categories, this is what we've been looking for.

And even if nobody has any contributions or what not, it's just one more effort for us to demonstrate what we're doing in an attempt to get data.

JONATHAN ZUCK:

What about this? What if we, as Laureen suggested, make the slide a commitment to data driven effort, and we move the further reading thing that became primary sources, to show the effort that was made to go create data, to find data, etc. and then have some challenges and list those at the bottom, and make that sort of a holistic slide in that way?

So, everybody comfortable with that? Besides Jordyn? I can let Jordyn's objections go if everybody else is... Even Jordyn can. No, I'm just teasing, because this is what I do at this time of day. Yes sir.

CARLOS GUITERREZ:

This is Carlos for the record. I think it's an excellent idea, we should try this slide and I see, I remember the town hall meeting in India where you spoke about data driven organization, and I

think that's a very important message well beyond the competition review. Thank you.

JONATHAN ZUCK:

It's like, Over Cat, the villain from Underdog. All right. So, I don't know if... We do need to wait on you, Jean-Baptiste, or can we go to the next slide? Go ahead to the next slide, please.

So, that's our recommendation around it. So, instead of data collection, that slide should maybe read a more data driven ICANN then just put the text below it.

All right? Jordyn, take it away.

JORDYN BUCHANAN:

All right. So, just as a high level overview in the slides for the competition and consumer choice, we have attempted to just use language from the report. And so, we kick off with this methodology slide to talk about, at a high level, what we did in terms of our analysis.

Hopefully, that's not a controversial statement. It's a lot of words though. Lauren.

LARUEEN KAPIN:

Yeah, that's my... It's not digestible. So...

JORDYN BUCHANAN: You are free to... I already gave Eleeza this challenge. Anyone that wants to try to edit this down to be more readable...

LAUREEN KAPIN: No, no, no. It's not even that. This will be like Charlie Brown listening to the teacher. [CROSSTALK] No, but people can't even see it. I mean, and I don't mean that literally, I mean just visually, this is the equivalent of...

So, if you want to have all of these things, I would say figure out a way to break it down, or I'm telling Eleeza, but I'm just presenting this just as a pure slide format digestibility issue, this is white noise. So, if you want to divide it into three smaller sentences, or put it in five boxes, or have your, you know, the topics, whatever, this, to me, is not as useful as it could be if it were formatted and separated differently.

JORDYN BUCHANAN: I don't think it's intended to be... Like, it is a baseline statement of the rough set of things that we looked at. I mean, we could break it out. There is a lot of text. There is not an obvious way to me to edit it to make it so that you get the same meeting with

fewer words. But, if anyone has ideas about how to do that, feel free to [CROSSTALK]...

KAILI KAN:

Yeah, I think just to use the typical PPT format, break it down into bullets or something like this. All of this kind of text is very distracting.

JORDYN BUCHANAN:

I'm just going to be clear. Anyone that wants can suggest how they want to edit this slide. Complaining about the slide is not helpful, making a suggestion about a new format or a new way to break down the sentence is helpful.

Eleeza made the same point yesterday. I suggested to Eleeza if she wanted to figure out how to edit it, she could, apparently that hasn't happened yet. Anyone else can feel free to.

ELEEZA AGOPIAN:

No, my suggestion was to, sorry Jordyn, was to do this in bullets, but you wanted to retain the text. So, that's the reason I didn't do it. I'm happy to turn it into bullets.

JORDYN BUCHANAN: Right. So, we do want to retain... Like, I mean, I guess we could just give up on the idea of actually using text from the report.

CARLOS GUTIERREZ: I volunteer to do it. [CROSSTALK] I volunteer with Eleeza to split it and slice that.

JORDYN BUCHANAN: This is the least important of the slides [CROSSTALK]

CARLOS GUTIERREZ: ...Eleeza doesn't want, I'll do it myself. No problem.

JORDYN BUCHANAN; All right, you guys, I have complete confidence that you all make this not very important slide be the best slide of all.

Okay.

All right, Carlos is going to do it. Carlos is going to do it.

Okay, and now to talk about things that we actually found. So, we break along the lines of competition and consumer choice. For competition, we make three high level observations. The first is that we observed generally positive signals, relevant to competition.

And then you can see the... We can get rid of that last thing, Eleeza. Yeah, that was an accidental holdover, so we can just remove that.

KAILI KAN: Suggestion. We just use phrases instead of whole sentences, it will be much more compact, condensed, meaningful.

JORDYN BUCHANAN: But then we'll have to have a debate about what language we're going to use that doesn't come from the report.

[SPEAKER OFF MICROPHONE]

STAN BESEN; Don't we want to say something about the fact that we analyze concentration of registrations of back end providers? You want to take out the last bullet and I think, I'm not sure... Don't we want to say that we analyze concentration in those areas as well?

JORDYN BUCHANAN: I will intend to add voice over to that effect, but not text.

KAILI KAN: Well, just Carlos volunteered for all of this, I volunteer for this. And then for Jordyn and Jonathan...

JORDYN BUCHANAN: While I can agree with the previous point that the previous slide is a lot of text and hard to digest, especially once you remove the last bullet, I don't think reading two sentences is overly challenging for people.

Pardon?

MEGAN RICHARDS: You can improve significantly upon it, for visibility, understandability, etc., by just shortening it. For example, the review team found that, instead you just say, as of March, the new gTLDs had approximately little figure, 20% increase...
[CROSSTALK]

...editing things to do and it makes it easier for the audience to read them.

JORDYN BUCHANAN: That's fine.

[SPEAKER OFF MICROPHONE]

JONATHAN ZUCK: Sorry. I wonder if this would be just like a pie chart, or something like that, and that this sentence is then what you say to the pie chart. It's generally a good presentation designed to have anybody reading slides while you're trying to talk anyway.

I mean, this is, in fact, what would you say, isn't it? You've put your voice over on the screen here, and we don't need to duplicate it. If there is some way to visually just show a graph or something like that, that showed the 50%, I think that would be more impactful, duplicating what you're, in fact, going to say, otherwise you're going to be reading your slide.

JORDYN BUCHANAN: No, I was going to say different things. Like these are... This is the language in the report. There are some commentary that you can provide over top of that. For example, to Stan's point, that we also looked at concentration for registrars and the backend market.

JONATHAN ZUCK: So, you're not going to say these things. I don't believe you.

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JORDYN BUCHANAN: I will say that...

JONATHAN ZUCK: No, I literally don't, you're going to end up saying those things.

JORDYN BUCHANAN: I will not read those things. I will say at a high level...

JONATHAN ZUCK: Okay, if you just click to this slide, go. [CROSSTALK]

JORDYN BUCHANAN: So, we found... So, I will say the top thing. One of the important things that we've found is that we had, we saw generally positive signs, showing... I don't like this sentence, but this is the compromise we came up with.

We found generally positive signals, that generally indicate improved competition. For example, one thing that we found is that if you look at the increase in the number of registrations across new gTLDs and legacy gTLDs, since the start of the program, that we see about a 50% increase, about half of the gTLDs are...

JONATHAN ZUCK: So, you've just said it. You've just mixed the words up, but you literally said every word.

JORDYN BUCHANAN: That's fine. I'm not just reading the slide. But yes, you were right. I am making the same points, but I was going to add additional information as well. For example, the third, the third, the third, is also true.

JONATHAN ZUCK: But I mean, I guess, yeah. I guess my inclination is not to... I don't know. You're going to say things that now aren't on the slide, as opposed to providing color commentary to the things that are. I guess that's the way that I guess I think of slides as, here is the bullet, and now I'm going to explain what that bullet means, or here is a graphic, and here is what I explain that graphic means.

I wouldn't... You're going to end up saying all of these things and say more. I don't know that made the slide valuable. Why is the slide valuable in that context? For the hearing impaired, or...?

JORDYN BUCHANAN: Sure. I don't know. I guess, count me in the category of people who don't generally find slides valuable.

JONATHAN ZUCK: Well, no, I'm with you, but I mean, if you're putting slides up, you can put a picture of going somebody saying yeah, and then give these, and then talk through these three points. Right? Kaili.

KAILI KAN: Kaili speaking. I think, well, last time our presentation to the Board was in Hyderabad, why don't we just follow that style? I think that [inaudible]...

JONATHAN ZUCK: I'm sure it was terrible too.
[SPEAKER OFF MICROPHONE]
Do you want to speak too?

LAUREEN KAPIN: So, what we're really talking about is the approach to the slides, and whether it should be a text heavy information intensive approach to the slides. I'm not talking about what we're going to say, because that, of course, should have content, but for the

slides, the preliminary draft here is a lot of words, and we should make a decision whether we're going to have text, whether we're going to do slides with a lot of words, or whether we're going to have slides with very simple phrases that clue the audience to the general topics we are going to discuss.

So, those are two very different approaches, and I would say the conventional better thinking to effective thinking is that, you have headings as guide posts, so your audience can stay organized, but your information is the verbal information, so that they are paying attention to what you are saying, and they are not getting distracted by a lot of words on the slides.

So, that's just a suggested approach, you don't have to accept it, but we should decide, as a group, which approach we're going to take. I need to know, because I'm working on my slides now, and if it's going to be one approach versus the other, I want to be consistent.

JORDYN BUCHANAN:

So, we can consolidate all the competition down into just the three headings, that would be fine. I so don't care about this. Carlos.

CARLOS GUITERREZ: Thank you. I see a difference between presenting slides and holding a speech. Sorry. And I thought, yesterday, we decided we want to leave the slides for the record, because we are showing them to different constituencies. We don't want to say one thing to one constituency and a different thing two hours later to another constituency.

So, for me, this slide is a document of record. So, I think it's very important that we, I think, since we have five different presentations, that we stick to the slides and to the wording of the slides. I see a dangerous thing, repeating five times the same thing, and hoping it's going to be the same message to all of the different groups. I have a good example how I think I used 80% of the words of the document in the bullets, and I think it flows.

It can be done. Eleeza has it, and she will revise probably the English. Okay, we can show it, thank you.

LAUREEN KAPIN: I agree with you, Carlos, about consistency, but my suggestion is that we not be inconsistent. I take your point as to creating a record, and I guess we should just decide, are we using the slides to be a mini-report? Or, are we using the slides to make a

presentation about the report? To me, we have the preliminary draft report. That's the record.

I would prefer my point of view, to use the slides just as a way to present our summary of the preliminary report. But I agree with you, we should absolutely be consistent. We as speakers, should make sure what we're saying is consistent. I think we can do that.

So, I don't see, you know, I don't see a big inconsistency in our approaches, Carlos. I think the biggest difference is whether you want the slides to act as a mini-summary of the preliminary report, or whether you want the slides to be something that is visually simpler, but guides our oral consistent presentations.

UNKNOWN SPEAKER: I absolutely prefer the last one. It must be visually representative of the report. You don't want to do this presentation and tell them, you know, like they're reading the report. You want to get them juiced up to read the report. So, that's the second choice, Lauren, would be my advice.

JONATHAN ZUCK: The simpler slides. I see, okay. David?

DAVID TAYLOR: So, we've got each way there, then I think we should have the middle ground. But what I do think, I think we should go through all the slides which we've got, and then come back and just see what, you know, what the whole picture is, and then we can start sort of drilling down and figure out what we do need to change, but I'd work it all the way through, and then we can do one run through now, and then go back over.

Because our slides are a slightly different style. So, I think, before we start saying, let's change this, then we modify ours, let's go through ours as well, and then just see what the general feeling is, because we're going to be split. But at the end of the day, we've got to make something which is interesting.

JONATHAN ZUCK: That's a tall order, David. Okay, let's continue on then, and let Jordyn finish going through his slides.

JORDYN BUCHANAN: Okay, next slide. Maybe.

[CROSSTALK]

This is not presenting very well, is it? Oh, there we go.

This is not formatted quite right. So, we did not observe... Our next major heading in competition is that we did not observe effects on price. That's because we didn't get data from legacy gTLDs and we weren't able to make meaningful comparisons between legacy and new gTLDs.

But in any event, even if we were able to see the prices from legacy gTLDs, we suspect that we wouldn't be able to observe meaningful changes in price, because the legacy gTLDs remain subject to price caps, and we think that would be the controlling factor. And then there, next bullet is supposed to be a new heading, which is that most new gTLDs are quite small, which is something that has been significant discussion about.

But in any case, the vast majority, even once you back out, dot brand TLDs, and ROCC exempt TLDs that are really just targeted a single registrant, the vast majority of new gTLDs have less than 50,000 registrations, and most of them have less than 10,000 registrations.

However, this might be okay. We're not sure yet. But there are some structures in the market that make it possible for TLDs to have a relatively small minimum viable scale, because they can rely on backend services providers to provide the technology platform, and they can rely on registrars as a distribution

platform without having to build out those capabilities themselves.

So, it's still early days and we don't really know how these small TLDs will ultimately pan out, but that we have at least some evidence, or some factors that make it possible that a relatively small minimum viable scale makes it feasible for them to continue.

And one of the approaches they may take in order to remain solvent at small scale is to charge high prices. That was actually a factor identified in the report.

So, then we move to the topic of consumer choice. On consumer choice, we have two major topic headings. The first is, that we think the new gTLDs, in fact, give consumers more choices, both to registrants, and to consumer end users. There is obviously a lot of new different TLDs, different TLDs and different, there is IDN TLDs, we have different languages, character sets. There is the city and the geo TLDs.

There is vertical TLDs, there is brand TLDs, a lot more choices all around. We sort of have a floating recommendation here that we aren't sure where to put, because it actually relates to the registry polices, which we aren't summarizing here. But we do

have a recommendation that there should be more regulation of the collection of personal data by registries.

They're more consistency about how that's done. Carlos, go ahead.

CARLOS GUITERREZ: Thank you. These relate in any way to the PDP or new directory services?

That would be my question if I see this recommendation out of...

JORDYN BUCHANAN: Dejan, what is the exact language of the recommendation is to require the registries have a privacy policy? Or is it something more than that?

DEJAN DJUKIC: It was related to regulation by ICANN, because in few of those policies was very strictly that the registry has rights to share, or sell personal data. So, it should be regulated on a higher level than the registry policies.

JORDYN BUCHANAN: Okay, so, it's actually not just they have a privacy policy, but there are certain types of behavior registries shouldn't be able to engage in. So, I don't think it really belongs on this slide. I don't know where to put this, like put the discussion of this recommendation though. We could have a whole separate slide for it.

[SPEAKER OFF MICROPHONE]

No, because... So, there is really one, two recommendations from competition choice, other than the data recommendations. And so, the next one, actually, there is a logical place to talk about it. If we want to move to the next slide we can see.

[SPEAKER OFF MICROPHONE]

See how they work. And so, in this particular case, we talk about defensive registrations, and the degree to which you know, I think in general, we see that there is a balance, that there is a large number of registrations that are, have been made by registrants who are attempting to reach a new market, or otherwise beneficially use the new gTLD.

But there is definitely some defensive behavior, both in terms of trademark specifically, and from registrants in general. And although we found that for most trademark holders, we found

that the costs were fairly low, we did see this bimodal effect, where there are a small number of trademark holders that seem to be engaging in a large amount of defensive registrations.

So, we have a specific recommendation here, to consider whether or not there is a mechanism to reduce the costs for the trademark holders that are currently engaged in this extensive defensive registration. So, here the recommendations and the context where it sort of makes sense, but I'm not quite sure what to do with that privacy recommendation.

JONATHAN ZUCK: Is there a finding associated with the privacy recommendation? Maybe it's just another slide.

JORDYN BUCHANAN: Yeah, we can just make another slide. That's probably the right thing to do.

UNKNOWN SPEAKER: Or, you can add one bullet on the slide before.

JORDYN BUCHANAN: Yeah, I think I would add another slide, because it doesn't directly follow from those other topics.

Yeah, we'll figure it out.

STAN BESEN: In the report, we carefully distinguish two kinds of consumers. It's a little confusing here to have the registrants called consumers without being more specific about that.

JORDYN BUCHANAN: What do you mean by that, Stan? Where are we saying consumer where we mean...

STAN BESEN: I think there are two kinds. I don't remember the exact language. Lauren, do you remember?

