
COPENHAGEN – ICANN GDD: New gTLD Program Reviews
Monday, March 13, 2017 – 15:15 to 16:45 CET
ICANN58 | Copenhagen, Denmark

ELEEZA AGOPIAN:

Alright. We're ready to begin. Thanks for your patience.

Welcome to the new gTLD Program Review Session. My name is Eleeza Agopian. I am the Manager of the Operations and Policy Research Group in the Global Domains Division at ICANN.

We're here today to discuss the various reviews, policy, and other community work that relates to the new gTLD program, its current iteration, and what it may look like in the future.

We have a number of speakers with us sitting mainly against the wall in front of me because of our unusual room shape. I'd like you to see all of them sitting right there, but we have plenty of space at the table, especially right here at front. You're more than welcome to join us. We'd like this to be more of a conversation, although there will be some slides and some presenting before we get started.

To give you a little bit of a background, we've been holding these sessions since ICANN53 in Buenos Aires in 2015 when a lot of our review work really got underway. That was just before the

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beginning of the CCT Review which Chairman Jonathan Zuck is going to speak about today, as well as the policy work that's begun really in the last year on new gTLD Subsequent Procedures and on Rights Protection Mechanisms. There's been a lot of other ongoing community work that we addressed at that session and some other reviews that were just beginning like the CDAR Root Stability Study as it's sometimes known. That work was really beginning in earnest in 2015, so we started having these sessions then to not just update the community on where the reviews and the policy work was going but to give a sense of what the timeline looks like and where the chips are starting to fall in terms of when another application window might open.

Our goal today is really to talk about what's next and community expectations. I don't plan on doing a lot of talking. I expect the folks here to do the talking and then for you to ask questions and offer your views on that as well.

To give you a little bit of a sense of where we are, this is a timeline we've been sharing at each of these sessions for the past couple of years and I think it's a helpful way of seeing where things fall. It's particularly interesting, given that we're in the first quarter of 2017, to see that a lot of the review work is really coming to a close now which was a key piece of finishing up this

round and seeing how things went and evaluating its successes and its challenges as well.

But I think today will be an interesting overview for you because, as I said, a lot of major milestones are going to be reached in the next couple of months. The CCT Review, for example, just published their draft report on Tuesday. I highly urge you to find it, download it, and read all 144 pages and 50 substantive recommendations. That review team in particular is looking for feedback on their recommendations and I've been working with them, so I know they're really eager to hear your views.

The Trademark Clearinghouse Review – we don't have a speaker on the panel from the vendor who conducted that study because it's been done for a while now. We just published a revised version of it, but this was a review that was done at the request of the GAC and the review data has been supplied also to the RPM PDP Group which Phil Corwin, one of the co-Chairs from that group, is here and he'll I think speak a little bit about how they'll be considering that as they talk about recommendations for the future of the Trademark Clearinghouse.

We also undertook a Root Stability Review which also goes by the acronym of CDAR, which stands for Continuous Data-Driven Analysis of Root Server System Stability. The Sierra Team, we

have a couple of representatives from the team today. I think Bart Gijsen will be doing most of the speaking from TNO. They were our lead study providers there. They worked in coordination with SIDN and NLnet Labs to do this review. That final report, kind of a revised version of their previous report but now the final report, was just published last Wednesday on the 8th.

As you can see, the review timelines are really coming to an end, and then if you look to the bottom of the timeline of this table you'll see where the policy work stands. Some of the relevant policy work is already working toward implementation, agreeing on policy language; whereas, two others which are really actively underway – the RPM and New [g] Subsequent Procedures – are working toward making their recommendations in the next year or so.

I'll let each of the speakers touch on where things stand, but I'd also kind of like them to think about – and you all as well as we get toward Q&A at the end of our presentations – about what's next and what this all means because we're really coming to a big milestone here and I think it's worth getting into.

So with that, I'm going to turn to the CCT Review. And Jonathan, I'll bring you a clicker.

JONATHAN ZUCK:

Hello and thanks, everyone, for coming out to talk with us about these reviews. We've all devoted our lives to them and have been sitting in a vacuum reviewing these things, so it's always good to interact with the public from time to time as a kind of reality check.

As you can see, as this is often discussed – they call it the CCT Review because it's meant to be a review of the degree to which the new gTLD program has enhanced competition, consumer choice, and consumer trust. In addition to that, we were tasked to look at the effectiveness of the application and evaluation process as well as the safeguards that were put in place. We made it a goal to be very data-driven and to try and not make any conclusions that weren't supported by data and to hopefully identify metrics, etc., that could be used for measuring the success of our recommendations. So, that was a big goal for the team.

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Initial Conclusions. One of the things that's been interesting as I wander the halls of the ICANN meeting here is that the community's pretty evenly divided between people that think that the new gTLD program was a smashing success and the

people that think that the new gTLD program was an unmitigated disaster.

And so, I have the unfortunate task of telling everyone that they're wrong, that instead that the answer is somewhere in the middle; that it led to some increase in competition. It appears to be headed in the right direction, but there are some issues that still need addressing. There's been an increase in URS and UDRP proceedings, for example, and there appears to be a higher proportion of them coming from the new gTLDs.

So, there are some things to address, but neither of the extremes that were predicted came out to be true.

We're going to do a webinar for folks that are interested in deep diving into this and it looks as though we're looking at March 29th to do a couple of 90-minute webinars so that once you've had a chance to read the report before you write your comments on it, that we can interact via that live webinar.

It is open for public comment and so we're excited to hear from you and what your thoughts are and what you think we missed or data that we overlooked, etc.; things that you were hoping to find out about that we didn't address at all. All those things – we'd love to hear from you so please participate in the public comment period.

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On balance, there's been an increase in competition and consumer choice, and the safeguards have been somewhat successful in mitigating any sort of degradation of consumer trust and rights, particularly trademark protection. It should only be regarded as a good start at this point.

Part of the issue here is that most of the TLDs we were looking at weren't even delegated for an entire year by the time we were studying them and it usually takes three years for a new TLD to sort of hit its stride. So, everything's preliminary in nature, of course.

We did find a number of policy issues that we thought should be addressed before further expansion of the gTLD space, which we'll be kicking the can down to Jeff and Avri's group to address, vis-à-vis, the community.

But a big finding is that there's still a lot of data that's incomplete. It's very difficult to get pricing data. It's very difficult to get granular enough data out of Compliance and to really evaluate the success of individual safeguards. So, one of the overarching recommendations coming out of the CCT Review is for ICANN to position itself better as a data collector so that future reviews, working groups, etc. can be more data-driven in the future.

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We made about 50 recommendations, but to make them less intimidating we divided them into four timeline categories so there are only 18 that we listed as prerequisites to new gTLD expansion, and then we have “high,” “medium,” and “low,” priority that was set at 18 months, 36 months, and then about five years – probably until the next CCT Review.

We welcome your feedback on that as well. As you look at the recommendations, if you’ think they’re in the wrong category let us know that as well.

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You can see there’s sort of a distribution between the different categories, and this is our timeline right now. This is the distribution of our recommendations, and you can see that there’s some in each of the areas that we studied. One of the big issues on the application evaluation process was a lack of participation by the Global South, and I think the community has to really look at itself hard and decide whether or not that’s a priority; whether we want the Global South participating in the new gTLD program as registries. Then we’re going to have to take really proactive steps to make that happen.

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This is the timeline. We still have a few things in the field. One is a DNS Abuse Report and another is a survey of trademark holders to really understand the costs that they've incurred in the new gTLD program. And so, we'd hoped to incorporate those as well as your comments in the May and June time frame and then put out a final report in July.

And I think that's it for slides, so if there's any questions, do you want me to take them now or wait until the end?

ELEEZA AGOPIAN: Let's wait until the end.

JONATHAN ZUCK: Okay. Thank you very much.

ELEEZA AGOPIAN: Jeff.

JEFF NEUMAN: Thanks. This is Jeff Neuman and I'm one of the co-Chairs of the new gTLD Subsequent Procedures Policy Development Process Working Group. We call it Sub-Pro for short, so it's much easier to say than that long title. And Avri Doria is the other co-Chair. I think she's in the room or at least was earlier, maybe not right now. But, certainly, I couldn't do this without her and without

the work track team leads that are also essential parts of the working group.

What we spent our first several months working on was a set of overarching issues that dealt with everything from: should we actually have additional new gTLDs to if we have new gTLDs, should they be done in rounds or first come first served or some other type of model?

And as a result of discussing these overarching issues we came out with a set of questions that we called “Community Comment 1” or “CC1;” sent that out to the Supporting Organizations and the Advisory Committees to get feedback on, and we got some pretty good feedback on that. I wish we had gotten a little bit more responses from some of the other stakeholder groups, but we’ll hopefully do better next time.

After that overarching issues, we divided into four work tracks that are each dealing with its own unique set of issues. For example, Work Track 1 deals with general application issues – things like application fees (or I should say the methodology for determining application fees); deals with things like: should we have a registry service provider or, as some people call them, “back end technical providers” for registries – should we have a pre-approval process for that? We also talk about issues dealing with applicant support and outreach.

Work Track 2 is dealing with legal and regulatory issues. That includes everything from looking at the Base Registry Agreement to some difficult issues around reserve names including geographic names. Other issues dealing with things like vertical integration or registry/registrars separation and then dealing with the application Terms and Conditions.

We have Work Track 3 that deals with disputes and objections and whether there's an appeals process; how all the accountability mechanisms fit into the new gTLD program.

And Work Track 4 deals with issues like the evaluation questions, specifically on the technical side and the financial side as well as issues around Internationalized Domain Names; issues around Universal Acceptance, and universal awareness.

So, those teams are in place and each of the work tracks developed a set of questions which have now been combined into one that will be out for public comment shortly after the ICANN meeting. It's a dense set of questions, probably about 20 pages or so of questions, each dealing with the different areas around the new gTLD program.

We'll have a public comment period for at least 40 days and encourage everyone in this room and everyone in the community to answer those questions. Really, you don't have to

answer all the questions. Not every question is going to be relevant to you, or not every question will be in your expertise.

But what we're looking for are responses from those that have either actually lived those experiences or those that have observed those experiences from the outside. So, if you were involved in a community application, really talk about your experiences within the community. If you were involved in an objection like a legal rights objection, how did that go? What were the good things? What were the bad things? Really looking for feedback so that we can incorporate all of that into our findings for an initial report which we hope to get done by the end of this year.

So if you want to jump to the next slide.

This is our timeline for now, and really our hope is that we can get to an initial report by the end of this year out for public comment and a final report – it says right now around September, 2018. I'd love to get it done sooner, but all of that depends on active participation by members of the community.

There have been a number of articles written recently and a number of people in the community saying, "How come we can't go faster? Let's go faster." The reality is that in order to do that you have to actively participate so we can get a lot of work done.

One of the other things I want to add is that there are a number of issues that, in the CC2 questions that'll be out for public comment, you will not see questions on things like geographic names which are going to be discussed in a moment because right at this moment in time that work's being done by the CCWG that Annebeth will talk about shortly after – I think you're right after I am.

We don't have questions out on the Rights Protection Mechanisms because that's being addressed, again, by a different Policy Development Process working group which I believe Phil Corwin will be talking about. But ultimately all of those other PDPs will feed into our PDP so we can take those recommendations, fill in any of the gaps that may be in there, and that includes the CCTRT who, if you've read the report that's out now, has a number of issues that they're recommending at this point be addressed by the Subsequent Procedures Working Group.

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This is, again, talking about the Community Comment 2. And really, what I just want to emphasize is although we have 150 people signed up for this working group, and we have a lot of work that's going on – we have a core group of people that attend a lot of the calls and that participate, but we could use a

lot more participation, a lot more help, especially from those that want to provide input into the next – I’ll call it “application window.”

One other thing I just want to announce before I turn it over is that we are going to have on probably one of the hardest issues to resolve will be addressed, again, by Annebeth, on geographic names at the top level. We are going to have a face-to-face session – we’ll call it a working session – in Johannesburg with the Governmental Advisory Committee, the ccNSO, the GNSO, ALAC, and anyone else in the community that wants to participate, to talk through proposals on dealing with the geographic names issue at the top level.

In preparation for that, on April 25th we will have a webinar that will have a background on the different issues involved in the geographic names topic. So with that, I ask you to look out for that.

And I will turn it over, I believe, if I’m right, Annebeth is next or do we change the order?

These are Appendices. You can skip through those. Those are just the topics and then – yes.

[ELEEZA AGOPIAN]: Annebeth and Carlos.

ANNEBETH LANGE:

Thank you very much. This is Annebeth Lange. I'm one of the co-Chairs for this Cross Community Working Group for Use of Country and Territory Names as TLDs at the First Level/Top Level. I'm doing this work together with Carlos sitting here and Heather Forrest that you all know. She is not here.

And our mandate when we started in 2014 was to assess the feasibility of a divisional framework for the use of country and territory names as TLDs that all stakeholder groups could agree on. And, again, I want to point out very clearly that it's the first level we're talking about. The starting point for the discussions was ISO 3166 which is the standard that lies behind the two-letter country codes.