[SPEAKER OFF MICROPHONE]

JORDYN BUCHANAN: So, on the previous slide, we distinguish between, like... If you go back a slide, Pam. You'll see there are two bullets here. One as relates to consumer end users, and one of them relates to registrants. So, their explicitly... Like, that's the reason we have two bullets, is to distinguish between the two.

STAN BESEN: It talks about consumers and it doesn't, it's only relevant to the, I'm sorry. This one is only relevant to registrants.

JORDYN BUCHANAN: Correct. This is only relevant to registrants, because this talks about the cost of defensive registrations to registrants. Consumer don't bear any cost related to...

STAN BESEN: Maybe this should be registered just to get it a bit clear that it's only the subset of the, what we call consumers.

JONATHAN ZUCK: So, he means the title, probably.

JORDYN BUCHANAN: Consumer choice is the name of our review team, though. So, it seems strange...

[SPEAKER OFF MICROPHONE]

Yeah, that's why, we can just call that to registrants heading.

JONATHAN ZUCK: Well, we know have our guests here in the room with us, from the subsequent procedures working group. So, you guys want

to come find seats at the table some place where there is a microphone?

So, you guys have all met Jeff and Avri before, right? In previous sessions. They are the co-chairs of the subsequent procedures working group. And I guess the, we have a set of slides that are aimed directly for updating you. Is the best thing for us to do to just sort of go through and give the presentation and let you react to that? Okay.

I'm sure you haven't had a chance to get through 144 pages yet.

No, it's a different, there is a different...

JEFF NEWMAN:

Yeah, this is Jeff. I know there were a lot of recommendations that a number of different groups, and there were some at the RPM. So, just want to focus on the ones directly to us, which you need us to work on. That would be great.

I did read the recommendations. That was only a few pages.

JONATHAN ZUCK:

Executive summary in the recommendations, that's probably high on the distribution curve of readership, probably.

AVRI DORIA: This is Avri. I admit it, I didn't even do that.

JONATHAN ZUCK: So, I mean, generally speaking, you've heard this part of the presentation entirely different than the discussions that we had in Hyderabad, and even in front of your working group in Hyderabad, that the general indications were positive about the new gTLD program. There was improvement in competition and consumer trust, and the adoption of safeguards. And there were definitely challenges associated with data in terms of getting, making as comprehensive an analysis as we would have liked to, on things like pricing.

But overall, it seems as though there is an increase in competition, and that the defensive costs of the new gTLD program, at least at this point, seem to be manageable basically. So on balance, it seems like a good start.

What we ended up doing is making some recommendations, and there are quite a few of them, and we've gone back and forth on that number, and a lot of why we left the number big was that it would facilitate conversation in this interim report, to have things be more granular, but one of the things we did do, that's sort of an expansion of the requirement that was imposed on us

by the bylaw changes that came out of the CCWG, that just asked whether or not they were a prerequisite.

We decided that wasn't enough of a distinction, but instead, to look at how things fell in a priority. And by priority, it really meant more like timeline. So, there are some things that we thought, should the low priority doesn't mean they shouldn't be done, but that they don't really need to be done until the next review team takes this up, for example.

And so ironically, high priority is in 18 months, which maybe before there is, in fact, a new opening, before there are any subsequent procedures. So, it's not a prerequisite per se, if you guys rush ahead and do a brand around, that now seems to be swirling out there. But those are the distinctions that we made.

So, high priority, medium priority, and low priority are all about timing. And prerequisite means that this has to get done before they can be anymore procedures. All right? Next slide.

So, I just said this. So, next slide. This was just an overall sort of snapshot. The debate you walked into is whether or not this is an overwhelming slide for the engagement session, but this is kind of the breakdown, both of the recommendations based on area. So, you can see the competition, choice, trust, safeguards,

and application evaluation, and how the recommendations are divided out into those sections.

And then horizontally, you can sort of see who the actor is for the recommendation.

UNKNOWN SPEAKER: Sorry. What's PP working group versus subsequent procedures versus RPM?

We're sub-P, right. What's PDP WG?

JONTHAN ZUCK: Yeah, go ahead, Eleeza.

ELEEZA AGOPIAN: This is Eleeza. I think that there were some recommendations that were broadly to, they should be preferred to a PDP, and we weren't clear on which one it should be, so it was a general, this needs policy work recommendation. That could probably be expressed better.

UNKNOWN SPEAKER: Yeah, not a recommendation that you start a brand new PDP, hopefully.

UNKNOWN SPEAKER: I think, Jeff had me up to the GNSO to figure out where it goes.

JONATHAN ZUCK: Or you can take it, you know, combine those two. All right. So, that's the breakdown there. So, you can see where you, the sub-P is there, there is about 10 of them that are directed. Is that number 10? I can't even see from here. Directed to you. All right, next slide.

Between 10 and 14, exactly. So, Jordyn, do you want to take this recommendation and make it a little bit.

JORDYN BUCHANAN: Sure. One of the things that we tried to take a look at in the topic of consumer choice, was whether or not the new registrations and new gTLDs were a consumer choice, or whether people feel obligated to register them in the form of defensive registrations.

And I think, we found generally good news, which is that there were lots of people registering in the new gTLDs for productive purposes, where they were trying to reach a new audience or so on. And I think on trademark protected registrations, and in particular, defensive registrations by trademark holders, we

found that in, for most trademark holders, they were either not registering in the new gTLDs, or if they were, they were registering a relatively small number.

The median was three, it turned out, in the TMZH report. But we did see that there a small number of registrants with trademarks, about 4% of them, were registering 100 or more registrations across the new gTLDs. And one of the ones in the analysis group sample, was registered in over 400 new gTLDs.

And so, we thought it was interesting that there is the sort of bimodal distribution of most of the trademark holders, registering a pretty small number of registrations, but some for whatever reason, feeling like they need to defensively register across 100s of new gTLDs. And we thought it would make sense to look and see whether there were any sort of protective mechanisms that might be targeted at that set of people that don't seem that well protected by the current RPMs.

So, it's that recommendation.

UNKNOWN SPEAKER: And that's... You're saying that that's more for the subsequent procedures than the RPMs?

JORDYN BUCHANAN: So, I think this is the one, one of the ones is directed to PDP, because... Either of those two will be a reasonable place, and I think it would be up to the GNSO, or the two of you to figure out which one of the two it should go into.

JONATHAN ZUCK: Does it make sense? You have a pained look on your face, Avri.

AVRI DORIA: I'm just not... This is Avri speaking. I'm just not understanding the recommendation 14.1 in regard to ICANN mission. But that's just me not quite understanding when we're supposed to stay away from content, now we tell people to...

JONATHAN ZUCK: Okay. We haven't even got to that one yet.

AVRI DORIA: Okay. I was seeing it implied in that one.

JONATHAN ZUCK: Okay. So, but are there any questions about 10? All right. I guess, Larueen, do you want to take a crack at talking us

through 14 and just seamlessly address Avri's concern as you talk about it?

LAUREEN KAPIN:

This is Laureen for the record. So, for 14 arose in the context of the consumer trust issues, and the findings in the Neilson survey that the public has an expectation that there is going to be a relationship between the name of a, a domains name and the content within that domain. So, this is a recommendation that sweeps in a lot of the findings from the Neilson survey.

So, the first one, I already identified. The second one deals with the relationship that the Neilson survey has found between registration restrictions, enhancing trust. And then the third factor here, it goes to findings in the Nielson survey that the public is very concerned about the safety and security of their personal and sensitive information.

So, this recommendation sweeps in those three concepts to urge thought about considering incentives to figure out how we can encourage registries to meet these user expectations. So, it's not dictating, and it's not saying you shall do this, or you shall not do that, but it's trying to bake into the system, how can we encourage this?

JONATHAN ZUCK: Jordyn, go ahead.

JORDYN BUCHANAN: Thanks Jonathan. So, Avri, two points that I would make. The first is, when you see that word content, it doesn't mean content in the way that you're scared of it. Like, if you think about like the content of the dot NYC TLD, to use a favorite of Jeff's, that is full of registrants who are all in New York City, so the content of that TLD is full of domains related to New York City, not that there is anyone policing whether the actual words on the websites have anything to do with New York City, but that TLD has created a nexus between the term, dot NYC, and the stuff that's in it, which is registrants from New York City.

So, content of the TLD as opposed to the content of the webpages. So, maybe we could use a different word there, but that's the intent. And the second is just to get to this general point with restricted... I think one of the things we saw pretty clearly from the Neilson survey, is that a lot of users do expect that there is, they would prefer restricted TLDs, where there is some, there is some restriction on who is allowed to register in them, and that happened very, very infrequently in the previous round.

And our sense, at least, was that, it's not really very good financial incentives to do that, right? Like, why would you...? Like if you could have a TLD like dot NYC, where everyone in the world could register in it, or just people in NYC, most of the time the financial incentive is going to be allow everyone in the world to register it because you could get some additional registrations then you might otherwise.

So, I guess the challenge, I think, we sort of had was to think, are there ways that we can somehow incent registry operators to consider models that weren't just open, even though the general sort of financial ingredients might work in the other direction, in most cases.

JONATHAN ZUCK;

One of the interesting things about the Neilson survey is that we didn't find that there was, like a fall off in trust associated the new gTLD program, but a lot of it is simply [inaudible] with awareness. Right? That there wasn't a lot of knowledge about it yet. But what it revealed that was interesting was, with all of these new words, there was this belief that what was getting created was a kind of semantic web, and so there is both potential and risk associated with that assumption among consumers, and so it's really a question of how to best address that in a way that we're not creating unmet expectations among

consumers, that see all of these new strings as a way to kind of divide up the web in a more sensible fashion.

JEFF NEWMAN:

Yeah, thanks. Obviously there is a limit as to the different types of incentives that ICANN could or we could even recommend, in terms of maybe even giving them priority. Certainly something, you know, if search engines would give priority to those TLDs with restrictions, that would be something good.

We can't, unfortunately, mostly it's incentives of things that we don't control, but I would love to see a recommendation that search engines prioritize restricted TLDs, that might be the incentive that they need.

UNKNOWN SPEAKER:

I think that's outside of ICANN's remit, unfortunately.

JEFF NEWMAN:

Okay, but that brings up the point of, what incentives, other than potentially the community type incentive of prioritizing, could you foresee? Or did you think about at all in terms of, that could be provided?

JORDYN BUCHANAN: We didn't really get to that level of discussion, I guess. I mean, I can think of a modest financial incentive, which is you can have a different fee structure, for example. You can have lower application fees. I don't know. Things like that might be some things. I don't know if they would be big enough incentives.

UNKNOWN SPEAKER: Sure, yeah, the next one is just a pretty straightforward recommendation. So in analyzing the voluntary picks, it wasn't always clear exactly what the intention of the registry applicant was, or the registry rather, since it's in the agreement with the picks, so we were suggesting, in the future, even if it's just a simple entry on the form, for stated goal, that they just state the goal of each specific pick, they're pledging to commit to. And this came about in part because it was difficult to measure the effectiveness of the voluntary picks because we didn't always know the proposed goal, and so this will also make it easier in the future to measure outcome.

UNKNOWN SPEAKER: Yeah, and maybe this is in the full report, so more of the background on this. I mean, I think picks were, they were added after the process that started. This sort of makes the assumption that picks are going to be the mechanism going

forward. I think that's a big assumption in terms of picks being the way that they were for this last 2012 round.

I'll read the context, but it may help, instead of calling them picks, or whatever, is to just get to the, you know, future gTLD applicants should state, what is it you're looking for. You're evaluating picks, I guess, but what is behind that? What are you trying to...?

Are you saying that there are certain commitments that each registry should make in the public interest, and then like, what is it that you're saying? So that we can take it in our subsequent procedures.

JEFF:

Yes, so there is a lot more context in the actual report, and we go over how voluntary picks came about. But if an applicant is making a commitment to do something, then we just want them stating exactly what their intention is with that, and part of the process of forcing applicants to state the goals of each individual commitment, you know, assuming it takes the form of public interest commitments or whatever, would be going forward, would be that then also that would better enable the community to just scrutinize if something really was in the public interest, or wasn't in the public interest, and what not.

JORDYN BUCHANAN: Yeah, Jeff, it's Jordyn Buchanan. I now address this to question 18 in the original, in the last round's applications where, it wasn't a score or anything, but you just sort of have to say what you're going to do with the TLD so then people can come along after the fact and see whether it seemed like you were doing that or not, and how successful you were relative to your goal.

JEFF NEWMAN: Okay, thanks. Sorry, it's Jeff Newman again. Yeah, I'm just trying to take this out of the pick contest and put it more into the, you know, what do we do going forward? Which may or may not be a public interest public commitment, but may just be a description of what you're going to do as a registry, as opposed to this whole separate concept of a pick.

LAUREEN KAPIN: This is Lauren. We were looking backward at the existing system. So, you shouldn't take our recommendations as saying, and you should do this again, but what I think you should view it through the lens of, if you are going to have a public interest commitment concept, if you are going to have a mandate for applicants to commit to certain actions in the public interest,

whatever name you give it, then what we are recommending is a requirement that they state what's the goal.

I am going to do X, because I want to diminish DNS abuse. I'm going to do Y because I want to make sure sensitive health information is protected. So, it's that last part, I'm going to do X because my goal is, that's what we're recommending. But you shouldn't take it through the lens of, please do it the same way again.

Looking backwards, we're saying, this happened, and we see this absent part, and we think if you're going to do something conceptually like this again, you should have that absent part remedied by making it explicit. I hope that's helpful.

JORDYN BUCHANAN:

It's Jordyn Buchanan. I'll just add really briefly. There are a couple of recommendations where we do say, we do look back retrospectively and say, that worked really well, you should keep that. So, like GAC early warning, for example, our view was that was very helpful, and that should be a feature of any additional grounds. But I think we didn't make that statement with the picks.

This is more like, if you're going to have picks, next time, make them more like this, essentially. But you know, if you guys just

want to say, picks are dumb, we shouldn't have those, then I don't think anyone here, we don't have a recommendation related to needing to keep them.

UNKNOWN SPEAKER: I think the issue with picks is that the goal, if you talk to most of the applicants, the goal was to avoid GAC advice, is what they'll tell you. I mean, I'm being totally serious, right? There was GAC advice or early warnings, and as a potential fix, the ICANN Board basically said, in order to kind of push off the issue, said, okay, registries, you've got these comments from the GAC, now go, tell us how you're going to address it, and we'll call it picks, and to make it go away, registries pretty much did.

So, what we're trying to do is to cure that, not ever have a process where the GAC would then, we're hopefully trying to avoid that type of thing. So, but I understand that the background of that is if a registry is going to make certain commitments, that they explain why they are making certain commitments, to aid evaluations going forward.

LAUREEN KAPIN: And that's one of the reasons why in the public interest commitment section of the report, we go through this somewhat

complicated history, because it's quirky, and it's unique, and that's one of the reasons we take the time to go through it.

JONATHAN ZUCK: I guess we did come down in favor of GAC early warning as a concept, so I guess there is still that dynamic of trying to address issues as they come up is probably going to, to potentially still exist, even if it's improved on, right?

UNKNOWN SPEAKER: No, I mean, I was just going to say, yeah. If people are going to try to address GAC early warning, then I think you have their goal, is to address my goal in doing this cure, is to cure my application so it doesn't get an objection from the GAC.

JORDYN BUCHANAN: But in the last round, there were a large number of people who adopted voluntary picks who didn't receive GAC early warning. So, in those cases, you wouldn't know, like, it's not obvious in those cases why those people did that.

UNKNOWN SPEAKER: They thought it was required. I think there was very bad communication of why we're having picks, and it was very

unclear, but yeah. Hopefully, our goal in the subsequent procedures is to make processes more clear, as opposed to... So, to the extent we understand the recommendation, I think.

AVRI DORIA:

Yeah, picks came in as a threat, and a lot of people reacted to the threat, because picks seemed very threatening, you know, to people's applications. So, we better get one.

DAVID TAYLOR:

Hi, David Taylor for the record. I was just going to say that I thought that the second part of that recommendation, if we had had it up there, would have probably clarify, and that's exactly the thing, I mean, these picks were because of GAC early warnings and avoiding that. So, what was the objective of the pick? And if you read the whole one for future gTLD application, state the goal for each of their voluntary picks, the intended purpose is not discernable for many voluntary picks, making it difficult to evaluate effectiveness.