So first slide here, we started in 2014, as I said, and we started with discussing two-letter codes. That was the easiest one. The working group reached the preliminary consensus in this group that we could/should support to maintain the status of two-letter combinations as exclusively reserved for the ccTLDs.

And one of the reasons for that was that it's not ICANN that decides what is a country and what is not. So we shouldn't come in the position where we start to use two-letter codes up for a gTLD and then new countries come. In this world we're living in, that could easily happen – and it is empty.

So, we agreed on that, and that's not bad that we managed to agree on something because when we started to discuss the three-letter codes then the problems really started. So, it was a wide range of views that was presented how to use the three-letter codes, but we did not reach a consensus on those.

And therefore, we did not progress to discuss country and territory names, long and short form, so we found out this takes too long time. We tried to coordinate with what Jeff has said and we can't wait too long before we discuss the geographical names.

So, when we didn't manage to come to a conclusion together, what we then discussed was how to go on from now. In addition to what we did in the C&T Group, we had all the activities going on in the GAC with further geographical names.

So, the working group produced an initial report which is available as you see here and you find the link in the Adobe. And after the closure on the public comment – the deadline is the 21st of April – it will revise the conclusions if necessary and if appropriate, send it to the ccNSO and GNSO for further discussion/adoption and next steps.

But as Jeff said here – here in this meeting the last day here [there have been decided to] hold this webinar and this is a very good thing to do, to bring all the parties together, all the

stakeholders together, because this is actually an area that has interest in all camps.

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What is there for recommendations is not actually a material thing. It's more where do we go from here? How shall we treat it? The Chartering Organizations will close this Cross Community Working Group in accordance with [unforeseen] in the Charter. That will be our advice. The ICANN community consolidate all policy efforts relating to geographic names to enable in-depth analysis and discussions on all aspects related to all geographic related names. We can't see another way to determine whether a harmonized framework is possible at all.

Future policy development work must facilitate an all-inclusive dialog. That is very important for the other stakeholders, that even if it's treated in a GNSO PDP it is really important to go forward with a step and the pace that we want it to go forward with that all parties, all stakeholders, are included in the discussions.

So, we couldn't agree on any recommended course in how to organize it so that the natural course of it will probably be decided after we have had that discussion on the webinar and after all the answers and comments on these recommendations we have given come in.

So, since this actually only about the way forward, it is even more important that you read the report and send in your comments by answering the questions. And since they are first and foremost about practical things, I would encourage all to give us input also on the material issues.

If you have an opinion and good input to how we can solve this question so that we somehow could unify the different opinions and wishes and needs from the different SOs and ACs, that would be very helpful for the further work. And we would most of all try to avoid what happened in the last round, that after the last decision [we're coming] in the Applicant Guidebook we started new discussions and we don't want that. Thank you very much.

ELEEZA AGOPIAN:

Thank you, Annebeth. Carlos, did you have anything you wanted to add? Okay.

Phil, please go ahead.

PHIL CORWIN:

Good afternoon everyone. I'm Phillip Corwin. I'm one of the three co-Chairs of the Working Group to Review all Rights Protection Mechanisms in All gTLDs.

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My other co-Chairs are Kathy Kleiman from the NCSG who's here but in another meeting right now, and J. Scott Evans who's also from the Business constituency as I am. He's Trademark Counsel at Adobe and former President of the International Trademark Association.

Our PDP is – we have a Phase 1 and Phase 2. I'll get to Phase 2 at the end, but Phase 2 does not relate to new TLDs exclusively. At the time the new TLD program was being developed, the trademark community was extremely concerned about the prospect of estimates of up to 500 new TLDs at that time and the possibility of having to do defensive registrations and deal with infringement and new TLDs.

Of course, we now have more than double that amount – about 1,300 new strings – so there was an effort to develop additional new Rights Protection Mechanisms in addition to the classic one – the Uniform Domain Resolution Policy, UDRP.

And those new policies are...the one that has never been used so far but we reviewed it nonetheless – the PDDRP, which is the Post Delegation Dispute Resolution Policy. That's the only one aimed at the top level that allows a trademark owner to bring an action against a registry operator if they believe the operator is

either directly infringing on their mark or is actively encouraging infringement at the second level by their registrants.

We've got the Trademark Clearinghouse which is a verified database of high quality trademarks. Two RPMs based on the clearinghouse – which is Sunrise Registration Rights – the right to register your mark in any new TLD before general availability opens up – and the Trademark Claims Notice which generates if a domain registrant attempts to register your mark in a TLD which could be infringing or non-infringing depending on their intent.

They get a notice that it is a registered mark and they better be careful and you get notice if they complete the registration that they've done it. And the final one is the URS – the Uniform Rapid Suspension – which is a narrow supplement to the UDRP for black and white, very clear cases of infringement where you can very rapidly suspend the domain and stop it from resolving.

The overall goal for our group is to review all the RPMs which were developed in – I wouldn't say a haphazard, but a multistage process. There was an IRT group then an STIRT, and then there were further additions and modifications made as the Applicant Guidebook was written.

So, we're kind of reviewing all these RPMs to see if they're working as intended; if they're effective; if they're balanced in

their operation between rights holders and registrants and registry operators; and to see whether we're going to recommend any changes of them. And also, our Charter requires us to recommend whether any of them should become consensus policy and therefore applicable to legacy TLDs.

Some of them, obviously, would not be relevant to legacy TLDs. You're not going to have Sunrise Registrations at .com and .org, but URS is one of the ones we'll be looking at; whether it should become a legacy policy.

We're currently in Phase 1 which is the review of the new TLD RPMs. We completed review of the PDDRP which presented some challenges, as no cases have been filed. But we reviewed it as best we could, and we may recommend that in certain cases mark holders be permitted to join together in a joint action against a registry operator if there is something going on that affects a multitude of mark holders.

We're completing our review of the Trademark Clearinghouse, and we had a three-hour meeting of our working group on Saturday where we met with the clearinghouse operator, Deloit. They gave us a good download on how they handle operations. A lot of technical questions were asked.

One of the questions we're wrestling with: About 40,000 marks have been registered in the Clearinghouse, which is a lot but it's

a small fraction of all the trademarks in the world. And there's feedback from rights holders that one of the inhibitions is the cost of a registration, which is about \$150 a year.

And we're exploring the question of whether having more than one clearinghouse operator would reduce cost through competition or whether that would, in fact, increase inefficiencies and not reduce costs.

We're also looking at questions whether variations of a mark should be permitted to be registered. Right now, the only variations under the trademark +50 implementation detail are marks which have been recovered that are similar but not identical to the trademark which had recovered in either a UDRP or a trademark litigation.

We expect to wrap up our review of the Clearinghouse in the next few weeks, and then we'll begin a review of the two RPMs which are tied to the Clearinghouse – the Sunrise Registration and the Trademark Claims Notice.