So, I mean the rest of the recommendation kind of underlines the issue with the recommendation and the issue.

JONATHAN ZUCK: Unless it's the binary effectiveness of having gotten past GAC early warning, I guess, then that's a yes or no. All right, next, Drew again, I guess, this may be under the same...

DREW BAGLEY: So, this is going along the same lines, and as Lauren mentioned, we're looking back at the way it was, and how that can be improved upon. So, this is, you know, assuming that there are voluntary picks going forward, or some similar mechanism, just that, of course, it should be done in a more orderly way than last time.

And so that there would be an opportunity for community feedback, and that would essentially be the mechanism by which the community could scrutinize if someone is making a commitment to do something, whether or not it's truly in the public interest.

UNKNOWN SPEAKER: In this slide, I don't know if it's just shorthand, but is it just to give the GAC an opportunity? Or, because you said it differently, which I agree with the way you said it, which is there should be opportunity for the community to review, but this slide says there should be opportunity for the GAC to review. I would

consider changing that, if you want a positive reaction from registries and the community.

Because right now, it just says opportunity for GAC.

UNKNOWN SPEAKER:

It has both.

I'm looking at the slide it says, should be submitted during the application process so there is sufficient opportunity to meet, opportunity for the GAC review.

[SPEAKER OFF MICROPHONE]

How about just saying, opportunity for the community?

All right, so the recommendation is for the community, okay.

JORDYN BUCHANAN:

The important part here is that, it's done in a sequence, such that like, GAC... So GAC advice, not the early warning but the proper GAC advice, should be able to take into consideration, whether or not these picks were in place, and similarly, community and LPI objections should be able to take into account whether the picks were in place.

So, the idea here is that, all of the later processes where people might decide that your TLD is a bad idea, you first have the opportunity to adopt picks prior to those other, the deadlines for the other things expiring. Does that make sense?

UNKNOWN SPEAKER: Yeah, it makes sense, yeah.

JONATHAN ZUCK: Okay. I'll talk about the last two here. I mean, this has to do with applicants in the global south, which ended up being a part of our objectives that when we started out to see whether the application evaluation process was effective in serving, you know, underserved communities, or developing economies, and basically concluded that it wasn't, but also sort of concluded that there wasn't any set objectives associated with it either.

In other words, the regional program, Avri and I have talked about this quite a bit. There wasn't some goal, let's try to get this many applications, etc. from the global south, and it wasn't an overt goal to try to bring about applications from the global south. And so, I think that one of the first things needs to happen is for the community to make an affirmative decision about that.

There are things that we can do to kind of remove barriers to entry, that are separate from things that we can do to encourage entry. And I think that we need to make a decision as a community about which of those things we're trying to do, and that will have an effect on the reforms in this particular area.

So, from a straight, sort of like, effectiveness standpoint, the communications should have started earlier. We make some recommendations about different channels that would be better for an outreach program to use, so that the right people are getting them. But there were also issues surrounding business model templates and things like that, that came out of the, and global report that said that it wasn't clear to people what the underlying business model was for a new gTLD.

And I confess, I remain sort of concerned about setting an objective like this, where there is a lot of take up of ccTLD registrations to begin with. In other words, it's the market there, is it a scam to convince somebody to take on a new string if there isn't a market there for it. That sort of thing.

So, I feel like that's a big decision we need to make, and that there is a set of recommendations associated with encouragement versus straight facilitation. So that was one piece, and the other thing is related to the applicant support program. There were two pieces to it, one of which, I confess, I

didn't even know existed, which was this match making service between people that were willing to consult with potential applicants and applicants that needed consulting.

And there were in fact, far more volunteers in both of those lists than there were applicants, from the global south, but there is absolutely no record whatsoever, that anything went beyond them, adding themselves to names that there was any communication that happened between them, etc.

We reached out to everyone that asked for help, and everyone that offered help, and got zero replies from any of them. And so that's a complicated factor. So, one of our recommendations is about ICANN playing more of a coordination role, more active coordination role, sort of facilitating that pro-bono support, if you will, in the applicant support program.

And I think everybody agrees that the financial support with two applications, or whatever, needs revisiting as well. But I think all of those stem from the community making a decision about whether it's an overt objective to get more applications from the global south. Does that make sense?

UNKNOWN SPEAKER: Yeah, I think it does. The reason you got zero response is the amount of time that has passed that original, as I remember it,

because I was at New Star at the time, and I remember putting our names on the list, and I can tell you that zero requests for consultations came in. But I can only tell you because I've been around that long.

JONATHAN ZUCK:

But the ironically, we know that that wasn't, that that isn't true as a general fact. So, I don't know what that even means to you. So, that may mean, if the onerous was on you to go look for them, because they were there. In other words, the request for help was there as well, on that same page, but I don't know if that generated a notification to you or not.

There is no explanation about that. So, that's why we're saying that there ought to be a more coordinated version of that if we do it again, and there is definitely a desire among potential applicants in the global south to have such a program in place, for sure.

UNKNOWN SPEAKER:

And I can tell you, I didn't even know that there was a page. And going back in time, that was, that had never been... I'm giving you some feedback. [CROSSTALK] as being a responsible for New Star, the registry business, at the time, I can tell you we said

we would talk to people, but we never saw a list or got anyone contacting us any further than that.

JONATHAN ZUCK:

Which further underscores the recommendation, for sure. Okay. Next slide.

So, those are not recommendations to them, right?

What was the thing about GAC advice that...? That feels like one that isn't for subsequent procedures. It is? So, go back one. What happened? Did you...?

Okay. So, is that you, Megan? Do you want to talk about that one?

MEGAN RICHARDS:

Well, I think if... Is this not the early warning advice we had proposed? Yes. I think it's related to early morning, particularly. We suggested a template for the normal, the general GAC advice to identify clearly what it is. I mean, the bylaws require all the other bumps that goes along with GAC advice.

And then we suggested a template, and then for early warning, we suggested that this be clarified even better in the applicant guidebook so that applicants could understand what was

involved, and GAC early warning, which seems to have been very useful, to perfect applications, be provided in sufficient time for the applicant to be able to adjust, to make sure that it met legal requirements, etc.

That's really what it's supposed to say.

JORDYN BUCHANAN:

Yeah, I think for 47 in particular, this is for the normal, this is not for the early warning, but the post-advice, and I think the idea here, is that the GAC, the early warning process, I think from our perspective, went pretty well, but after that, the GAC advice process was pretty chaotic, I guess we'll say. And so the idea here is to try to provide more structure around the GAC advice on individual applications.

And so, we suggest specifically that there is some sort of template that they use, and that it meets the other requirements articulated in the bylaws about GAC advice being enunciated, actionable, rationale, etc. So, this is just to make sure, to the extent that GAC advice is anticipated in future guidebooks, is that there is more structure around it than there was in the last round.

UNKNOWN SPEAKER: So is there, again, I [inaudible], is there a discussion? Because you've sort of made the conclusion that early warnings worked well, what does that mean? That means it got... What does it mean that it worked well?

MEGAN RICHARDS: Read the report to know that. [LAUGHTER] No, it worked well in the sense that we looked through all of them, and some, of course, were complex, but they had important public policy considerations. Others were relatively clear, because they identified specific legal cases. I use my simple example of dot GMBH, which requires that anything be registered under dot GMBH meet the legal requirements of German speaking incorporation, incorporated organizations, or incorporated corporations, etc.

So, those things were relatively easy for applicants to address, and to resolve and improve... [Phone rings] Excuse me. Heavens. And improve those cases, so those worked very well. And but the argument was that it should be even clearer in the applicant guidebook, and give enough time for the applicants to be able to react and make their adjustments as required.

The public interest commitments was slightly separate issue. It's all in the draft.

UNKNOWN SPEAKER: Sorry, I just got it.

JONATHAN ZUCK: So, shouldn't mean that. But does that make sense in terms of what we're talking about, in terms of success? Because you're pushing back on this notion of early warning, it sounds like, and so I just wanted to [CROSSTALK] using the same vocabulary.

UNKNOWN SPEAKER: There have been some discussions of that to applicants, it wasn't that successful because applicants didn't know the ramification of one country filing an early warning, versus did that mean the whole GAC felt that way. Did that mean...? Okay, should I really...?

From an applicant's perspective, you know, okay, yes, the country of whatever, is filing an early warning, because it only took one country to file an early warning, but it takes consensus of the GAC to file advice. So, applicants were very confused, okay, do I really need to address it if it's only an early warning from one country?

So, that part of it... But that's not what your recommendation is more on providing enough information for governments to

make an actionable early warning. But that still doesn't address what we've heard from early side, which is applicants being confused as to what an early warning actually meant.

MEGAN RICHARDS:

But then that's just something that needs to be clarified in the applicant guidebook. I think that's all it takes. The early warning was not GAC advice, that's absolutely clear. They knew that. But, you still have to do it. For example, and I'll use the dot GMBH case again, because I think it's clear and simple, the German speaking jurisdictions said, those of you using, or whoever gets the successful dot GMBH, should ensure that anyone, any registrant, using dot GMBH qualifies under the legal provisions meaning what dot GMBH means under legal terms.

That's pretty clear. And I said yes, we'll do that, and so the winning applicant in that case happened to be an American registry. So, it had nothing to do with where you're registered, who you are, etc. It had to do purely with meeting those legal requirements. And they say, yes, we'll do it, and they did. That's a clear... I'm sorry to use a simple case. There are lots more complicated ones. But that worked clearly and well and easily.

And so, in order to make sure that applicants know what the concerns are, the public policy concerns are, the idea is just to

make it even clearer in the applicant... That's what you're going to be looking at anyway, when you do your, that's all. It's nothing more dramatic, I think, then that.

I'll use the other one. Here is another one, which I think, I don't know if this goal got taken out of the draft, I can't remember, but dot Swiss, for example. Swiss Airlines applied for dot Swiss. The Swiss Confederation said, you can't do that. That's us. So, they submitted a GAC early warning in that case. And that meant that Swiss Airlines dropped their application, and of course, the Swiss Confederation won the case, if you like. And said, no, this is a geographic name, it has certain implications.

And so, Swiss Airlines can't use it, even though they're one in the same thing, if you think about it. So, that's another case of early warning that was clear, effective, had clear requirements, and was very useful. The GAC general advice [inaudible] a different case, but they're treated differently in the report.

JEFF NEWMAN:

Yeah, I mean, you've pointed to examples where the early warnings were pretty clear, but there were a number of examples where it was just early warnings where the governments weren't necessarily clear as to how one could cure the deficiency. So, that's, I agree, that yeah, it would be good to

get a really clarity on, in order to file an early warning, you have to state the grounds and what could be done to cure that in order for it to go forward.

And honestly, some of them may, early warnings may say there is nothing you can do. And that was an issue, that some of the early warnings were, there is nothing you could do to cure it.

JORDYN BUCHANAN:

So Jeff, I'll make two points. Sorry, it's Jordyn Buchanan again. First is that, so we did conduct an applicant survey, and included questions about GAC early warning and GAC advice, and so I guess we could probably share the raw data from that with you as well, but I think that reflected the general sentiment that we're expressing, which is that, in general, people were more, applicants were more satisfied with the early warning process than with the GAC advice process.

And that early warning seemed to be more clear, comprehensible, etc. And then, I think, secondarily, I'm sure it's possible we make some minor recommendations with regards with improvements to early warning, and if you guys want to further contemplate that, I don't think we would have any objection.

But I do think that we saw a pretty big difference in terms of, both in terms of applicant satisfaction, and then when we looked at sort of on a results basis, like on that Swiss, even if there is nothing you could do about it, it's helpful to get that early warning when you can withdraw and get more of your application fee back, then proceeding down the process and getting GAC advice later, that still prevents you from proceeding to delegation.

You might as well find that out really, right? Hence the early warning.

JEFF NEWMAN:

I guess that's what I'm trying to say is that, an early warning only had to be one government, whereas GAC advice has to be consensus of the GAC. And so, what was not apparent to certain applicants was that yes, I know that one government is saying they don't like it, and there is nothing I can do about it, but should I withdraw or...?

Because I don't know how the rest of the GAC feels. So, I'm either going to take the risk that it's just that one country that issued the early warning, that it's not going to get GAC advice, or is it likely to get GAC advice and therefore I should withdraw.

Again, very different question. And I know it's a very different angle that we're hearing comments on. But yes, the raw data, your initial point, we would love to see the raw data and you probably...

JORDYN BUCHANAN: Yeah, I'll just share, this is anecdotal, right? But certainly, as an applicant, if I got early warning from one government, I would talk to other governments to figure out whether that was a widespread...

UNKNOWN SPEAKER: But, you're Google. Right? That's very different than any individual could just...

JORDYN BUCHANAN: Okay, we can talk about this later. But in any case, I do think there is data to substantiate the notion that applicants reacted very differently to... Applicants had a generally more favorable impression and found the early warning advice much more actionable than the general GAC advice.

JONATHAN ZUCK: Okay. Let's forge ahead here, because we're running into lunch. Megan, do you want to talk about 48?

MEGAN RICHARDS: Yeah. Community based applications as well. Of course, you know that there will be a number of issues raised on community based applications. We have the ombudsman's own initiative report, or [inaudible] mission report, I think he calls it specifically. There was also the Council of Europe report which came out just a couple of months ago.

And it's clear that this process wasn't the best in the bunch. So, we recommended that this be reviewed before any new launch, I'm sure you know the case. And then on dispute resolutions, we found that there were...

I mean, this was a much more complex case than what is there in recommendation 50. To make it short and limited to what's there, is that, exactly, there were, of course, the four different procedures for different case kinds of dispute resolution, you could raise. They were in three different forums, and sometimes the results were quite unusual, let's say.

One panel would say yes to something that another panel would have said no. So, what we recommended is that there be a full review of the dispute resolution process, not you do it, but that

exists, and that this be carried out at some point, for any new round.

It doesn't mean that it has to be done before a round you see it says prerequisite or priority low. It doesn't mean it's low in importance, it's low in timing. So, it should be done before the end of the next round, let's put it that way. So that any new round would have a clear dispute resolution procedure that they can [CROSSTALK].

UNKNOWN SPEAKER: What happened to the money jar?

JONATHAN ZUCK: The Euro is so devalued that we stopped taking money from Megan.

UNKNOWN SPEAKER: Thanks. We are obviously addressing both 48 and 50, to some extent, not a thorough review, but at least, there are certain common elements of a number of the areas where there would have been disparity between the panels. So, things like plurals and singulars, and other... We are looking at that. So, thanks.

DAVID TAYLOR: David Taylor. We should have recommendation 49 up there, shouldn't we? Because that's the one which is prerequisite such as, for the subsequent procedures and talks exactly about that, singular plurals, etc. So, it strikes me we haven't got the right one up.

JORDYN BUCHANAN: Yeah, 50 doesn't feel like it's targeted towards the...
[CROSSTALK]
[SPEAKER OFF MICROPHONE]

DAVID TAYLOR: And that ties up exactly what you're saying, Jeff, because it's subsequent procedures should consider adopting new policies to avoid the potential for inconsistent results in string confusion directions, in particular, the PDP should consider the following possibilities, and that's set out in there, and that's a prerequisite. So, that seems to be the one that should be up there.

JONATHAN ZUCK: This last slide is the timeline. And for those of you listening abroad, and there are two more studies that we're waiting to get results from. We thought we would get some preliminary results

yesterday, but we did not. So, the [inaudible] survey has closed, but doesn't have results yet, and the DNS survey is still kind of beginning. It's due in June, but we hope to get interim results before that, that will talk a little bit about, you know, some more of the downside costs that we don't have data on.

And hope to deliver a final report in July. So, that's it.

UNKNOWN SPEAKER: Thanks. I think, in just going over this, I'm just kind of thinking and looking at, see if some of our ICANN staff support here, I know Steve and Emily. There you are. We should probably file a comment back in the public comment of the things that we are already addressing or at least acknowledging the other ones.

So, we'll do that in a form of a comment back. And final report [inaudible] for July. Okay.

JONATHAN ZUCK: That's it, I guess. Anything else that you wanted to discuss?

UNKNOWN SPEAKER: No, I think we're good. Any other questions you have for us?

[SPEAKER OFF MICROPHONE]

JONATHAN ZUCK: Do you guys know your timeframe?