And then by fall of this year, we expect to get into Uniform Rapid Suspension. We plan and intend to issue an Initial Report and Recommendations before the end of the year. We've been holding weekly calls of one hour duration. The co-Chairs spoke last week and we're probably going to up the duration of those calls to either 90 minutes or two hours to stay on our timeline.

This is a working group with a very large membership. We have about 150 members of the group, almost 100 observers. On any given call, we'll have 50 to 60 participants so there's a lot of people working here.

And Phase 2 which will begin...at one point we'll be double-tracking because after we release our Initial Report and Recommendations, while we're gathering comments and then analyzing comments, at the same time we plan to launch Phase 2, which will be the first ever comprehensive review of the UDRP since it was created in, I believe, in 1998. We haven't projected a timeline yet for that but we're going to start that UDRP review while we're also gathering comments and preparing the final report on Phase 1.

Let's see what the next slide is here.

Current challenges and issues. Our Phase 1, the timeline is aggressive. We're going as fast as we can, but we have a Charter with dozens of questions from the community that we have to address. Some of them are duplicative, so on each issue we're going through the Charter questions which are non-exclusive – other questions can be raised – we're consolidating the questions that are duplicative; we're prioritizing questions; we're discarding some after initial review if we don't think they

raise important issues; we are coordinating with the Subsequent Procedures Working Group.

We have certain issues where it's not clear whose responsibility it is. For example, we talked about we have responsibility clearly for Sunrise Registrations as an RPM, but it's not clear where the responsibility for pricing of Sunrise Registration is. Many trademark owners have found that their marks have been designated as premium names at very high prices and then they decide not to take advantage of the Sunrise because it's just cost prohibitive. So we're going to be discussing with the other group whose responsibility that is.

As you heard from the CCTRT, in a lot of cases the program was not designed to gather data as it went forward so in a lot of cases we have kind of advanced groups, scout groups, sub-groups set up when we identify areas where there is not available data to go out in advance and talk to various parties including registrars and gather what data may be out there so that we can make more informed decisions when we get to the review of a particular RPM.

We're dealing with complex issues and there's some controversial ones. There's different views and strongly held opinions. And, as you know, in ICANN in a working group if you don't get some fairly high degree of consensus, you're not going

to probably get a successful recommendation. So, that's always a challenge for a working group. The default position is if you can't get consensus, things stay the same as they are now.

I noted the number of members and observers we have. We get pretty good input. It's not just a half dozen or a dozen people doing all the work, but you do have a lot of people who are on the calls but not speaking or saying much but probably monitoring it for their employers or clients and reporting back. But we welcome everybody, and so far finding enough members to do the work we need to get done, we've been able to find enough people to dig in.

There may be some fatigue factor as we go on into year two. On the other hand, we expect that we may even get more participants and more active participation when we get to the UDRT, which is a consensus policy that affects all TLDs.

But the next round of TLDs only depends on our completion of Phase 1 work in the Subsequent Procedures. The timing of our UDRP work will not affect the timing of the second round. Whenever we finish that, whatever, if any, recommendations we make for changing the UDRP will go on their own timeline. That's a consensus policy and if and when any changes are adopted they will become applicable to all TLDs both new and legacy simultaneously.

Do we have any more slides here?

I'll stop there. I do have to leave this room at 4:30 to meet with someone who's leaving town tonight, so if you have a question and if you don't have a chance to ask it to me during this session, I'll be around for the entire meeting so just come up at any time you see me and if you don't get a chance here I'll be happy to answer your questions about our working group.

I hope that was informative and if you're interested in our working group and not yet a participant or an observer, please sign up. We welcome everyone. Thank you.

ELEEZA AGOPIAN: Thanks, Phil. Bart, go ahead please.

BART GIJSEN: Thank you, Eleeza. Good afternoon, everybody. Last speaker up, my name is Bart Gijzen. I'm working for TNO on the CDAR Study. To the right from me is Jaap Akkerhuis from NLnet Labs and Cristian Hesselman from SIDN. These are the three consortium partners that have conducted the CDAR Study.

Actually, we've completed our final report and it's been published last week, so this will be one of the meetings where

we'd be very interested in any further questions or comments. But that's the final status of our study here.

Just to recall, the graph over here on the slide shows that the number of TLDs has, of course, strongly increased with the new gTLD program and there was this one question on would this have any technical degradation effect on the stability and security on the root DNS system? This was the core question of the CDAR Study. And as a secondary question, could it be expected that any degradation could be showing up in the near future?

As I said, we finalized the report.

Could you show next slide, Eleeza?

So, since the last meeting that we had over here actually we then published the draft report and it was open for public comment. That was late October. After that we gave a presentation about the contents of the draft report in Hyderabad; core conclusion being that we didn't see any degradation of stability and security of the root DNS system as a result of the introduction of new gTLDs.

Since then we received public comments on the draft report. This public comment period ended by January this year and we took those comments into account for which we are very...we'd

like to thank you on making us able to give a better final report, in particular on some particular phrasings of the report itself.

As I said, we have completed this final report. We also included some additional data which had become available since the [DTL] round in October for the ZSK rule. Binding that up altogether, we came to our final report which was published last week. This is the current status of the CDAR Report. Thanks.

ELEEZA AGOPIAN:

Thank you, Bart. I can take over the slides from here. Can you bring those slides back? So, we have some back-up information. In case there are more questions, we can go back to those slides later on.

I want to say thank you to our speakers for providing such a helpful overview and update. There's a couple other points I wanted to cover and recap before we open up for questions, and we'll have quite a bit of time for questions.

In addition to this session, of course, there's a number of related sessions during this meeting. As you can see, I think I've tried to capture as many of them as I can. Several of them are updates from our CCT Chair to a number of the SOs and ACs. He's already been doing quite a few rounds this week.

The GAC has actually been holding a number of discussions related to new gTLD policies and actually, at this very moment in the room next door, I believe, there is a discussion with the GAC Underserved Regions Working Group which will be making a presentation on their work to the GAC on Thursday morning.

There'll also be some other updates for the CDAR Study to the SSR Review – the Security Stability and Resiliency Review – which just kicked off in the last month or so. So, there's quite a bit of work going on across all levels of the community. I think it's helpful to see this and see where things fall.

I think before we open it up to questions, I'm going to use my prerogative since I have the clicker and the mic. We've heard from several of the speakers that they've hit big milestones. The CCT Review just published their draft report. The CCWG on Use of Country and Territory Names also has a report open for public comment. The Subsequent Procedures PDP has a community comment that's coming out soon. And so on and so forth as well as the Root Stability Study or CDAR which was just published.