UNKNOWN SPEAKER: Our timeframe? Yes, we are, by the end of the year, we'll come out with an initial report, and by, I guess, mid-2018, come out with a final report.

The other thing is, I do want to say, is we have a document called CC2, or Community Comment Two, which is available on our Wiki, which we should probably send a link to, well, I guess, you can have it circulated. We have a number of questions that are going out to the community, very specific detailed questions on each of the work tracks, hoping to get a response from.

And so the more responses we can have to that, the better. That's going out. It's available now, but it's not officially going out for comment until after the ICANN meeting, and should be open until probably around May 1st or so.

JONATHAN ZUCK: How have response rates been for you? This is your third one right, or your second one?

Meeting - Day 2

UNKNOWN SPEAKER: Second one.

JONATHAN ZUCK: How did the first one go?

UNKNOWN SPEAKER: First one was okay, it wasn't as great as we thought. It only went out to constituencies, stakeholder groups, and ACs. Now we're hoping it's going to go out to them too, but we're hoping anyone can file comments on it, and is invited to file comments. So, hopefully it will be more.

AVRI DORIA: ...the first one, this is Avri speaking. Let's put it that the first one came out with enough comments that were difficult, that we're having to work our way through. The quantity may not have been high, but the questions that made us work and ponder.

And you'll find in the CC2, questions that could be considered cousins of some of your requirements that, there are pieces and parts of, you know, the responses to some of your requirements. So, you'll see them reflected there.

JONATHAN ZUCK: This is lunch, but we have the GDD folks coming at 1:00, so maybe go take your bathroom break first, and then bring your lunch back to your desk.

Hello, and we've expanded our numbers here to include folks from ICANN staff to, at our behest, to react to the report and some of its recommendations. So sorry, sort of blending with lunch, so you're going to be talking over the clinking of plates, but please share your thoughts with your team and we'll get a conversation going.

So, Akrim, I'll turn the microphone over to you. Please introduce yourself for the recording.

AKRIM: Thank you Jonathan. My name is Akrim [inaudible], and I'm the president of the global domains division and ICANN staff, basically. So, we didn't get enough time to actually do a deep down analysis and review, and to each one of the recommendations on its own merit. But we had, we try to kind of look at them from, you know, overall perspective and see how we can bucket them into different kind of recommendations that we basically can implement with the current budget and staff that we have, versus additional requirements that are not in the current budget, for example.

So that we can give you some perspective of what we think would be longer term versus shorter term implementation, if we get all of these recommendations as they are. And we found that there are a few, you know, that basically we can do, currently, but there are many that would require additional resources and additional budget.

Namely, all of the ones that require additional studies and surveys, for example. We don't have in the budget enough money to actually do that without waiting for the next round, next budget cycle. There are many, also that are questionable, whether we can do them without actually effecting contract changes with the registries and registrars, whether we can do them without some development of software tools and things like that.

So, there are a few of these things that are probably going to be longer term for us to implement. There is a few recommendation that we thought, you know, we might get resistance, and it's not really in our control even if we wanted to do them, it's not in our control to behave, to implement them if we don't get support or help from outside parties.

So these are difficult for us to commit to, because we can't guarantee that outside parties will actually do except that and deliver data for us, for example, that we need. There are also

recommendations that are addressed to multiple parties, so ICANN organization, as well as, I think, the review, the, what's it called?

The subsequent procedures review team, or PDP, as well as the GAC. And so, it would require, I think, a little bit more clarity of what you require from each one of those parties to do, so that we can actually have a better understanding of our role that you expect us to do.

And then there are some recommendations that we think require some more deep dives for us to really access and do. But the overall perspective that I have, this is that, it's there are a lot of recommendations, and they are extensive and deep recommendations. They're not, you know, quickly do a paper here, do a paper there, come up with something that we can finish within six months.

For example, we can say, you know, half of these recommendations are implemented. So, they are actually extensive in depth and breadth, and so they will take time to implement. You know, other than that, there are some...

Some of these recommendations that, in my view, are very superficial. I think they might be duplicative in one way or the other, like if you can get an outcome from one, do we need to

get the same outcome from this one as well, right? So, that would be a pairing down of the work that we would have to do to actually get you the answers that you're looking for, and that would be very helpful, for example, for us.

So, these are like very high level recommendations. But it is a lot of work. I mean, looking at the recommendations, it's substantive, it's very substantive. I hope that covers, you know, the overall picture that we're looking at right now.

JONATHAN ZUCK:

Do you want to put any recommendations in the categories that you're describing? Because we don't know how to operationalize what you've just say. Those categories all sound interesting, but I mean, do you have examples, or have you broken things into those categories? Or what's the...?

UNKNOWN SPEAKER:

This is [inaudible] for the record. So, some of the buckets that Akrim talked about, one of them being, those that will require new resources, either in terms of many, or people, essentially all of the surveys and studies that were recommended, and I think I may have been around 13 or so of those, there was a recommendation for a new data scientist, of course, that being another.

And then, there were a couple of recommendations relating to outreach for the next round. And, you know, of course, depending on the specific studies of that average program, it could require additional resources and/or many, and then coordination of the pro-bono program which was another recommendation.

Obviously, that's not something that we are currently doing, and we need to define what that coordination look like, or what that program would look like. So, those are examples of the recommendations that would fall in the bucket of requiring new resources.

JONATHAN ZUCK:

Okay, so this is Jonathan for the record. So, I guess the question is, my guess is we understood that they would require additional resources. So, what is the best way for us to help you with that? I mean, I don't know what to do with that information. I think we were, we realized that some of these things have costs associated with them, but the question then is, what do we...? What should we do or say differently because of that?

RAFIK:

I mean, from our perspective, we could actually do a deeper dive into these things, and come back with some, you know, an

opinion on how to trim them down, or how to, you know, do things in a more operationally effective way. Still get the results that you're looking for, but maybe in a different, with a different approach, but that would take us, probably, a good 30 to, a couple of months to actually get back to you on that.

We plan to, once the recommendations go to the Board, the Board is going to expect us to do a full analysis of this cost and everything, before they actually address recommendations. So that's... We were planning to do that at that point, you know, deliver a paper to the Board on visibility analysis and on all of the costs and all of that, at that point in time.

But we could, if you prefer us to take the time, do the analysis, get back to you first, we could do also the, do it that way as well. That's another approach.

JONATHAN ZUCK:

I think certainly the review team would be interested in getting that kind of feedback during the comment period, or close to it, if possible, so that we have the opportunity to make changes and make the report as feasible as possible, if you see areas of non-feasibility or, as you say, duplicative things that can be combined or efficiencies that could be created, I think we would welcome that kind of advice from you.

I guess, just generally, the idea of things might take more resources isn't something that is going to put us off of a recommendation necessarily, right? So, as far as how we operationalize your comments from today, I understand that, they're recent and things like that, but those categories are things that make sense, and we will go back after the comment period, and I'm sure we'll get a lot of feedback about detail for specific groups that are targeted, etc. and we need to go back and make refinements there.

I mean, one of the differences about this review team from previous review teams, is in a plan for at least a subset of the review teams remain constituted to help with implementation after the fact, so it's not just throwing them over the [inaudible] as has been the case in the past, and then complain later that the implementation wasn't done the way that we thought it would be or something.

So, I think we'll be around to help sort out the specifics of execution and things like that, after the fact, in some cases. But I guess, is there anything that jumps out of you that we ought to be trying in the very near term to address, or just pass the message back to you that we would welcome that specificity?

RAFIK: So, when I talked about resources and the monies, my thinking wasn't that should dissuade you from doing the recommendations. It's just that it would actually take longer for us to implement things, the recommendations, the more they require, funds and additional resources that we don't have because you know, you need to hire people, get them up to speed, you know, get the program going.

The things that require software development, for example, and stuff would take a longer time. So, the more deep and involved these recommendations are, the more time they're going to take for us to implement. So, that's one of the purposes of breaking it down that way.

When is the comment period ending?

[SPEAKER OFF MICROPHONE]

So, if we can do a deeper dive into these recommendations and come back to you sometime by, I don't know, mid-May maybe, is that acceptable?

JONATHAN ZUCK: It is. We'll take them whenever. I will tell you that we have a face to face schedule just before the GDD summit on the 7th and 8th. So, having a face to face and the ability to address them at

that time would be more useful, if possible. And I think we'll take the feedback whenever we get it, but that's a good milestone for us in terms of our ability to process them as a group.

RAFIK: Okay, I think that's great milestone. Let's shoot for that. We'll try to get as much review and analysis as we can, and come back with some recommendations, and we can discuss them during the GDD summit. That sounds good.

JONATHAN ZUCK: Okay. I'll say that you probably also notice that we kind of coded the recommendations on a timeframe as well, and so, we attempted, at least, to look at things we were going, might require contract changes, or things that might require software updates, etc. and try to prioritize them differently than things that that didn't.

But there was still some things that we've considered to be prerequisites, and so in our sense, we don't care how long they take, it's a more question of the consequences to subsequent procedures, and that's where that conversation becomes critical, is about understanding whether or not they understand

prerequisites, and just push out the program for however long they take to implement.

RAFIK:

On the contractual changes, there are two things that come to mind. We have certain, we have a process now to negotiate the registries on a regular basis, contract changes. The issue is that it took us like, what? Three years now almost, to get some things that were just clean up to the contract negotiated. So, it takes time. So, it's not my view, it's not, it hasn't shown that it's a good way to make substantive changes to the contract that way.

But definitely, if there is, if and when there is a next round, or if, you know, it's open forever, or whatever, we would have to do a guidebook, and we will have to do probably a new contract, that would be the appropriate time where we can actually put things in the contract that could move things forward much faster.

JONATHAN ZUCK:

That makes sense. I guess, part of the complexity of that, obviously, is that there will probably another review. So, some things we've got scheduled around the next CCT, and empowering that group to have more data available, particularly about pricing data, transactional data, etc. that

wasn't made available, that would allow us to better understand what the competitive effects were of these new strings being added to the new program, etc.

And so, that's the context in which it matters, right? When it's looked at again, as opposed to being an operational concern in that case. So, a lot of the data related requests, are because we're trying to evaluate, use data to evaluate the success of these programs achieving their goals, and we need to just get data to do those assessments, less so than needing data in order to have a program, for example.

So, it could be that a new contract for a new round might be soon enough for some of them, because... I guess it would depend on the new round was, what the new subsequent procedures were, but that's the issues. So, some of those things, if they're graded as low, all that means is that from a tiny perspective, it would be ideal to have that data for subsequent review processes.

RAFIK:

One thing that also brought to my attention, was on reviews and studies, and surveys, and stuff, if we have more detail on frequency of these things, and stuff, that would be very helpful for us also. So, something to keep in mind as well.

JONATHAN ZUCK: All right. We'll take another spin on that through frequency and things. I know one of the issues that I think we put as a prerequisite had to do with being able to get more data, more specific types of data, from compliance. And I think we have a recognition that that will require some software related changes and things like that.

I think we have an understanding that there is a time consideration there, but I think there is a pretty strongly held belief that in order to really understand the impact of safeguards, and things like that, that we need to have complaints, coded specifically to safeguard, so that we can measure the success of individual safeguards, for example.

And so, that's one area where we had things as a prerequisite, even though there is a time consequence, and a potential delay to subsequent procedures associated with it.

UNKNOWN SPEAKER: Thanks Jonathan. There is one more thing. I notice that some of the recommendations, particularly I think 33 through 36 requires data collection, and/or studies to be done, and those recommendations are directed towards ICANN org, as well as the PDP working group. So, I just wanted some clarification in

terms of timing and whether or not there is sufficient timing built in there for ICANN to collect and/or perform the required studies, and providing that analysis, if you would, to the PDP working group to inform their discussions.

Because I think there is project management timelines for the PDP working groups.

One more thing, if you wouldn't mind, as I was going through some of the recommendations that directed towards multiple entities, and for some of them, it's clear what the roles and responsibilities are, but for some, it's not as clear. For example, there was one recommendation relating to GAC advice, I believe, that was directed towards ICANN org, the GAC as well as the subsequent procedures PDP working group.

And it's unclear, sort of what is expected of ICANN org, versus the GAC, versus the PDP working group. So, for those recommendations that are directed towards multiple entities, perhaps some clarity, some additional clarity would be helpful.

JONATHAN ZUCK:

Thanks. We'll take that under advisement. I think we're so deeply in it now that it's obvious to us, you know, that there needs to be updates to the guidebook that suggest timeframes for different types of advice, the GAC needs to have clear advice,

and so maybe those things got to merged together and weren't clear, so we'll go back and revisit those.

Anything else that you want to share with us? And does anybody from the review team have questions? I feel like I've been... All right.

Well, thanks for coming.

RAFIK:

Thank you for having us, and hopefully we'll get the process underway when we meet at the GDD summit, and then the process will continue through the Board submission, and all of that. And then once the Board approves those recommendations, then we'll be able, hopefully, to give you a plan for when the implementation will start, and then give you, keep you apprised of our progress as we implement things.

JONATHAN ZUCK:

Great. And we'll be there to help with answering questions about implementation and things like that, so that you're not operating in the dark, places that were vague. We had this discussion with Jamie about compliance, that a lot greater specificity in terms of additional data needs to happen, so we're going to spend some time on that as well, for example, to figure

out exactly what would be most helpful in terms of how the data gets collected in the first place so we can get things back out in that way.

RAFIK: If I may ask? Do you have a plan to have a small group that will continue to monitor the progress of implementation? Or do you plan to do that?

JONATHAN ZUCK: So, I think we plan to have a small group that will continue with the process of implementation, but beyond that, we haven't discussed how that group will be formed, or who would be on it, or anything like that at this point. It might just be attrition at that point. People that are still talking, they may get to be on that group, and people that are no longer talking to me, don't.

RAFIK: One more question. Is Jordyn going to help us get these contract changes? Or is he going to stay on the other side and say no, no, no?

JONATHAN ZUCK: He's committed to being helpful. All right. Well, thank you very much for coming, and we appreciate it, and we look forward to working together with you to increase consumer trust and competition and choice. Thanks.

UNKNOWN SPEAKER: Jonathan, do we have a few minutes? What's next?

[SPEAKER OFF MICROPHONE]

Are we taking a break or, no.

[SPEAKER OFF MICROPHONE]

JONATHAN ZUCK: Jonathan Zuck for the record. We had three big slots in our schedule that was about sort of ingesting feedback from [inaudible], from DNS abuse, and from GDD, and I think in all three cases, we don't really have anything specific to ingest.

So, I mean, I don't think there is anything for us to do with the feedback we got from those guys. It was mostly factual. So, I think what we need to do before we leave here, we did accomplish Stan's goal of defining parking before we left Copenhagen. So, the other goal that we need to have is to make

sure that we feel comfortable with our presentation for tomorrow morning at 9 AM.

And so, I think that's got to be our number one goal. And the presentation for the Board, to the extent that it's different. So, let's get those two things figured out, and then I will let you guys go.

Oh, did you think you were leaving now?

[SPEAKER OFF MICROPHONE]

But you're already leaving them in April.

[SPEAKER OFF MICROPHONE]

You're part of CCT for life.

[SPEAKER OFF MICROPHONE]

We're going to do it now. So, I don't know how to tell you what's best for you, but I mean, that's what I think we need to do now.

[SPEAKER OFF MICROPHONE]

[SIDE CONVERSATION]

We can skip ahead to the application evaluation slides.

So, here, when we get to, when we're talking about the global south, we had two primary sources. One was an applicant

survey performed by Neilson, and then there was what we're calling a cohort survey, or focus group, that was performed by AM Global, where he reached out to, you know, applicants that might have applied, but for, you know, improvements to the program.

So then we list here some of the things that we were talking about, determining the objectives, this was the stuff I was talking about with Jeff and Avri. A more comprehensive program of conference participation and other channels for outreach, thought leader engagement, traditional media, outreach, etc.

There was also a big emphasis among the cohorts of round, wanting more understanding of potential business models and case studies for success that we didn't have then, but do now. And it should start a lot earlier, and we need to revisit the applicant support program, both the financial aspects of it and the non-financial aspects of it, because the non-financial aspects appears to be something that people vaguely remember, but there is no actual record of, in any meaningful way.