So, given all of these things are really either coming to a close or close to coming to a close, you've all touched on it a little bit but I'd welcome this chance for you to have a dialog either amongst yourselves or we can ask for opinions from the audience as well.

And we have mics at the table here and mics we can bring out to the audience.

What's next? Jeff mentioned there's been a lot of articles in the press lately about what are we all waiting for? Let's hurry up. And Jeff wrote an article himself saying it's up to us which I think is a good perspective to keep in mind as well. So since it's up to you, Jeff, maybe you can start. [laughing] I'm putting you on the spot.

JEFF NEUMAN:

It's up to me...I would really love to have so much active participation that by the time we're done with the Subsequent Procedures Group that the next version of the Applicant Guidebook, or whatever we end up calling it, pretty much writes itself.

I would love to do a thorough enough job where once we take that final product, the amount of "staff implementation" is a minimum and that we move forward with whatever the program looks like at the time to make sure we've handled all of our concerns and have a predictable, stable, reliable, process for the introduction of additional new generic Top Level Domains which is one of the core tenants that ICANN was founded on in 1998.

PHIL CORWIN:

I have a few things to say on this topic of the speed and for those people who want to get to a second round or a continuous opening of a permanent round sooner rather than later, to the extent that's dependent upon completion of the work of the RPM Review Working Group and the subsequent Procedures Working Group and delivery of their final report and recommendations to Council and then Council will work its will with that and then deliver it to the Board whatever they want to recommend to the Board.

We're both looking at delivering that in the first half of 2018 to Council and once Council gets it, assuming since every recommendation requires a fair degree of consensus so anything really controversial will probably not be recommended; though it could be brought up in Council or Board deliberation. But it's kind of predigested, so I think by the second half of 2018 those working groups are finished, the Council and Board will deal with anything...

So that would set the stage for a second round in 2019 depending on the...if Jeff is correct and the next version of the Applicant Guidebook kind of writes itself based on that and we'd only be making change around the margins I think, you could launch in 2019.

Anyone who's ever participated in ICANN working group, even one on a relatively simple question – and we have multiple dozens of questions and they're very complex – knows it's a very deliberative process. We're required by our Charter to at least consider each and every question that's in the Charter. And when you have lots of participants, even if there's only two dozen, if they each have an opinion and want to speak on a call it takes quite a while to get through the questions.

So, there's this tension between finishing fast and doing a thorough job, but I would remind everybody that this is a new TLD program. This is the initial review. And probably after this review of the RPMs and the procedures, there probably won't be another one. This is probably the adjustment phase, and I wouldn't anticipate another working group's review of the program for a long time after this.

I think it's a one-time event to see if the program is working out as expected. And we're going as fast as we can. Thank you.

ELEEZA AGOPIAN: Jonathan?

JONATHAN ZUCK: I guess the other thing that I feel comes up a lot and somehow gets discussed a great deal but sometimes falls between the

cracks is simple operational readiness. And I think if we look back at the execution of the new gTLD program, in many respects it had to do with – maybe it was there were so many people that applied, etc., and so we went through a lot of hiccups associated with the application evaluation process in terms of inconsistent results, trying to figure out first come first served through things like digital archery, etc.

And I think that the big piece...ICANN really does two things – it signs and enforces contracts. When all is said and done, the rest of this is noise. That's what ICANN does. Is it signs and enforces contracts, and I think that the Compliance Department really wasn't ready for this rapid expansion and then there were so many questions unanswered about what enforcement meant of different contract provisions that were vaguely worded, etc.

So, I think that sort of separate from coming up with all the policy surrounding it, we need to really ensure that the organization's really operationally ready for further expansion of the new gTLD space, and I think we need to make sure that we're on top of that as we work in parallel to come up with the best possible policies.

I just don't want that part to fall through the cracks in a way that I really believe it did, despite it taking years and years to get the

first round going. So, I think we need to make sure that's something we focus on.

ELEEZA AGOPIAN: I have Annebeth and then Jordyn.

ANNEBETH LANGE: I just wanted to say one more thing about the country and territory names and the special nature of these names. In opposition with pure generic names, these names of countries and territories are very sensitive for a lot of countries in the world – for politicians, for governments, for those who operate the ccTLD.

So, even if this is a gTLD new round and that's a process kind of will be treated in the GNSO PDP, you should never forget that in just these names have special attention from many, many, others, more than generic. So please be aware of that. If we think about it, when we try to find a solution, I think we will get away from problems afterwards. Thank you.

ELEEZA AGOPIAN: Jordyn.

JORDYN BUCHANAN: Thanks. Just reflecting a little bit on both Jonathan and Jeff's initial statements here. I'm struck by the fact that a lot of our timelines look really long because we stack work strictly in series. We wait for something to fully complete before we start working on the next phase. And that just seems like an inherently inefficient model. Many of the issues that Jonathan's talking about, we can and should be working on today long before we get to the point that we actually complete the Subsequent Procedures PDP.

And to Jeff's point of being able to write a new Guidebook at the end of the PDP, why not start drafting that thing now? One thing that would probably be helpful for the Subsequent Procedures PDP to look at – I imagine there's some things that are relatively less controversial in the PDP Work Streams; resolve, give an early indication like, "Okay, this thing worked fine last time. We don't actually need to change it. This thing, well, certainly we need to change and it's probably going to look about like this."

We don't even need that to be 100%, but with a strong enough signal, staff could start drafting up...both thinking about what implementation looked like and start drafting up a sort of wiki version of a Guidebook today that sort of mirrored the state of the working group.

And some cases are going to be big gaps because we don't know what the answers are going to be and in some cases it's going to look a lot like it did last time or in other cases we have learned a lot and already know what we need to do to change it. We could be doing that now. There's no good reason why we shouldn't be.

ELEEZA AGOPIAN:

Jeff and then Phil again. And then we'll turn to the audience. Thank you.

JEFF NEUMAN:

Thanks. I'll comment on, I agree with Jordyn. I think there's no reason why readiness can't start now, especially from ICANN staff and knowing that any system that needs retooling or anything like that that needs to become more robust and certainly those things can start now and with Jordyn to some extent.

So when you participate in the PDP – and I would love to see you in there – you will notice that each of the work tracks and leaders, they go through topics and they first what they do is they take a look at each of the items in there, break it down, and then there's a lot of the items where it's, "Yes, check. Nobody has any comments to it, Check. It's going to go."

So, the group tends to work like that. Where not everything is being changed and so we only work on certain items and we agree that certain other items do not necessarily need revision. And it'd be great if someone in the background, ICANN staff or someone in the background, were rewriting sections of the Guidebook at the same time. That would be kind of cool. So, we'll take that back and see what we can do to try to do that.

I just want to comment as well on the geographic names and the country and territory names. Annebeth is right. It's an extremely sensitive topic and one where the best thing to do right now is to consolidate all of those discussions to not have different groups forming and presenting proposals to each other within their own silos, that really one of the main reasons for this face-to-face in Johannesburg to discuss geographic names is to get everybody in the same room so that when proposals are developed and discussed there's actually room for compromise or at least room to listen to all of the other inputs and to shape the proposal at that point.

As opposed to coming up with a proposal in your silo and becoming so hard and fast on it that you will just never agree to any change to it and then just locking heads together.

I think we need to look – with geographic names, one of the things we need to do is look at the harms that could be caused

and look at addressing those harms and break down the issues. I know we can do that – and for the community to participate in that webinar April 25th and the face-to-face session in Johannesburg.

And one thing I will ask the ICANN Board at the public forum today is to make sure that there are zero conflicts with the working session on geographic names. If there's anything that ICANN staff could do to support us and the Board, it's to make sure that there are no conflicts. The Meeting B is a Policy meeting in Johannesburg. To the extent that there's any conflicts and we cannot actually do policy, then in my view ICANN is not acting in accordance with its Bylaws and its Mission. Thanks.

ELEEZA AGOPIAN:

Phil and then Carlos. And then I'm going to turn to the audience. Thanks.

PHIL CORWIN:

I'm going to take a somewhat divergent position here, and it's not because I'm against doing things as quickly as possible. I think, certainly, on technical and operational issues where we've learned from glitches in the initial round, staff should be working on those things right now and anticipating what

improvements should be made for the next round and can be working on that.

But in the policy area, unless there's kind of massive consensus on a potential change, it's very difficult to write those changes in the Guidebook while the working groups are still working. We have an understanding within our working group that even when we finish a topic and have reached a tentative conclusion on any changes we're going to recommend, that we're going to come back at the end because all these RPMs are supposed to work in concert with one another and give it one more look and see if we have to make any fine-tuning adjustments.

But the Rights Protection area is a complex and controversial area in which there's strongly held views. We don't know once we deliver a final report (hopefully in the first quarter of 2018) if the Council will accept our recommendations, or whether things that were controversial in the group; the controversies will continue in Council. We don't know once council forwards recommendations to the Board whether the GAC will have contrary advice.

Once there's final action by the Board, it doesn't take very long to write the changes in the Guidebook; but until you get to that end point, I'm not sure how you would write any changes in the

RPMs into the Applicant Guidebook because you don't know what they're going to be until the Board takes final action.

ELEEZA AGOPIAN: Carlos.

CARLOS GUTIERREZ: Yes. I want to add a little bit to what Jeff just mentioned about the importance of geographic names. We should not forget that even before the Applicants Guidebook was drafted, geography was one of the few areas where there were new gTLDs – Catalonia, Latin America, Britain, [Britain] in France – had their three-letter codes. Even Serbia decided not to wait for a two-letter code and went ahead for a three-letter code before we came to the expansion.

And if I look at the competition review – and if I say something wrong, Jordyn might correct me – one of the few areas where we saw a big increase in competition is on a geographic issue – cities. Cities have been utterly successful – famous cities, of course – in putting competition. And so, I just hope that we speak less about underserved areas and are careful not to throttle innovation, particularly in the South by trying to restrict geographic names.

I have big hopes that we make progress in the webinar in April and in Johannesburg, and we go open to this discussion of geography and see it as a great opportunity for innovation and expansion of the top level domains, particularly in underserved areas. Thank you very much.

ELEEZA AGOPIAN: I see Jordyn’s hand, but I want to open it up to the audience first if you don’t mind. There was one over there.

BRETT FAUSETT: Brett Fausett from Uniregistry. First of all, thank you for having this in one room. It’s great to have all the parallel groups talking at once rather than having you do it serially. So to the organizers, thank you very much for this. It was helpful.

My question goes to the CCT group, so for Jonathan, Jordyn, anyone else who is on that committee – looking through your list of recommendations, I thought it was very helpful to have prerequisite, high, medium, low. I thought that was very well done.

On the prerequisite stuff, it looked to me that some of those prerequisites are going to go over into Phil and J. Scott’s group; some of them are going to go into Avri’s group and Jeff’s group. There’s still probably 10, though, that look like they need their

own track. So, I wanted to hear from you what's that track look like?

If it looks like it's all data gathering and research; data gathering and research could be six months, it could be six years, depending on how you scoped it and how you staffed it and the level of thoroughness that you wanted. Curious to hear your vision as to how the prerequisites are going to go and how long you think it's going to take and when they would finish.

JONATHAN ZUCK:

Jordyn may speak to this as well. I think that most of the things that are not clearly targeted to other working groups were meant to be targeted towards staff and toward the Board. So, when these recommendations are put before the Board, presumably that would be to direct staff to look toward collecting this type of data.

So, some of it had to do with capturing data in a different way, inside of Compliance, for example. One of the best examples right now is that complaints to Compliance are not captured in a way that you actually know what safeguards are touched by the complaint. So, there's no way to measure the effectiveness of individual safeguards because we can't actually parse the complaints by safeguard, for example.

And so there is already an ongoing process to do a conversion in Compliance over to Salesforce and to do more granular collection. So, we'll be working together with them to help define what that database should look like in order to better capture data.

I think most of those things don't need a PDP or a community track, but mostly will be staff implementation. I don't know if Jordyn, you want to supplement that.

JORDYN BUCHANAN:

Yeah. I entirely agree with that assessment and I think, in some cases, one lucky coincidence is that Jamie Hedlund who is now in charge of Compliance is also a member of the CCT Review and to a certain extent, there's already dialog going on within the review as to what the implementation of some of those compliance related bits might look like.

Which gets to the general point I'll re-emphasize, which is we don't have to wait until we're finished putting together recommendations before we can even start thinking about the implementation of these data-gathering topics as well. And I know that on a number of them, ICANN's already thinking about how to do that data gathering.

And I have a follow-up to Phil, but I'll wait until other folks from the audience have had a chance to speak.

ELEEZA AGOPIAN: I have another question over here.

JIM PRENDERGAST: Sure. Thank you very much. Jim Prendergast with the Galway Strategy Group. For those who are talking about, "Hey, maybe staff can get a head start and start doing some of this stuff," I would suggest you look at the proposed FY18 budget that came out. There is a trend in there about FTEs; about repurposing the new gTLD program employees and burrowing them into the rest of the organization.

I don't know if that prevents them from doing that work from an accounting standpoint, so as the public comment period is open it may be something you may want to seek clarification on.

Phil, a little bit of a granular question – TMCH had 40,000 marks in it. Is that cumulative or as we sit here today?