So, but yet, there was obviously some interest there based on the sign ups that happened on both sides of that equation. So,

those are the findings around the global south. Does anybody have agreements or disagreements about that?

I guess mostly disagreements I'm looking for. All right, next slide. So, when we talked about the, these are some of the inputs to this was the GAC records early, of early warnings, etc., the ombudsman report. And you mentioned the, Megan, the third study was the one that came... Council of Europe.

So maybe we should add Council of Europe to.

MEGAN RICHARDS: It's already in the footnote. I put it in the footnotes. So, in the... I didn't double check the draft, but...

JONATHAN ZUCK: It's in a footnote. I just mean, should we be talking about what we went to for resources here, to explore these things. So, I'm sure we added to this slide for tomorrow is the question I'm asking now.

MEGAN RICHARDS: But the ombudsman report is on a different issue. The ombudsman report is on the community application.

Meeting - Day 2

JONATHAN ZUCK: Okay.

MEGAN RICHARDS: So, this is the community based application. The top is supposed to be the source of the data?

JONATHAN ZUCK: That's right.

MEGAN RICHARDS: Okay. Yes, in that case you can put Council of Europe as well, but there are a whole series of other things. For example, in this case, all the string similarity review, you don't have any of the references to that, or for the dispute resolutions. None of that is there.

JONATHAN ZUCK: Sources you mean?

MEGAN RICHARDS: The sources are there.

JONATHAN ZUCK: Okay. John-Baptiste, you helped the panel on this presentation. Are you recording? Okay. So, please add those things to that first bubble then, Alice.

Where they all clear?

Yes, and then the... How do you want to describe the other pieces that were inputs?

MEGAN RICHARDS: Well, we had the records of all of the dispute resolution panels, which I went through. That's where I got the information from.

JONATHAN ZUCK: So, the dispute resolution panel records, and then what else?

MEGAN RICHARDS: So, ombudsman report, slash Council of Europe report, that's community based applications. And then for all of the dispute resolution issues, all of them, they were all based on the outcome of the different panels and the different tribunals, let's call them, that we're looking at those cases.

And those are all identified in the report as well, but you don't have to have a full...

JONATHAN ZUCK: Yeah, that's what I'm asking. What do you think we need to put out in front of people as we talk about this? I mean, we don't necessarily need to put anything in particular.

MEGAN RICHARDS: I would take it out, I think, if I were you.

JONATHAN ZUCK: You would just take it all out.

MEGAN RICHARDS: I would take everything out of the orange box, and just not put it out, because I don't think it's necessary, and it's in the text.

JONATHAN ZUCK: I know. The fact that it's in the text, isn't that useful in the presentation tomorrow, though. So, the question is whether or not we want to have that be part of the conversation. So, we mention the other two surveys, for example, related to the global south. The applicant survey and the cohort survey, we mentioned that in the previous slide. So, this is meant to be the analog to that, but it doesn't need to be there.

MEGAN RICHARDS: If I were you, if anyone disputes where did the information come from, you can have, in your back pocket, or in little notes underneath, this information, but quite frankly, I wouldn't put it up on the screen in this particular case.

JONATHAN ZUCK: Okay. So Alice, I guess just go ahead and dump the orange box on this one. All right. Early warnings are useful and can possibly be introduced earlier, review procedures and objectives for community based applications, generate consistency in dispute resolution procedures, overall review of dispute resolution processes needed, but that's longer term.

Determine through initial string [summary?] review process, that's singular plural versions of the same gTLD string should not be delegated and consider new polices to avoid potential for inconsistent results in string confusion objections.

Do you feel like that captures the recommendations for that section, Megan?

MEGAN RICHARDS: I'm just wondering about the order. I'm wondering if the very last one, and the third one, are rather similar.

JONATHAN ZUCK: They are.

MEGAN RICHARDS: So, yeah, I'm just wondering if it's just worthwhile... Maybe it's just worthwhile taking out the very last one, because it's similar to the third one.

JONATHAN ZUCK: Agree.

MEGAN RICHARDS: It's a more granular version of the third one. I would leave it at a higher level, and just leave it like that.

JONATHAN ZUCK: So, remove the last one. Anything else in terms of order?

MEGAN RICHARDS: You can put the... Let's see. One, two, three, four. You could put the fourth one last, and that would make it a bit more logical. So, you go from the specific to the general.

JONATHAN ZUCK: So, get rid of the last move and then move the overall review to the bottom. Okay? All right, perfect. Any other questions or comments about this slide? David, go ahead please.

DAVID TAYLOR: Yeah, Megan, just reading the one, two, three, four, fifth one, determined through initial string similarity review process, the Singapore version of the same gTLD string, should not be delegated. Just didn't seem quite right, the ending should not be delegated in what we're trying to highlight, but are we...

Is that the bit we're trying to say that it needs to be better?

MEGAN RICHARDS: What it says in the text of the report, is that we shouldn't have singulars and plurals of the same string.

DAVID TAYLOR: So, should we not just say that?

JORDYN BUCHANAN: So David, I think the distinction here is in the process, the previous process, and probably this will persist as well, but the two possible places where string confusion arises. There is the

initial ICANN evaluation, which in the 2012 round, it was purely based on visual similarities.

So, that unicorn versus uni-com. And I think the proposal here is to have that process also look at semantic similarity and to look at singulars and plurals in particular, because what happened in the 2012 round, is the only place to try to fight singulars and plurals is in the later string objection process.

That would only happen if one of the other applicants, or an incumbent TLD operator, were to raise the objections. So, I think this is just a move where the process that singular versus plural evaluation happens. So, we could just say, we don't think singulars and plurals should coexist, but this does have the added specificity of saying that it should happen at this string similarity review process, which is a specific phase as well.

DAVID TAYLOR:

I'd just rewrite it, because that hopefully understand and follow, and that's what I sort of thought it was getting at, but it didn't seem to hit it on the head, so I was thinking it needed to be reworded. And we were saying, that first junction, should we say, is where it should be blocked, rather than leaving it for the string confusion panel.

JORDYN BUCHANAN: Yeah, I will say, this slide is a little bit misleading, in that we don't actually recommend this... This is one of several things that we recommend that the subsequent procedures PDP consider. As opposed to the way I would read this right here, it would sound like we are actually recommending that they, that this just be a rule. And so, we probably also need to clarify that this is an option that we're recommending to be considered by subsequent procedures.

JONATHAN ZUCK: Move semantic string similarity into the initial similarly review process? Is that...

JORDYN BUCHANAN: And maybe just combine the bottom two bullets. Consider new policies to avoid potential for inconsistent results and string confusion objections, including possibly just preventing singular slash plural versions of the same gTLD string.

JONATHAN ZUCK: And then just get rid of number five then.

JORDYN BUCHANAN: Yeah.

JONATHAN ZUCK: Okay. Does that make sense? So, in other words, get rid of number, bullet number five, or what's currently number five, and then the last bullet is now the same, and then comma, including potentially prohibiting singular and plural.

You would keep what? Sorry?

MEGAN RICHARDS: Just take the wording from the draft report. I think it was relatively clear there. We went over it quite a few times before we put it into the report.

I'm not disputing what you say, Jordyn, you're right. It's just a question of how it is presented on the screen. So, if we try to make up something new, in terms of wording, I'm not saying the idea is wrong, let's just take it straight from the draft and stick it on the slide.

JORDYN BUCHANAN: I'm not disagreeing with you at all, in that respect. That's why all our slides are structured around language from the report. Obviously, it is not a universal sentiment in this room that's an attractive approach to presenting the information.

So, I would have no problem with just using that language. If we do that, I think we should be consistent about using that approach though.

JONATHAN ZUCK: Yeah, I mean, that's one of the conversations that we're leaving to the end of this one, right? So, for now, just put including potentially prohibiting singular and plurals.

Including potentially prohibiting singular and plurals.

And get rid of bullet five. Next slide. Timeline, okay. So, the...
Where are we on the trust and safeguards slides?

[SPEAKER OFF MICROPHONE]

LAUREEN KAPIN: I mean, I can preview content, but I'm actually trying to put my money where my mouth is, and make these more [CROSSTALK] and visually simple and impactful.

JONATHAN ZUCK: So, part of what we're going to do is just have a conversation about what we want the consistent format to be, so if you have any that are done in the way that you're...

LAUREEN KAPIN: I do, and I can even just send a [SPEAKER OFF MICROPHONE]...

JONATHAN ZUCK: And then lead us through it, and then maybe we'll talk about the substance of the other ones.

JORDYN BUCHANAN: I do think, maybe like a preparatory comment or discussion is, sorry, it's Jordyn again. What do we think the functions of these slides are? They're purely designed to accompany presentations that are given here in person, or to Carlos's point earlier, is it intended that some person can download the deck and gain a reasonable understanding of the content by only using that as a reference point?

[CROSSTALK]

JONATHAN ZUCK: Those aren't very different functions, and I guess the question is, with a recently released report, do we need a separate record other than the executive summary and recommendations that we have? Are we providing anything value add by creating a set of PowerPoints that replicate the executive summary?

JORDYN BUCHANAN: I mean, my initial reaction is no. And so they're creating a PowerPoint whose purpose is to be a document for the record, feels redundant with the record that we've just created with our draft report. So then maybe we just call...

Someone somewhere, is going to search around to figure out what we did in Copenhagen, and they're going to download the deck, and they're going to be confused. Maybe the first slide, then we just say, this is not intended to be, this is not intended to help you understand anything, if you want to learn about our report, either read our report, or here is the executive, read the executive summary in particular, because this is just visual, a nice, visual set of queues for the in-person presentation.

And we don't even need to spend time on that in the actual room, but just for someone that's going to download it.

JONATHAN ZUCK: Right. We could do that. I mean, ideally, the bullet points provide a basic structure and organization, I mean, the idea that the PowerPoint has language that says the review team found, for example, feels redundant with the fact that the review team is up there, providing that report. It feels just like wordiness,

and doesn't feel like... It feels like pros, it doesn't feel like a presentation.

That's why I would have loved, for market share, to have a graph or a pie chart, or something like that, in lieu of literally just cut and paste text out of the report.

JORDYN BUCHANAN: I don't disagree that would be effective. I think some of the best presentations I've seen, there are no words on the screen. But those take a long time to make. So, if someone wants to do that, by 9 AM tomorrow, I'm all for it. I just don't know how we get from here to there.

JONATHAN ZUCK: Pam, probably. You could...

[SPEAKER OFF MICROPHONE]

David, go ahead, please.

DAVID TAYLOR: Could resolve all of this on following on that point of the best presentations might just be graphics, that we could just stick to slide one, which I showed you yesterday, which says, you know, read the report is the recommendation, the rationale because

everything is in it, and then just naturally stop at slide one and we could all go home early.

JONATHAN ZUCK:

I mean, are there people that believe that we should be creating a new version of the executive summary through these slides? I mean, that's the... Carlos and Jordyn both were sort of leaning in that direction, so I mean, what's the, let's just have that discussion. Go ahead, please.

CARLOS GUIITERREZ:

Carlos for the record. Excuse me. The way I understand the schedule of tomorrow, is that we are repeating the presentation to different constituencies, it's not a one time shot. We're going from one to the other. Is that...?

JONATHAN ZUCK:

You've said that a couple of times, Carlos. We have an hour and a half long session of engagement with the community, and then a series of 10 minute presentations for different constituencies, so there is not going to be any similarity between those two. [CROSSTALK] want there to be constituency, but I mean, the truth is that is not going to be, you know what I mean?

They're very different.

CARLOS GUITERREZ: Okay.

I rest my case.

JONATHAN ZUCK: And what do you rest it on, I guess, is the question.

CARLOS GUITERREZ: This is a data and document based activity. I just want to get the feeling, are we just going to roll out what we did, 40 slides, and then go home? Or, do we expect to engage in conversation, deeper explanations, and so on, in both the longer and the shorter meeting? Is this a lecture? Then, we have one lecture. Or, do we hope to engage with the groups we're going to meet?

This is my principle question.

JONATHAN ZUCK: Okay. Well, let me answer your principle question. The engagement session, we hope to definitely engage, and get feedback in that session. And so, ideally, we're going to raise issues in such a way to inspire feedback. In the shorter sessions, I think it's mostly going to be an update, and at most, two questions.

I mean, the problem is we're constrained by time in some of the other presentations.

CARLOS GUITERREZ: For the first format, I recommend a presentation. And sticking to the presentation. I mean, the best way to engage is to have something fixed there, and discuss something, not something orally, but what's on the screen.

JONATHAN ZUCK: Okay. Alice?

ALICE JANSEN: This is Alice for the record. So, most of you represent a SO and AC on this team, so what would be helpful right now is to relay intel information on recommendations that we would potentially discuss during these sessions, that potentially could lead to some tailored slides. I mean, Carlton, for instance, do you have an example?

CARLTON SAMUELS: I'm agreeing with you. My whole thing is this, the presentation, the first hour and a half, it's for us bread crumbing the report, and driving people to read it in-depth, so we want to make

conversation about it. For the 10 minutes that we have, they're going to be groups that have particular interest in this data or the other, in the report, and maybe what we could do is get some intel on, to see what areas, or what are the touchpoints that they're concerned about.

And so, we can engage them on those points. I would want... I think we should go into those 10 minute sessions, with a fairly good idea of what the top of mind issues are for the people that we're going to see. And those, it's a quick hit. I've said, okay, this is what you all are going on about, here is how we feel about it, and we hit them right there.

That's how I see it. I really don't think we should be regurgitating the report. We should constantly be telling people, go read the summary, and read the recommendations, in full. But our job, now, is to sell the idea of reading the report. That, to me, is what it is we should be doing.

JONATHAN ZUCK:

Okay. So, I agree with that. I don't know what would most sell the idea of reading the report. So, there is a couple of different exercises. One is, the general engagement session where we don't have any idea who will be there and what their priorities

will be. That's the first thing we're trying to figure out, is what we should do for that hour and a half?

It's a significantly different type of presentation, the one you're describing, for an individual SO or AC, where we have 15 minutes. And I agree, I would love for people that are members of those communities to help guide us in where we might want to steer those presentations, for sure.

I was trying to say to Carlos is they're not the same. Just by virtue of one being an hour and a half and the other being 15 minutes.

CARLTON SAMUELS: They're not the same. I can tell you right now, that in the At-Large, the top of mind issues are the safeguards.

JONATHAN ZUCK: Great.

CARLTON SAMUELS: We know that. That's where the focus is on, safeguards. And so, you can go inside there and expect people to bring up safeguards, and bring up the issues surrounding safeguards.

JONATHAN ZUCK: I want to have that conversation. I guess the question is, for tomorrow, at 9 AM, we have an hour and a half session for the community as a whole, and what should we be trying to do there? That's the conversation we're having right now.

I want to have this conversation now, and the conversation with the ALAC afterwards, if we can. So, the only point I was making now is that the two are different. [CROSSTALK] for your agreement on that, so come back to this conversation, and what do you think we should have in this presentation for an hour and a half for the community as a whole?

CARLTON SAMUELS: In this presentation, I don't think we should be regurgitating the report, as we have it written. I think we should be highlighting the report, but the intent is to drive people to read the report and study the report.

JONATHAN ZUCK: We don't need an hour and a half to do that.

CARLTON SAMUELS: You don't need an hour and a half to do that, but you expect to gin up conversations in that report, because in that period,

because we're also looking for the beginning of the feedback loops.

JONATHAN ZUCK: Sure. Because they haven't read the report, in order to get feedback, we're going to have to get them something to provide feedback to. So, I don't know what you mean by don't regurgitate the report.

CARLTON SAMUELS: Don't lift the text from the report, and put it in the slides.

JONATHAN ZUCK: Okay, so you're making an argument for more pithy high level bullets.

CARLTON SAMUELS: Bullet points. We are working hard to gin the conversation.

JONATHAN ZUCK: Waudo.

WAUDO SIGANGA: Jonathan, I think we need to be a little bit clear whether the problem we are discussing is the format or the substance, the

content. Because at one point, we were talking about the format. Should we have bullet points? Should we have some pick-ups from the main report? And I don't know how we resolve that.

So, my own opinion is that, I prefer the pinpoint bullet point approach. And Jordyn had some concern that perhaps there could be some people later on that would come across the presentation, and they need, they just have it as a standard, and they need to use it to understand what we were discussing.

So, I wanted to say just that, PowerPoint has, I think as a feature for notes, if I'm not wrong, where you can actually illuminate the bullet points that you're having. Maybe we could do that if [inaudible] kind of a record. Although, I'm still not so much for the idea of the presentation being a record, because we have the draft report. But if we think of an instance like Jordyn is mentioning, where somebody may come across the PowerPoint and needs to make sense of it, we could make use of the notes feature.

LAUREEN KAPIN:

Yeah, and this is just to... And this is by way of illustration, and it's not really contrasting say, Jordyn's approach to my approach, but it is showing the difference between something

text intensive and go to the next slide, and something more visual, which is where I would be inclined to go. And the same information, go to the first slide.

So, this is the slide about what methodology we used, and I'm not, I would talk about the studies, but I'm just highlighting there, we know there were two surveys, most important findings, and there are some sub-points.

But this just looks very text intensive, even though it's still outlined, but the next slide puts the same information in a way that's just a little bit more visually more consumable. That's just the point I wanted to make.

So, you know, which approach do we want? You can swap out that first slide with also a big quote from the report, or three big verbatim quotes. That's certainly an approach, it creates a record, and you could do it that way, but my sense is, it's easier for the audience to take information in visually when it's simpler, and save the more complicated concepts for an oral presentation, and to the extent you want to quote language specifically, you can have it in your notes, and be precise and be consistent for each presentation.

So, it's just a suggested way to do this. It would be very high level slides, the real content would be in the oral presentation,

which by the way, is also recorded and transcribed for people to look at if they want an exact record. And if you're really concerned, for example, Waudo and Carlos, about people misunderstanding what the slides are, then you certainly can have a little banner, or Post-It note, or disclaimer on the first slide.

This is not a verbatim summary or compilation of the preliminary report. These are just slides meant to guide you to the content that the speakers are presenting. Whenever I give a speech for the FTC, I always have a Post-It note, I'm not speaking for the commission, I'm just speaking in my personal capacity.

So, those disclaimers are very commonly understood convention. If you wanted to have a disclaimer, this isn't our preliminary report, it doesn't substitute for the preliminary report, please read it, but this is, these are slides we presented just to orient the audience to what general topics we're talking about during our presentation.

So, that's one way to approach this.

JONATHAN ZUCK:

This doesn't feel like an on the record conversation, I guess that's why I'm trying to just have it. Looking at that now, I don't, that doesn't feel more readable to me more than the outline, I

guess, is my point, because of the... But that's just my own reaction, but...

DAVID TAYLOR:

Yeah, David here. We're kind of going around in circles a little bit. But we are wanting something that isn't too text heavy, and isn't read, and I think we're all in agreement there. And any presentation isn't going to be a verbatim summary of what we're doing. So, I think that's the grounds which we should be on, specific on that. I think it's too complicated on the right, there are too many boxes for what it's worth.

I'm seeing boxes, I'm not seeing the writing. But I think there is a bit more in the box, and less boxes, then we end up with the result we want. So, I'm just going to say, I don't know whether the RMP slides, I'm quite happy to have those... Everyone is laying into everybody else's slides, which is great. So, why not stick the RPM ones up and slander me as well? And just see if those are capturing a little bit, maybe where we are, or maybe we could go.

And as well, if there are any feedback on those, because then I could juggle with those as we're talking, if you want.

Not teaching anybody, don't worry.

So this is the idea, just having an initial slide with this, or we could put it at the end. So, it's either saying to people, our recommendation is to read this, and the rationale is that, you know, it's not that bad. It's quite long. But we can put this as opening slide if we wanted, or as an end slide. And if I can get this to work, there we go.

She's actually reading the report, by the way.

And our case is out the window.

So, this was just following, so, Lauren's background on how we're going to do, we talk about the background then the methodology, so that's why I thought putting them in a simple thing. There is a background, we're looking at the RPMs, and so you can turn the data which is necessary, then the methodology there.

We've used the ICANN metrics, various [inaudible] statistics, and we're waiting for the impact survey, due on the 3rd of April. And this was just throwing in the findings, the three most important finds was contradictory. We've got small and declining cases around 10%, according to the ICANN metrics.

And the small increase in cases if you look at [inaudible], of 10%. So again, plus 10, minus 10, and then an interesting factor thing, which hopefully we can make more of and looking into new

gTLDs are accounting for 15% of the case load, this is just at [inaudible].

And if we compare that, that's 10% of the total gTLD registrations. That's in 2015. So, can we conclude, we may be able to conclude that there is more trademark infringement in new gTLDs than legacy TLDs, that's really where the thought process is, should we say, in 2016 statistics are below.

So, the two pie charts are just threw in there, and I can go back to 2015 statistics. We have just got those since the draft report, but I can change those numbers, and the pies will look pretty similar in any event. And then those are our three recommendations, a full impact study, regularly, and then the URS and the trademark clearinghouse reviews.

So, that was... It's more than just the format, but I'll happily take any comments on the content as well, but boxes.

The thing to me was that it should that whichever you look at it, plus or minus 10%, so it's not the 3% of Bryan, but it's not that big. We're not looking at 100%, doubling cases, tripling cases with all of these new gTLDs, nor are we looking at them not being used whatsoever, so there is, to me, it's a marginal, whichever way you look at it.

It's either plus 10 or minus 10. And I think the third one is actually more of the interesting, we start comparing the caseloads, I think Jordyn said that, trying to find a baseline and compare it to the number of registrations. You're then looking and going, well, which, and I've only got this from [inaudible], they're looking at their statistics, their caseload is higher for the new gTLDs.

So, it's an interesting thing. They seem to be having more disputes in new gTLDs, then in legacy TLDs.

[SPEAKER OFF MICROPHONE]

In rations. So, your new gTLD... The pie chart on the left, new gTLD cases are 16.3% of the total case load, which is higher than the volume of new gTLD registrations against the total registrations globally.

That, to me, is the interesting point.

[SPEAKER OFF MICROPHONE]

And the bar chart is just going on to domain names in total, which actually slants it more, you're 19% now of total domain names. So basically, also, you can conclude that more cases, more UDRP cases involving a high number of domain names then in the, when it's just cases. And if you look at the average,

you've got like six or seven domain names per case, as opposed to cases.

The one on the left is cases.

[SPEAKER OFF MICROPHONE]

In a case, yeah.

JORDYN BUCHANAN: In new gTLDs, the average number of domains, like... Cases effecting new gTLDs have more domains.

DAVID TAYLOR: And that's just on the UDRP, and obviously, URX, in theory, is designed to deal with big chunks of TLDs. Many, many TLDs, or domain names, so not many TLDs. Many, many domain names, but even we see more than in UDRP. But again, that's just, I wasn't going to go into that.

MEGAN RICHARDS: David, just a small thing. You say here, small increases in cases filed with [inaudible], 10%, and then declining cases, 10%. So, it's the decline and the increase that's 10%, not the total number. Because then below, you have new gTLDs account for... Being 10% of the total gTLD registration volume.

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So, are the rates there the relative increase and decrease, the 10%? Or is 10% the total...? Do you see what I'm saying?

DAVID TAYLOR: I think I put too many 10% in, and I should change that 10% to 9, or 11, or something, because I'm not sure [CROSSTALK]...

[SPEAKER OFF MICROPHONE]

No, they're all separate 10%.

MEGAN RICHARDS: That I understood. But it is the increase that's 10%? Is the 10% increase, or is it...

DAVID TAYLOR: There is a 10% decline in one metric, there is a 10% increase using a different set of data.

MEGAN RICHARDS: Okay. So, it's increase [CROSSTALK] of the total volume? Okay. Because the other one is total volume, I think, isn't it?

DAVID TAYLOR: Yes.

UNKNOWN SPEAKER: Sorry. David, why the question mark of more TM infringement of the TLDs? Why the question mark?

DAVID TAYLOR: Because that's a supposition. I'm saying, does this third finding demonstrate that there is more that we can say, there is more trademark infringement in new TLDs than in legacy TLDs?

UNKNOWN SPEAKER: Why can't we just give it as a finding instead of asking a question? Whom are we asking?

DAVID TAYLOR: It's a draft, for me, it's a draft finding. It's a supposition. It's a finding. It looks like that's the case, I'm concluding it, but I'm finding I'm so lacking in data, that I'm just a little bit worried about making that...

UNKNOWN SPEAKER: But when we make the presentation to the communities, the question mark will not be there.

DAVID TAYLOR: If everyone is happy with that [CROSSTALK]...

UNKNOWN SPEAKER: ...done of our work, so there are no questions. We're just giving them the actual...

DAVID TAYLOR: If I was writing that, I would say, it could therefore be argued that there is more trademark infringements in new gTLDs than in legacy TLDs. So, the question mark is saying that, really. But, I could take the question mark out and phrase it like that. Definitely.

JORDYN BUCHANAN: When you say it's 10% of the total TLD registration value in 2015, is that new registrations? Is that the entire registered base?

DAVID TAYLOR: Yeah, that was the entire registered base. So, we're just looking at the... Because that was the statistic which I pulled out from elsewhere in the report, version three or four months ago when I was doing that, and I think we said either 9.8 or 10.2 or what was the numbers we had? I should actually make sure that that

matches up with the final report, because it had pulled these together quickly yesterday when we were in the session.

STAN BESEN:

The suggestion, I think you said that you were going to take out the question mark. Why don't you say proportionally more infringements in new gTLDs? The word proportion... You really said more in proportional terms. So, why don't you use the word proportional?

MEGAN RICHARDS:

And while Stan has the microphone open, you could fix your first two, by saying a 10% increase in, and a 10% decline in. That would make it absolutely clear and understandable, at least to people like me who can't understand numbers, so he says.

JORDYN BUCHANAN:

Megan, what does that help clarify? I'm confused. Now, I'm confused.

Your comment. Rephrasing that, what does that do differently?

MEGAN RICHARDS:

It makes it clearer. You've put a small decline in the number of cases, and then behind that, it says 10%. So, it's not clear

whether the decline is a 10% decline, or the number of cases is 10% of the total cases. So, I mean, logically, you would think it would be 10% decline, but it's not...

Whereas, if you would say, a 10% decline in, and a 10% increase in, it's absolutely clear. No one could be confused. Even people like me. And you don't need a major rewrite. It's facts. Sorry, to be factual.

DAVID TAYLOR: It's like [inaudible] in the defensive registrations. A small fraction of trademark owners, and I always have a problem with that, we have a large fraction of...

JORDYN BUCHANAN: I wonder if I can... Eleeza, do you know, does ICANN have data for the UDRP cases on which provider adjudicated the case?

ELEEZA AGOPIAN: Yes, we have the breakdown of cases by provider.

JORDYN BUCHANAN: So, we just do some sense checking against David's numbers, against the [inaudible] numbers, and see whether it is actually the case, because that's how I would interpret it is the total

number of cases declined, but more of them a greater fraction of the total cases went to [inaudible], and that's how the [inaudible] number went up, despite the ICANN number going down.

ELEEZA AGOPIAN: I'll take a look at the data.

JORDYN BUCHANAN: Okay, thanks.

DAVID TAYLOR: And now, for Megan's purposes, I've put in a wiggly 10.

I'll indent after, but then you can't see it.

Yeah, that was it. And then it was finishing with the recommendations, but again, I think this is what I was, we were talking about yesterday, and personally, I'm more of the view that we should concentrate on directing people to the report, rather than the recommendations, just because everyone is going to read the recommendations and not the report, because that's what people jump to, and I think that's a shame because the meat of it is in the report.

So, I don't know... But that's my personal view. I don't know whether we want to have the recommendations at the end. So, I'm happy to lose this last slide and stick with the background methodology and the most important findings, but I'll go with the majority.

MEGAN RICHARDS:

To jump in again. I made this comment once before, because I remember, you have... But if you're going to get rid of the slide, that's fine. We have had a review of the trademark clearing house, and we've looked at it, so a review should build on, whoops, that existing review, shouldn't it?

Otherwise, it looks as though we're proposing something completely new. So, it's just a clarification. But, if you're going to drop the entire slide, then I won't make my other comment, but that is the other three times the word impact, in there, and I think you can drop at least one of them, I'll tell you where, if you're going to keep the slide.

DAVID TAYLOR:

No. I agree.

[SPEAKER OFF MICROPHONE]

Yeah, yeah, of the impact. As I said, I put these together under time pressure yesterday because the boss was saying, give me a slide. So, okay. Here are the slides. I was whipped, and I performed. I'm happy to amend those now. It's good to have the conversation on them.

I think the interesting thing for me is that on the trademark clearing house study, is that when I went through it, I know we're using it for all of the defensive registrations, but it does specifically say in the executive summary, it didn't have enough data. So, I think we should remember that and pull that in, because it's very clear, and that's when I was reading, I thought actually yes, we've had a study.

We do need to build on it, because it clearly said we haven't enough data, which is what we're using. So, it really underlines our point.

I'd have to look it up.

ELEEZA AGOPIAN:

The data that... This is Eleeza. The data the TMC to review, this is the analysis group that did it. They were looking for more information on abandonment rates from registrars, which the registrars did not want to share. So, that was one key data point that was missing. Another one was, I'd have to go back.

But there were a couple of areas that were in response to public comment, analysis group went back and sought additional data to build out the report, and they weren't able to get it. But that was just in response to public comment. So, the report, overall, was still as robust as it could be, with the information from the trademark clearing house and the registrations, and looking at what has been registered, comparing with WHOIS information and so forth.

DAVID TAYLOR:

I don't have the clearing house report, I could get it, but in the recommendation, I remember, I copied the word over, and it said somewhere in it that we do not have sufficient data to make recommendations, and allow effective policy review, which is pretty fundamental to me when I read it, so that's where I thought we needed to make sure we do have a follow-up review.

ELEEZA AGOPIAN:

The review was never intended to make policy recommendations, though.

JORDYN BUCHANAN:

Yeah, I mean, I feel like the issue around abandonment sort of gets at the crux of the claims service as to whether you get

enough benefit from, in terms of discouraging infringing behavior, to justify discouraging potentially legitimate use, which we don't, it sounds like the analysis group wasn't able to get data on abandonment rates.

It's hard to image us asking for that again, isn't going to help, right? Like, fundamentally, I don't think ICANN can compel the registrars to give sort of quick flow data, which is roughly what you would need in order to get at that.

But in any case, the recommendation is in the report, it is what it is. So, I think we can... If we're going to have a summary of the recommendations, we should summarize what it actually says. And we may get public comment back from the registrars, saying, well, that's a silly thing to ask for because we're still not going to give it to you.

ELEEZA AGOPIAN:

So, I would just also add that the review is really intended to... Like I said, it wasn't meant to come up with policy recommendations on the TMC itself, and it was really intended... Well, one was commissioned at the request of the GAC, who was planning to consume it, and make some sort of statement, or provide, in the future, any type of advice it may provide.

As well as to inform the RPM working group which is planning on making recommendations about the trademark clearinghouse.

JORDYN BUCHANAN: Sure. Now, they'll be in the exact same position we were six years ago, and people will say, the claim services also [inaudible] it's going to prevent all sorts of illegitimate registrations. And other people are going to say no, legitimate registrations are being scared off and there is going to be zero data one way or the other for them to have that discussion.

In this case, it's the registrar's own fault, because the registrars don't have them provide the data to substantiate their point of view.

JONATHAN ZUCK: I don't know where that leads us in terms of trying to come up with a consistent format for the slides tomorrow morning. Or if that is even a priority at this point.

I think if even we reached a decision about that, I'm not sure where the execution for that would come from.

I get the feeling that Jordyn feels, not to put words in your mouth, but least burdened by this question. And so, I guess the issue is, is it possible to task staff, especially if we don't go all the

way to the end today, to make Jordyn's slides into more bullet point format, so that there is a consistent look and feel?

I have a feeling it's just not going to bother him that much one way or the other, and there is some valued consistency across the deck. So, is that request reasonable view, and am I characterizing your position accurately?

JORDYN BUCHANAN: Yeah, that's fine. I know what I'm going to say, someone can make whatever slides they want to present during that time.