PHIL CORWIN: My recollection from our working group session on Saturday morning is that there were about 42,000 marks submitted. Of those, about 38,000 were verified and are in the database.

They're still in the database. Right now about 4,000 could not be verified. And of the 38,000, around 1% – about 380 – were not trademarks but came through the trademark +50 program. That's my recollection from the presentation by Deloit on Saturday.

JIM PRENDERGAST: So, people have been renewing their Trademark Clearinghouse registrations on an annual basis and not letting them lapse?

PHIL CORWIN: I think so. I believe their presentation was on the current number of marks in the database, but I'd have to go back and look at the presentation to be sure.

ELEEZA AGOPIAN: Jeff.

JEFF NEUMAN: Yeah, just on that, Jim, they are renewing on an annual basis. They are renewing those, at least for our clients and, I know, Michael's. These other people have clients. Yes, they are renewing for the most part.

MICHAEL FLEMMING: Just on the note of staff or looking at rewriting the Applicant Guidebook as we move along here. Although I don't think that has been considered at this point, I do know that staff...besides policy staff, some of the GDD staff have been actively participating in a lot of the calls for the new gTLD Subsequent Procedures.

So from what I can see they are starting to get a heads up at what's coming and how they need to make adjust their internal budgets and how they need to prepare for that for the future. So, there is talk and there is background prep. Still on a small scale, but I think things are moving forward.

ELEEZA AGOPIAN: Other questions in the audience? Jordyn, I think you had one more point you wanted to raise.

JORDYN BUCHANAN: Sure. I just wanted to build on the last couple of comments about continuous improvement to the Guidebook to respond to Phil a little bit. I think, if I heard Jeff right, he said they're already doing what I suggested which is that there's a bunch of areas in which the working group has already decided that there's not going to be changes – either the practice from the 2012 round is going to exist and/or there was quick consensus on a change.

And in all of those areas there's just no good reason to wait to start writing the Guidebook. Phil, you're right. There's other areas where there's considerable controversy and it probably doesn't make sense, in those areas, to try to draft Guidebook language around them. But there's certainly no reason to wait in the areas where there's already consensus.

And that will diminish the process, when we actually get to those final bits where there is controversy around them to rewriting just small portions of the Guidebook as opposed to trying to consider the whole thing from scratch. So, I just think we'll get a much better handle on this problem as a community by taking this approach.

And the other thing I would add is, in fact, that it is just not the case that it is usually a quick process to go from the GNSO adopting a piece of policy from a PDP to eventually have that turn into contract language and/or Guidebook language. That process often takes 18 months or more, and so to the extent we can be developing some of that language in parallel even if we're not 100% certain of it, I think it'll help us get there a ton faster.

I think we end up spinning our wheels for years at a time in some cases trying to manipulate policy language into implementation language. And I think the approach that the Subsequent

Procedures PDP is taking is to simultaneously take on a bunch of policy and implementation topics side by side, and therefore the output of that ought to be implementation and not just a high-level policy statement that then has to get wrestled into a Guidebook at the end of the process that may take years.

ELEEZA AGOPIAN: Phil, because I know he has to leave and then Michael and Jeff again.

PHIL CORWIN: Yeah, thank you. The operational issues – and Subsequent Procedures is dealing with a lot more operational issues than we are; we’re dealing with pure policy issues and RPM pretty much – you can make those changes in the Guidebook as you kind of lock down issues and move along.

I’ll say two things. One, on the day that the Board approves the final whatever they believe should be the final changes in RPMs you can pretty much insert the changes in the Guidebook the next day. They’re pretty much written and it’s not a long time delay.

Where there might be some delay would be in implementation, and let me give you one example. There are some folks – and Jeff has been one of them – who’ve been advocating having

more than one Clearinghouse provider in the belief that competition would lower prices and incentivize more registrations in the Clearinghouse.

And I don't know if our group will recommend it, but if we were to recommend that and the Board finally adopts it, there'd be some time period where ICANN would have to go out and find additional providers and contract with them. So, I think on the policy issues, once there's final decision by the Board, within the same week you can put them in the Guidebook. The delay might come if there's some implementation required to make the changes.

And I do have to leave now. I apologize for that, but I'm available. I'm here the entire conference and as you can see our working group is meeting from 9:00 to 10:30 on Wednesday morning in Hall C1.4 and if you're interested in our work please come by. Thank you.

ELEEZA AGOPIAN: Thanks, Phil. Michael.

MICHAEL FLEMMING: Just to respond to what Jordyn said. Our approach to a lot of the issues and especially in the Working Track 2 or the working tracks for the Sub-Pro is Neuman Rule #2 – If it's not broken,

don't fix it. Take what you already have. If nobody has a problem, wait five seconds and then just take a quick consensus.

I wish it was that fast but, still, it's moving very quickly I would think. But essentially, when we do move forward to that Applicant Guidebook writing phase with this approach I don't think it will take that much time to change what we already have in place. But I would think that public comment would be necessary on the reports that we send out before we can have a full ICANN budget or at least some staff dedicated to writing that.

ELEEZA AGOPIAN:

It's Jeff in the queue next and then [inaudible].

JORDYN BUCHANAN:

Could I just make a really quick – it'll be like three seconds retort. I think that makes a lot of sense to me but there are things that we did in the 2012 rounds that are not in the Guidebook. A lot of stuff changed.

To the extent that we agree that that was the right thing to do but it's not in the Guidebook, someone should write that down so that there's a basis to go on going forward as opposed to waiting until we get done with the PDP to say, "Oh, yeah. Let's think about what we did a few years ago." It'll be harder and

harder to write that the farther we get away from the actual events.

ELEEZA AGOPIAN: Jeff and then –

JEFF NEUMAN: Thanks. And Jordyn’s right. There are a lot of things that weren’t in the Guidebook and frankly, some of them don’t even need to be in the Guidebook. They could just start as soon as possible. What I do want to say – and it’s unfortunate that Phil left because one of my comments was geared towards one of his statements which was, “Well, once the working group has it, we don’t know what the Council’s going to do with it.”

I think that’s the wrong approach. If we don’t know what our own representatives on the Council will say, then the group has not done its job. The Council – and frankly the Board – should not be the place where the bottom-up process is actually changed. That’s a point we’ve been emphasizing all meeting long, whether it’s the discussions with the GAC going on now between the GNSO and the GAC on the INGO IGO – BINGO or whatever it is – group on governmental names. The point is that the policy process goes bottom-up, not top-down.

So it's very important for us to make sure that if we think our communities are going to have an issue with something, then we immediately liaise with our communities to make sure that we either have their buy-in or that we change things to help get their buy-in at this stage and not expect or hope that what happened between the years of 2008 and 2012 where the Board and the GAC and others got together and lobbying all this done to change what's going on happens again.