JONATHAN ZUCK: Because the consensus in the room, to the extent to which ICANN mandated, is that there appears to be a movement toward more bulleted, briefer, representation of the facts, and it's about just trying to find a consistent way to represent them. And that could either be Lauren's formulation, or David's, but I think there is a desire to have them be more pithy, or more bulleted, etc. more list format, and less prose intensive.

And so, if I could give that as an exercise to you guys, to convert Jordyn's slides to whatever format makes the most sense there, then we'll just have a more, a consistent look and feel. And I'm

happy to go over them tonight, do an edit pass on them as well, if that's helpful.

But right now, we have four different, wildly different, frankly, formats for the slides as they currently stand. There is floating boxes, there is outlines, there is different types of floating boxes. So I mean, I feel like we just need to choose one and go forward.

So, I mean, I guess I'm inclined to try and pass that burden to staff, and probably the most fair way to do that is to use David's format as the model. That's the easiest one to replicate. I think, Lauren's is very more labor intensive to figure out how everything else should go into that format. And I think, given the fact that this is tomorrow, that doesn't make sense.

Does everybody feel comfortable with that formulation?

MEGAN RICHARDS: I'm comfortable. From a practical point of view, you're going to recirculate again for us to make our little comments? Or, are you going to do the editing tonight? Because I understood from your...

JONATHAN ZUCK: I think staff are going to try to do an editing pass on them, and they'll recirculate, and make comments if you like, but I will

commit to doing it tonight as well, to go through them and... A pith edit.

Okay?

So, I think we're... Do you have stuff to share on substance that we should look at and agree to, to make sure that we're all on the same page from a substantive standpoint? The way we just did with David's? So, separate from formatting.

[SPEAKER OFF MICROPHONE]

Okay. And did you already give all of that to Pamela when you gave her your slide dump recently?

[SPEAKER OFF MICROPHONE]

Okay. So, if you would do that, get slides to Pamela that we could go over. I would like to ask the group a question which is, what if any of you want to do differently when we meet with the Board? I mean, we just met with the GDD staff, and got this very high level characterization of the recommendations that wasn't necessarily worded in the most positive way, but I think that it was important for us to hear that, because the Board is going to hear it from them.

And so the question then becomes, with our own recognition of things that feel burdensome, updating software, changing

contracts, committing to doing software updates prior to any subsequent procedures, those are... Getting a data scientist. Those kind of things. Should we boil that down to a few discussion topics and really focus on those with the Board, to emphasize them?

Or, do you want to give the same presentation that we're giving to the evaluation session? Megan, I welcome your input. Please introduce yourself.

MEGAN RICHARDS:

Yes, it's Megan Richards for the records. If I were you, which thank God I'm not, I would make a full presentation to the Board. The Board has to hear everything. On the other hand, you should spend a bit more time on the issues that are of direct relevance and impact, and consequence, let's call it that, for ICANN staff and therefore, of course, for the Board itself.

So, I would put it in that context. I wouldn't limit it to those aspects which have direct relevance to ICANN staff, or to the Board. But I would put more emphasis on, spend a little bit more time on those, underlying them. I don't know how you want to...

JONATHAN ZUCK: And I agree in principle. As a practical matter, this presentation we put together is, in theory, a 45 minute presentation. You know, so I don't think talking fast is a particularly effective way to communicate with anyone, so that's why I'm talking about potentially editing the slides, to talk about fewer things in a way that's understandable and discussable, because we only have an hour total with the Board.

MEGAN RICHARDS: Jonathan, we have, or you have, at least, made a presentation already to the Board once. So, you don't have to go over the things you've already made to the Board the last time. So, what you can do [CROSSTALK]...

JONATHAN ZUCK: So you are suggesting only talk about a subset of things then.

MEGAN RICHARDS: What I would do, if I were you, is take the old presentation, look at what we said last time, and emphasize more this time, those aspects that are of particular importance to the Board, without ignoring some of the other recommendations which weren't already identified the last time. And I think you can do in a relatively brief time as well.

JONATHAN ZUCK: We didn't do an recommendations except maybe talk a little bit more about data in the last session.

MEGAN RICHARDS: Exactly. But you outlined all the background, you outlined the...

JONATHAN ZUCK: Right. So, should we just talk about recommendations then?

MEGAN RICHARDS: Yeah. I think you should go straight to the recommendations.

JONATHAN ZUCK: Okay.

MEGAN RICHARDS: That's what I meant in...

JONATHAN ZUCK: Okay. I'm happy to now understand what you meant. So, that's good. So, the question then is, do we have agreement about that, because jumping right to recommendations, again, wasn't universally recommended approach. But, we're saying for the

Board maybe we jump to the recommendations and go through those. Carlton.

CARLTON SAMUELS: It's Carlton Samuels for the record. I listen to Akrim, and Akrim, instead of looking at the merit, it didn't seem to totally bought into the merit of any of the recommendations. He was just talking about resources. And that's all he seems to be interested in. You would then imagine that the Board is already primed, at least, some members of the Board, would already be primed to look at it within that frame, just resources.

And so, maybe you could steer the conversation back to merit of the recommendations before, in the big picture, this big strategic picture, before you get into talking about the, getting the weeds off of the resources and merits, because that's where they are going to go.

Don't discuss reports.

JONATHAN ZUCK: Carlton, I think what I was suggesting at the top is exactly what you're saying, which is, picking a few things that might get attacked on the basis of resources, and emphasize their merit, so that we're beginning that sales process, if you will, with the

Board, around the things that we believe are sufficiently meritorious, that they justify the additional resources that they'll be told are required to implement them.

So, that's where I was coming from, was whether or not should funnel that conversation in that way, around things where we think might be more implementation resistance from Akrim's team. So that was my strawman, my thing that I put out at the beginning.

So, I say that again. Should we work on some subset like that? Or should we put all of the recommendations, because they haven't heard any of them. I mean, so that's what I'm trying to get at. What do you guys want to do with the Board? I'm not trying to pitch a particular, I was just putting out something to get the conversation going.

Because I'm going to disregard and do what I want anyway, I think, probably.

MEGAN RICHARDS: We had an alternate.

JONATHAN ZUCK: I think we have an hour total with the Board.

MEGAN RICHARDS: Yeah. But, why don't you do, I mean, I think combines what I was saying, you were saying, and what Carlton was saying, and that is, you put on the slides, the recommendations, but you don't go into the details. Obviously, you're not going to address every single...

Some of the recommendations are minor. You're not going to address them all, but I think they should see them at some point, even if you don't talk to them. So that they have a PowerPoint presentation that they can look at later. By all means, and it's normal that you're going to concentrate on the main issues.

As I said, put them in big letters, or you know, talk to the important issues that are important to them. But to not even mention the others, or not have them on the slide somewhere, I think is perhaps not dangerous, but I think it's useful to put it in their face a couple of times.

JONATHAN ZUCK: [Inaudible] is already [inaudible]... You think he's already heard this message.

[SPEAKER OFF MICROPHONE]

Maybe, I don't know that they've been briefed. I mean, they certainly will be at the point which we make these recommendations. That's my point. That's what Akrim told us. He's going to do a full, you know, resource allocation impact assessment to them and make a presentation to the Board, before they approve them, at the time.

So, we know that is coming. I don't know if it's come already, because they don't... Clearly, from today, they were not prepared to do that even, except to say, in general terms, a lot of these are going to cost money or something, right? But I can't imagine that that's persuasive. It wasn't persuasive in this room, I think it won't be that persuasive in that room either, until they have specifics, right?

What do you want to convey to the Board? Let me just take a step back, and reacting to my strawman potentially, but what do you think is most important to convey to the Board?

CARLOS GUITERREZ:

I will try to make it binary. Either you assume they have read the summary and over the recommendations, or they have not. I mean, if we are putting so much effort into this, I cannot care about people who are not reading the document, or are not going to read the document. So, I guess, from the Board, one

third of the Board will eventually read the summary and the recommendations. And then, statistically, I would focus on the recommendations, and it's a fair point.

If you want to make a selection, I wouldn't go into selecting some out, I would go into the first two slides, and say, okay, 50, by timeline, 50 by six subjects. I might mention one or two, and that's it, and let's see if somebody has read them, then you will get a reaction, and if nobody has read them and they stare at you, then you can pick one or two, your favorite ones, and throw it to them.

And I'm perfectly okay with the first slide said before you go into the specific chapters. That's enough for a one hour presentation. You are not going to be able to present 47 slides, not even in one and a half hours, to tell you the truth.

[SPEAKER OFF MICROPHONE]

37? How many? I mean, there is a count there. 37, I'm sorry. It would take you a good hour. Yes.

So, let's stick to the general section, not go into the specific chapters, and you have three well discussed slides, and then you can choose, somebody shoots first, you will get questions from them. If nobody has read them, choose the favorite ones.

I would love to be there, I can't, but I wish you good luck.

STAN BESEN: I'm a little confused. Are we going to focus only on the recommendations or are we going to present, quote, the facts that we've identified as well? Is that part of the presentation?

JONATHAN ZUCK: No, I mean, that's what we're discussing. In fact, what do we want to communicate to the Board? So, in Hyderabad, the facts, we did present. They've heard the 50% number. They've heard the 9% number. They've heard about the fact that the market is better designed to have a lower minimum viable revenue.

They've heard all of that already because we had those findings at the time.

STAN BESEN: I'm not sure that's exactly right. I think they heard the 9%. I do not believe they saw, at the time, our concentration analysis. Am I wrong?

JONATHAN ZUCK: I believe that they did.

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STAN BESEN: Did they present that?

JONATHAN ZUCK; Yeah. I mean, we can bring up the deck from Hyderabad, but...

STAN BESEN: Did we present it to them is my question.

JONATHAN ZUCK: We did. Now, again, I don't know what was absorbed, what people will remember, anything like that, but I believe that... I don't believe that we made any new findings since Hyderabad.

WAUDO SIGANGA: Waudu here for the record. I think given the constraint of just one hour, I would suggest that you would put a lot of emphasis on the prerequisites that we've come up with in the recommendations. I think more important many of the other...

JONATHAN ZUCK: Waudu suggest emphasize prerequisites. Another perspective is to emphasize organizational changes that the Board would be part of implementing, as opposed to things that we're just

shuffling to the PDP on subsequent procedures, many of which are prerequisites, but the Board only has to say yes, go figure this out.

Is that worth presenting to the Board? I mean, that's part of the question. The fact that it's a prerequisite doesn't make it any more interesting to the Board potentially.

WAUDO SIGANGA: I agree with you. The prerequisites related to the Board. That makes them even a smaller number.

LAUREEN KAPIN: So building on... This is Laureen. And I'm agreeing with both Johnathan and Waudo. And what I would say is, we can each take ownership over, you know, dividing this up and saying, these are the recommendations to the Board of the subject of safeguards we think are the most important, and just do it that way.

Drew could talk about the DNS abuse, and David could talk about RPMs, Drew, DNS abuse and picks. I can talk about safeguards and trust, and just do it that way. But through the lens of, we're not going to talk to you about recommendations that you have no interest or ownership over, we're going to talk

to you about recommendations to you, and these are the ones that we think are most important, which I think, may or may not fall under prerequisites, because some things are very important, but we just know they're going to take a lot more time.

So, I think that, you know, we might want some flexibility on, but as to Jonathan's point, let's not waste the Board's time with things that we're not aiming at the Board.

JONATHAN ZUCK:

Is everyone comfortable with that approach? I think Jordyn is because he doesn't have any recommendations to the Board. So his work is done here.

DREW BAGLEY:

This is Drew for the record. I also think it's, as far as organizationally, I think it's really important to start out though, building up that context that you've done such a great job articulating about, you know, whether we use the word hampered or hindered or whatever, but just the lack of data, because so many of our recommendations that are relevant to the Board deal with either the creation of a data scientist position, or something dealing with data...

JONATHAN ZUCK: Which they've heard to [CROSSTALK]... I'm always happy to repeat it, because it's my pet peeve about the organization, right? But that we said to them, in the last meeting as well. So, the only things they really haven't heard are the recommendations beyond that.

I mean, we gave this general one of, we're going to be asking for a lot more data, is what I think what we said last time, or something like that. So, here, we're going to get specific. And there are issues like, changes in compliance data, etc. that is going to be a staff driven thing that the Board has to approve funding for, etc. that directly impacts the Board, I guess, in that data context, right?

More granular data collection. Steve DelBianco is here and wrote a letter from the BC asking for more data out of the, out of compliance as well.

[SPEAKER OFF MICROPHONE]

A natural or unnatural? What did you say? Unnatural resistance, okay.

[SPEAKER OFF MICROPHONE]

Laureen has now agreed to bring up the auction proceeds at the Board meeting, so I'll let her do that, because that's not a hot potato. Does somebody have their hand up? You do? Okay, go ahead.

CARLOS GUITERREZ:

I mean, if there are no resources to follow up on the recommendations of the review team, there are no subsequent rounds, period. And this is not light stuff. This is not wishful thinking. I mean, this is AOC, previously, and now it's in the bylaws. I mean, whatever, but that's their problem, they poked on a huge increase of the market, so they were supposed to be getting tons of money from people like Jordyn, so they can use it for that.

I don't know why are we discuss this? I mean, we're are not a budget review team. We are reviewing the expansion of the domain names, as per bylaws, by now. So, I mean, that's not our problem.

JONATHAN ZUCK:

And Jordyn did a very diligent job of keeping us from putting too many things into the prerequisite category. So, I mean, I think in some ways, we have taken on the notion of resources even

unintentionally by saying that it's, by putting things further out on the timeline.

So, as predicted, I'm going to end up just figuring out in my head what it is got said today.

CARLOS GUITERREZ: I don't know why we are scared by Akrim.

JONATHAN ZUCK: I'm not scared. It's a more a question of what is the best strategy for combatting what we know will be institutional resistance to things that cost money. I mean, there are plenty of things that are costing money, that I would be happy for the organization to stop doing. Not a problem. Jordyn, go ahead.

JORDYN BUCHANAN: So, I mean, a bit of useful perspective, I think, maybe to bring to the Board as part, certainly around the frame of the data gathering requests, is to talk about, I think, how relatively uncontroversial most of our discussions have been, because they've been data based. And once we have some base line level of data, I think, in general, people look at it and in good faith sort of say, oh yeah, that says... That may not have been what I thought I was going to say, but it says something.

And you know, we're able to move through the process and get the consensus much more readily than happens generally with an ICANN process. So, I think an argument could be made that ICANN can save a lot of money by having data, and having a lot less sort of staffers running around trying to support people just yelling at each other, instead of actually having productive resolutions to the conversations.

And so, I think it could be... I would hope that a long term, more efficient ICANN would be a data driven ICANN.

Alt facts cost more than real facts?

MEGAN RICHARDS:

Yeah, exactly. I was just looking to get the Hyderabad presentation, which is very good. It's a bit too long in some aspects, but it covers just about everything. So, I think by using that as a base, and updating, and putting more emphasis on either new recommendations or the ones that we really want to address to the Board, or have them pay attention to, you could make a very good presentation.

I don't think there is anything wrong. And that one was 47 slides, that was really very long. It was perhaps a bit too long.

[SPEAKER OFF MICROPHONE]

We worked through it pretty well, didn't we? Anyway, the point is, somewhere you have to give them the recommendations, I think, even if you don't address them. I think as long as they're on a PowerPoint, at a minimum, they'll read the PowerPoint, even if they don't read the report or executive summary.

LAUREEN KAPIN:

This actually, we went over yesterday. These were the key findings, and we went over these again this morning. So, this is sort at a very high level. It's not even research, actually, it's just key findings. So we should change the heading.

So, I'm going to make notes to myself.

[SPEAKER OFF MICROPHONE]

This one? Because it looked different. It has the graphics on it. So, basically I edited this down. So, it would just be a key finding slide.

Let me get to the same screen that we're all on. Okay. So, this would be a key finding slide. So, we did go over this content yesterday, this is just a simpler slide.

I mean, I can read this, but that's not what you want.

[SPEAKER OFF MICROPHONE]

Okay. So, then we would just do a brief discussion about the methodology. And they've heard this, you know, we did present this before, so this would be pretty quick. But in terms of trust, the key issues were, what did we find most relevant to trust based on the Neilson studies? Familiarity and security.

And you know, familiarity... Where you about to say something? Sorry. Familiarity, it really related to what gTLDs were the most visited, what were people, you know, most aware of. And security issues really dealt with people fearing malicious conduct. And then not surprisingly, what we found is the new gTLDs were trusted less than the legacy gTLDs, which makes sense because people are less familiar with those.

And then the other high level findings were the correlation between registration restrictions and trust, you know, that the survey showed that there was a correlation, and that there was an expectation from the public. That not just anyone could buy certain gTLDs, especially the less generic gTLDs, particularly those in regulated and highly regulated sectors.

But overall, the trust hadn't been diminished in the DNS after the expansion of new gTLDs. So, that's that high level slide.

[SPEAKER OFF MICROPHONE]

That I can't speak to.

These were our primary recommendations regarding trust that we should study which gTLDs have been most visited, and why and how users' behavior relates to trust. And this really related to the fact that the surveys that we had, asked in a variety of ways, do you trust? But there wasn't sufficient detail in terms of why do you trust? And what sort of behavior do you engage in that reflects your trust?

And we think those are really the issues that would speak to... That would be most useful in grappling with this issue of trust. To drill down and consider this, not just from a subjective, how do you feel about certain gTLDs? But why are you visiting certain gTLDs?

Why are those most familiar to you? Why are you willing to get, behave in a certain way with those gTLDs that you aren't compared to other gTLDs? Our next recommendation deals with, how can we encourage folks who are seeking to apply for new gTLDs to meet user expectations? The user expectations that we see identified in the consumer end user and registrant surveys, particularly the consumer end user surveys.

So, there is an expectation that if you have a dot photo website, for example, then that website is going to have something to do with photos, as opposed to typewriters. So, this relationship of name to content, this becomes even more important to end

users when there is an implied message of trust conveyed by a name.

So, if you have dot accountant, then that does carry an implied message of trust. You can trust me to handle your financial information. So, what sort of incentives can we create to encourage gTLD registries to meet these expectations? And then finally, and also very important on this issue, how can we encourage best practices regarding to how sensitive and important information is treated, like health and financial information, for example.

So, this is not mandating anything happen, it's saying, how can we create incentives to raise the bar here? And then finally, we have a baseline of studies already in the consumer and registrant surveys, and we think that certain select part of those studies should be repeated. There are some parts that were particularly useful, and we should build on that.

Sorry, Megan, I didn't see you.

MEGAN RICHARDS: That's okay. Two small things. One is, what does PII stand for?

LAUREEN KAPIN: Personally Identifiable Information.

MEGAN RICHARDS: Oh, for heaven's sake. And the other one, is on the last one, as far as I recall, we said not just to continue the studies, we said we should repeat them at a future time, but we also suggested some additional questions that had to be asked.

I remember that there were a couple from my area that had to be added. So, rather than just say continue studies, I would say, continue and improve, or enhance, or something like that. Just to add that word somewhere, so it's not just business as usual.

LAUREEN KAPIN: Anyone else?

[SPEAKER OFF MICROPHONE]

They're arrows.

[SPEAKER OFF MICROPHONE]

They are forward looking, there are. Look to the future. And that's where the ends of my pretty graphics take place. Drew, these are based on the language that you sent to me. So, do you want to...?

Meeting - Day 2

DREW BAGLEY: Thanks for plugging into the PowerPoint, sent you raw information because I know what your PowerPoint was going to look like.

LAUREEN KAPIN: Very wise.

DREW BAGLEY: So, I plan on just quickly reminding them of our mandate, because of the fact that, I think questions could come up as to why we commissioned the study or what not. So, I don't know that I necessarily need to actually say it. So, what are you guys' thoughts on that versus just having it up there?

[SPEAKER OFF MICROPHONE]

Just leave it up there, okay.

[SPEAKER OFF MICROPHONE]

Do a dance, have that in the background. But, I'll just then briefly mention...

[SPEAKER OFF MICROPHONE]

No, no, keep the mandate. I'm just not going to speak about what's up there, as far as the mandate. Just leave that there.

I'm not going to site the language, but just have that up there so they know why we ended up tying this into consumer trust, right? Because if they didn't see this, they might wonder why we chose that path.

[SPEAKER OFF MICROPHONE]

Yeah, this is party safeguards, yes, great. See? Confusing it already. So, for the methodology, I will explain the work we've already done, which we, I guess, sort of have some conclusions about. Where we analyzed each safeguard went into whether or not had been fully implemented to the extent that we could determine that, and then looked at what compliance data was available regarding that safeguard and regarding compliance with it.

And basically walked away with the impression that all of these safeguards have been implemented, even if there could be, you know, perhaps nuances about the degree to which, you know, you could interpret implementation of certain things, or the degree to which, as Calvin has explained to us, that you could technically verify that certain things are going on with regard to orphan [glue?] records, or some of these highly technical things.

But nonetheless, the safeguards are in place, and so therefore, the next logical step is for us to figure out if there is any delta

between abuse rates in the new gTLDs versus in the legacy gTLDs, so that we can, at least, see if there might be a correlation between adopting all of these new safeguards that we're intending to mitigate risks that people were worried about, and actual abuse rates, or if it's exactly the same, and therefore, you know, future review teams maybe would want to look at things a bit differently, or what not.

But, we're setting up basically a baseline study that will inform not only what goes on as far as whether there is a next round, but also future review teams, and then SSR2 team, and I figured I'd give a plug for that.

And then should I go into the methodology of the study?

[SPEAKER OFF MICROPHONE]

Yeah, I figured that. So, the most important findings thus far were, as I stated, there is... Overall, all of the safeguards appear to be implemented by the new gTLD registries, and then, yes, I guess I pretty much already set out this. Absolutely no comprehensive DNS abuse study that exists, and so therefore we had to commission one so that we could look at this delta between what might or might not exist in the new gTLDs versus the legacy gTLDs, and find out whether or not these safeguards have, as a whole, made the, mitigated the risks that some

members of the community feared would come to fruition if the zone was expanded to include thousands of new gTLDs.

[SPEAKER OFF MICROPHONE]

No, just a possibility. So basically, we have no data about anything.

[SPEAKER OFF MICROPHONE]

Oh yes, so some of the studies we've cited in the report that other places, like APWG's done spam house. That's what they show, but they're just doing a sample, and they're just doing a snapshot, and their methodology...

[SPEAKER OFF MICROPHONE]

They do show that. Yeah, but their methodologies are, I guess, polarizing. Some people are fine with them, some people are not.

[SPEAKER OFF MICROPHONE]

And thus far, even though we don't have data from the DNS abuse study yet, we already know because of how important this is, we already know that, yeah, even if it is tweaked, even if the methodology changes a bit, this needs to be a continual thing, so that the community has access to DNS abuse data and can

make policy decisions based off of facts instead of assumptions and anecdotes.

And then, as far as the complaint side, once abuse does happen, we're going to share with the Board our recommendations about the fact that we need to understand in-depth what these complaints really, how the complaint process really works.

And so, it's very opaque now with the current requirements of registry operators, complying with complaints. And so, we're going to make the suggestion of getting more data on that.

[SPEAKER OFF MICROPHONE]

LAUREEN KAPIN:

So, now we're back to the safeguards. And in terms of assessing whether the safeguards were effective in mitigating any issues that arose out of the expansion of the new gTLD program, we looked at... The methodology we used in our assessment was to look at what the goals of each particular safeguard were, how the safeguard was implemented enforced, and any special issues that arose.

And this was quite an intensive process, because as you know, there were a number of safeguards. So, I'm not going to speak about all of them, but I'm just going to speak about two for, to

provide some highlights. And those were the safeguards related to WHOIS and sensitive regulated and highly regulated strings. I mean, this is just really a guidepost slide.

So, I don't know if anyone...

[SPEAKER OFF MICROPHONE]

They're dropping like flies. So, we can go next slide. So, for WHOIS and this, I think, I would want to edit down, because it gets too wonky. But basically, there is a very intensive obligation regarding WHOIS that rests primarily with the registrars. WHOIS complaints form the highest complaint category that ICANN contractual compliance receives.

And one of the biggest issues and concerns about WHOIS is, is the information accurate? Is the registry directory services information provided by folks about contact information for who should be contacted regarding domain, is that accurate? And in order to respond to issues dealing with WHOIS accuracy, ICANN has implemented its own program to access accuracy, which was originally contemplated to have three phases. One dealing with syntax, are things ordered the way they should? Operability. Does it work? Does the work number actually work, for example? And then identity. And to date, those... The ICANN ARS has reported on accuracy of the syntax and operability. And

we have some findings based on the first two reports that new gTLDs actually have higher WHOIS accuracy for certain things like email and telephone and lower for postal address.

Which I don't have any explanation for, I'm just reporting the findings. But based on this information, and the finding, i.e. that this is a very large complaint category. We thought it would be helpful for us to have some more detailed information about the types of complaints that ICANN compliance receives.

So, it would be helpful to know what of that big category of hundreds of complaints, what's the number about syntax? What's the number about operability? What's the number about identity? And that could be information that is used to assess whether the ARS project should proceed with the identity phase.

So, that's an illustrative example of how the preliminary report looked at safeguards and came up with finding some recommendations.

Questions, comments?

My plan is to make this less dense, but that's the information. And next slide. The other illustrative category, was the sensitive regularly and highly regulated strings. And here, there was a recognition in the safeguards that these strings raise special concerns. And these are strings, for example, that relate to

regulated industries like charities, like pharmacies, like banks, and these strings were specifically identified first by the GAC and its advice, and then through ICANN and implementation.

It wasn't exactly a total match there, but they were all ultimately identified and batched, i.e., it was put into a sensitive and regulated category, or a highly regulated category, and those were separate and apart the other batch of domains. These were in a special category, special categories, and they were subject to additional safeguards.

And here, the goal was to mitigate the risks that were associated with these safeguards because they were likely to cause consumers, the public, to trust the more. So, if you see that charity, you're assuming that dot charity, you might assume that it's okay to give your money to the dot charity because it's a real charity.

So, that's an example. So, there were specific safeguards that were implemented to deal with these concerns, one of which was to comply with all applicable laws. As you might expect, that's a whole bunch of laws, privacy laws, data laws, fair lending, debt collection, etc. And also this recognition that if there is going to be sensitive information exchanged like health and financial data, that they're going to be reasonable measures

to implement it by the folks handling this information to make that, to keep that information secure.

So, those were some of the safeguards that related to this sensitive and regulated strings. And then I'm going to move on to the recommendations that flowed from that. Next slide. So, this was really the first safeguard where we were struck by the fact that the ICANN compliance, which has an enormous amount of helpful and useful information, could be even more useful if we got more information on what the subject matter of complaints are.

So, for example, if you look at the ICANN compliance website, you would see that there is a category, DNS abuse, or abuse complaints. We don't know what kind of abuse. So, the recommendation here is to provide more precise information. So, if there is a law violation being complained of, what type of law violation is it? Is it a theft? Is it data protection?

Is it an IP issue? That's all useful information that would be helpful to figure out, so we can track what categories are generating the most complaints. And then, since there is this safeguard that is particularly focused on protecting sensitive health or financial information, it would be very helpful to make sure that ICANN compliance is collecting that information and then reporting it to the public.

So, you know if there is a particular gTLD that's getting a lot of complaints about failing to protect this information. So, those are some of our recommendations regarding sensitive and regulated gTLDs. Next slide.

Highly regulated strings, so these are the most sensitive categories of all, and the goal here is similar for these highly regulated strings, which often have formal requirements, for example, like a bank that has very formal requirements in each jurisdiction. If you're going to call yourself a bank, you have to do certain things.

If you're going to call yourself a lawyer, there are bar requirements, etc. And there is a recognition here that this invokes the highest level of trust to consumers and therefore the highest risks. And our finding is here that the safeguards regarding these strings in terms of providing credentials, and responding if there are complaints about the credentials, although the safeguards have been implemented, we don't know how contracted parties are complying.

And it's not clear, therefore, if these safeguards have been effective in mitigating the risks they were designed to combat. We don't know this one, because we can't tell if there are complaints being filed that relate to this safeguard. And we don't know it too because there hasn't been any audit or

assessment to determine whether the registrants are actually complying with these safeguards.

The only thing we do know is that the language of the safeguards is in the contract, but we don't know what's happening in the real world. So, next slide, so these are the recommendations that then relate to the highly regulated string. So, for recommendation 28, you'll see, for example, that we could, that there is a recommendation of an audit here, for anyone offering these highly regulated gTLDs.

We can actually try and find out, can an individual without the proper credentials buy a highly regulated domain. 29 goes to complaints, again, you know, we want to see the volume and subject matter of, regarding complaints in highly regulated industries. That's the sort of category that would be very helpful for ICANN compliance to break out, since it's perceived as highest risks.

And then another useful comparison would be to look at rates of abuse between highly regulated gTLDs who have gone above and beyond their contractual requirements. For example, some registries have voluntarily agreed to verify and validate credentials and other highly regulated gTLDs have not.

They are abiding by the contract requirements, which just requires registrants to represent to say, I have the appropriate credentials. That's something very different then actually requiring verification and validation. So, does that additional effort and practice by these gTLDs, does that correspond to a different rate of abuse?

So that's where that recommendation flows from. Comments, questions?

Next slide. I think we're getting into picks. This would be you, Drew.

DREW BAGLEY:

So for picks, our methodology was, of course, to heavily rely on ICANN staff to go and find all the picks that are in the registry agreements, categorize them in three different ways, which I think is relevant to just briefly point out, because we've looked at them.

We were looking at voluntary picks only, not the mandatory ones in the context of this, and looked at the ones that highly regulated registry operators committed to, regulated registry operators, and then the top 30 as far as the volume of the zone as of June, I should look up at that date, or July of the [inaudible] report.

But, yeah, no, I guess I'll just emphasize what we discussed earlier today. That the voluntary picks, they vary so much in topic area, and in substance, and so it's not always clear to discern what the intention of the pick is. The process of analyzing picks to even determine whether or not a registry operator is accomplishing whatever they've committed to, or determining the effect of that, is not easy because of the fact that the picks are only organized by being in the contracts themselves, and are not in a searchable database in and of themselves.

So, it's very difficult to do any sort of comparison for the community, in an easy way. And there, from our, you know, analysis of understanding how, I guess, haphazard the initial pick process was, and you know, the fact that there have not been developments since then. There is currently no mechanism to ensure that voluntary picks are, in fact, in the public interest when a registry operator is making a commitment. Next slide please.

Therefore, we have some recommendations regarding, I guess I'll emphasize the fact that even if it's picks by other name, we have recommendations that we think would be applicable to any sort of public interest commitments of any form, going forward. Lowercase picks.

Since that was an issue earlier today, there might not be picks, but there might be commitments or whatever.

[SPEAKER OFF MICROPHONE]

Yeah. So, we think having, this is something that I think, of course, might be one of those burdensome issues for the staff, because of the fact that we're dealing, again, with data, making data more accessible. So I don't know, in general, I'm just now thinking out loud, and we get the Board presentation how all that data stuff might want to be kind of lumped together with this topic.

But anyway, yeah. Picks should be more accessible to the public, by being in their own database, searchable database, because then that would be great for the community to be able to ensure that registry operators are doing what they say they're going to do, and for better understanding which zones maybe have inherently more trust because the registry operator made whichever commitments if you had two zones that maybe were tailored to some more industries, perhaps that would help with consumer choice.

And then, as I was mentioning, future applicants, whether they're doing picks or something, lower case picks should state the goals of each of their voluntary picks and that goes along

with the ability of a future review team, or just the community in general to be able to measure the success, or at least the impact of the picks, and lastly, there should be a, you know, built into whatever the new process looks like, we should ensure that voluntary picks by any name, are submitted early enough in the process that everyone can weigh in, including the GAC, including the community as a whole, and including allowing for a limited public interest objections.

And so that would serve as a safeguard, where you're not dictating what public interest looks like, but you're ensuring that something against the public interest, as determined by the community process, would not slip by.

Next slide please.

CARLOS GUITTEREZ:

The middle one, it would make sense to make measurable goals or expectations, the way you spelled it out, since you have been so saving with words, I think it's worthwhile to putting an extra word and the middle one, in terms of milestones or measurable, or I don't know what the way you said it, but it sounded better than it reads. Thank you.

[END OF TRANSCRIPTION]