And I really want to caution that if the community believes, if the reason that members of the community are not participating in the process now is because they believe that they will have the opportunity later, I hope to God that doesn't happen.

ANNE AIKMAN-SCALESE: Anne Aikman-Scalese with Lewis Roca Rothgerber Christie and a member of the Intellectual Property Constituency. A Question was asked earlier about TMCH renewals and I just wanted to add anecdotally that our firm's a Trademark Clearinghouse agent as well. We are seeing renewals every time. And with respect to pricing – and I'll find a way to convey this to Phil and J. Scott and Kathy – but their pricing issue may not just be solved by looking for another provider that might make things not economically viable for anyone. But most of our clients are selective about

how many marks they enter into the Trademark Clearinghouse because no one has an unlimited budget for that sort of activity.

So, if the Trademark Clearinghouse could think in terms of volume discounts, I think they'd probably see a much higher volume of marks being entered for validation. And the system is quite effective. Our experience, again anecdotally, has been we get a lot of [inaudible] claims notices that are exact matches on trademarks of our clients.

We're able to filter out quickly because of the available of some accurate Whois information what sites require monitoring and what sites we can just easily let those go. But the pricing issue – it's not only a matter of finding another supplier. Let's look at volume discounts.

ELEEZA AGOPIAN: Thank you.

MICHAEL FLEMMING: To the point that was just raised – I forgot what I was going to say. I believe that there have been...I'm sorry. I remember now. I'm a TMCH agent as well, but I would just like to ask maybe to the other individuals that say that have clients and they've been seeing renewals. But there have been times when the TMCH does offer a limited time discount for some of the registrations.

Do you see more or do you employ those discounts, for example, and see more of your clients registering during those limited times?

One of the replies I got back when I asked that question elsewhere was that the TMCH agents just buy that up. They take the profit from the discount. I would be interested to know.

ANNE AIKMAN-SCALESE: Wow. I certainly do not think that our firm would even be permitted to take a profit from the discount and no, absolutely we do not. That wouldn't be viewed as ethical. But the one advantage we do take for our clients is enrolling in the free ongoing notifications program which again, we find quite useful and beneficial for our clients. Thank you.

ELEEZA AGOPIAN: Jeff.

JEFF NEUMAN: Yeah, thanks. Most TMCH – I shouldn't say "most." A lot of TMCH agents are not in the business of marketing the Trademark Clearinghouse, so a one-time discount for two weeks is meaningless because we don't go to our customers and say,

“Hey, let’s buy some more marks for the clearinghouse.”
Corporate registrars that are TMCH agents don’t act that way.

The only way we’re going to get better pricing at the Clearinghouse, like anything else, is to have competition. Competition will lower those pricing. We can’t, as a policy organization, mandate that the existing monopoly provider of TMCH services lower their prices or offer volume discounts. We can’t. But you introduce other players into the market and discounts happen – or lower pricing happens.

ANNE AIKMAN-SCALESE: I didn’t say we could mandate them, of course. They may want to consider offering them. Why? Because of policy making that’s occurring currently at ICANN. [laughing]

ELEEZA AGOPIAN: Are there any questions from the audience or comments?

JONATHAN ZUCK: A question for the audience. With a show of hands, how many of you are champing at the bit to see the introduction of additional new gTLDs? And how many of you still want to have a wait and see, don’t’ feel like you know enough about how the last 1,500

went and are approaching further expansion with caution? How many people feel that way?

How many of you are aware of what new gTLDs are? [laughing]
What's the middle [character]?

[JEFF NEUMAN]: [Inaudible].

JONATHAN ZUCK: Oh, is that what it is? Okay. So how many are violently opposed to having any additional new gTLDs? Because the majority didn't raise their hand. I'm trying to figure out what that perspective is. How many just don't care one way or the other whether there's new gTLDs?

That's not the majority either. [laughing]

Alright. Interesting.

ELEEZA AGOPIAN: I guess there aren't very strong opinions. Jeff, go ahead.

JEFF NEUMAN: I want to respond to that. My belief personally is that in the absence of opposition, the default is competition. The default is

you move forward. In the absence of opposition, that’s the way the markets generally work – or should work.

JONATHAN ZUCK: And now we have 1,300 gTLDs. So, one could assume that we got competition, right?

JEFF NEUMAN: [No].

JONATHAN ZUCK: No. Because that’s not enough or what?

JEFF NEUMAN: There’s no market where you just have a one-time opening of competition and say, “Okay, we’re going to create competition once and if we get competition, great. If not...” No, that’s not the way it works.

JONATHAN ZUCK: So, it’s your belief that the key to competition is just more names.

JEFF NEUMAN: No. The key to competition is lowering barriers to entry, or I should say the elimination of artificial barriers to entry. There can be barriers to entry like certain requirements and capabilities and testing and all that, but you should not have artificial barriers to entry.

ANNE AIKMAN-SCALESE: If you lock out the brands who are interested, it's against competition. If you lock out the cities that Carlos mentioned that haven't yet developed their tourist sites, you lock out competition for tourism. If you fail to have another round, you lock out competition.

JORDYN BUCHANAN: I'll just add my perspective. I think, Jonathan it's been interesting to put this in the perspective of the CCT report which finds generally positive trend lines, and mostly positive with some potential for negatives things. And we're still trying to dig into a little bit.

But if we see an on balance positive result from the previous round, I think I agree with Jeff. Why wouldn't you have the default be, "Keep doing that because it was good," unless we see some evidence that additional expansion would somehow

magnify the negative results for some reason or diminish the positive results.

But I agree with the notion that a one-time entrance creates sustainable competition doesn't really make sense because there's all sorts of emergent business models that are just totally locked out right now because they didn't happen to have their act together in 2012.

ANNE AIKMAN-SCALESE:

And this is not to mention communities which you notice the reports are "Communities did not participate or actively were not awarded, actively couldn't find applicant support." No further rounds means no further opportunity for community applications either, and that could be the worst, actually, result of not having another round.

ELEEZA AGOPIAN:

So, we're just about out of time. Any last comments? Dennis has a comment.

DENNIS CHANG:

Hello. This is Dennis Chang, icann.org. I wanted to let you know and invite you to a session we call "Registry Round Table." It's on Thursday 9:00 a.m. and it's a session with no particular preset

agenda but to have this sort of conversation and dialog. So, you're all welcome to join us there. Thanks.

UNIDENTIFIED MALE: How big is that table?

[laughter]

ELEEZA AGOPIAN: Just show up.

Thank you, everyone. I think this was a really interesting and productive discussion. I hope you found it as well, and we look forward to seeing you at future sessions. With that I'll close it.

[END OF TRANSCRIPTION]