ICANN Transcription – Abu Dhabi

GNSO Review of all Rights Protection Mechanisms in all Generic Top-Level Domains Part 1

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Philip S. Corwin: Good afternoon to everyone here in the beautiful (Sub-part) C and D of Hall B in the beautiful Abu Dhabi Exhibition Center.

Good morning, and good evening, to everyone who is online joining us. This is the (flight) for the RPM Working Group. We have two 90-minute sessions starting now, and two more sessions later in the week, which I'll describe later.

My name is Philip Corwin. I'm one of the three Co-Chairs of the Working Group. I'm the only one here, physically, in Abu Dhabi, so the honors of running these sessions fall to me. And I believe everyone knows that the Rights Protection Mechanism of the Working Group has been chartered by the GNSO Council. We are in Phase 1 of our work.

Phase 1 is to evaluate the efficacy and balance of the new TLD Rights Protection Mechanism, it's also known as RPMs, and to recommend any changes for future rounds of new TLDs in those RPMs. And Phase 1 of our work is that review.

Phase 2 which will commence — in the latter part of 2018 will be the first-ever review of the Uniform Dispute Resolution Policy, which is an ICANN consensus policy.

The RPMs we're reviewing right now are not yet consensus policy; they are policies strictly applied to new gTLDs, although one of our Charter responsibilities is to recommend whether or not these RPMs should become consensus policy for the legacy TLDs.

So, today, in our two sessions, the first session is a full working session for a Data Subteam. We are the one of the first Working Groups operating under the 2015 GNSO Council mandate to back, to the maximum extent feasible, all policy recommendations with analysis of relevant data.

And this Data Subteam has begun reviewing the Sunrise and Trademark Claims Data Request that was recently approved by the GNSO council in its September meeting, with a view toward developing clarifications of specific guidance regarding the proposed surveys.

And we're going to be working with a survey designer through ICANN requests for proposal RFP. This is an open session of the Data Subteam, and we welcome any specific input to this Subteam.

And at this point I'm going to defer to Mary Wong from the ICANN Policy Support Group to provide a little bit more information about the background on this Subteam, and to note which of our full Working Group members have joined the Subteam, and which of them are here in the room for us.

And then, I'm going to defer to the Subteam members to help lead the discussion, which I believe will be using an evolving Google Document as the framework for that discussion, but I'll stop now and let (Mary) speak. Thank you very much.

Mary Wong: Thank you very much, Phil. Hi, everybody, this is (Mary) from Staff.

As Phil mentioned, this session is one of two scheduled for today. And actually, this Working Group for Rights Protection Mechanisms has a total of four sessions scheduled throughout the week.

So, for this session, Number 1, as Phil mentioned, this is a working session for the Subteam of the Working Group that was formed to review the data requests that this Working Group sent to the GNSO Council.

It was a series of data requests relating to collection and analysis of data concerning the sunrise registration, as well as the trademark claims Rights Protection Mechanisms that are offered through the trademark clearing house.

The GNSO Council approved this Subteam's data request in September, and so, the next step is for the Working Group to work with the professional survey designer that Phil mentioned, that the ICANN Staff is working on a Request for Proposals for.

And the task of the this Subteam is to take that data request that was sent to the GNSO Council to look at it, and as far as possible, to provide either suggested direction or even draft questions, as well as specific guidance to the professional designer.

So that when the survey actually goes out — and the survey, or some form of surveys, in the plural, will be going out to registry operators, registrars,

trademark and brand owners as well as actual or potential domain name registrars.

So, some fairly-defined target groups — not exactly the same — but the idea is to have a professionally designed survey that can be customized, in terms of each of these different groups, because as you see, the requests actually do pertain to some very similar questions that the Working Group has been asked to deliberate on.

And at this point, Phil and everybody, I do want to acknowledge that in the Adobe Connect Virtual Meeting Room, we have, I believe, one of the other Co-Chairs, and that is (Jay Scott Evans), and of course, the third Co-Chair is (Kathy Kleiman).

We also have a number of Working Group members in the Adobe Connect participating remotely, as well as some in the room, and I believe that for the Data Subteam, we have a few in the room, and they are seated over there: (Susan Payne), (Christina Duran) and (Kurt Pritz). And we do have three or four other members, a couple of whom I believe are participating in Adobe.

So, as mentioned, this is a working session. And Phil noted that the Subteam is working on an evolving Google Document. And what we have done on the Staff side is taken the status of that Google document and put it on the screen here in Adobe, so that you can follow the discussions. And obviously, this document will evolve and change as the Subteam progresses with its work.

What the Subteam decided to do last week — and noting the five or six different target groups for the survey — the Subteam basically divided up the work, with each person — or in some cases, more than one person — volunteering to develop the initial guidance for each target group.

\   So, what you'll see in the document is the target groups on the left, and the first target that we listed — in no particular order — but the first target group is registry operators, and the rest follow along.

The second column talks about the purpose of serving these particular groups, and relates that purpose to specific questions in the Working Group's charter.

I think everyone actually knows, but I'll just repeat it for the record and for folks who are new, that every GNSO PDP Working Group has to operate under a Charter that's approved by the GNSO Council, which manages all the policy development processes. And for this particular Working Group for Rights Protection Mechanisms, there is actually a rather long list of Charter questions.

And since we're dealing here with data collection for Sunrise Registrations and Trademark Claims, the Charter questions that this group is trying to use as a framework for the guidance to the professional designer are those Charter questions that identify as applicable to specific data collection requests. And you see that in the third column.

The fourth column is actually the work in progress. Because the first three columns are basically things that the Working Group has been working on for quite a while, the first three columns are also the request that was approved by the GNSO Council.

So, the fourth column on the right is the Subteam's suggested guidance, and that's what the Subteam's been working on for over a week. And so, hopefully, that didn't take too long; that gives people a good chance to figure out what we're up to today, and so I'm going to hand it back to Phil before handing over to the Subteam.

Philip S. Corwin: Yes, thanks very much for adding that detail, (Mary).

As (Mary) mentioned, we have a formidable task in this work, in that we have a Charter with dozens of questions that – they're not exclusive; you can even add questions. But we are required to address them before establishing this Subteam, which is related to the formal data surveys.

We have prior Subteams which went through the Charter questions relating to two of the Rights Protection Mechanisms that trademark — well, actually, traded on trademark clearinghouse, sunrise registrations, and the trademark claims notice, which is generated when a domain — a would-be domain registrant — applies for a domain name that's an exact match to a trademark that's in the trademark clearinghouse and gets a notice related to that.

And those Subteams went through those questions; identified questions that seemed duplicative; consolidated those questions; then did another screen of the questions to try to make them as neutral as possible and not be biased one way or the other.

And again, laboring under the Council 2015 charge to back up ultimate policy recommendations, with data analysis, we found that one of the things that — despite the hundreds of pages in the Applicant Guidebook — no data collection was really built into the new TLD program.

And I think we'll be recommending for subsequent rounds, in case there's ever subsequent reviews like this one, that some data gathering be built in – some reasonable – so no one will have to go through this kind of survey exercise again.

Having said that, we've identified and submitted to Council about a dozen areas where we need to collect additional data to make informed policy recommendations.

In about half those areas, the Staff — on its own — ICANN Staff will be able to collect and aggregate the data we need to assist us in making policy recommendations.

But for the other half, we do need to go out and survey various parts of the community, to get meaningful answers, and that's what we're engaged in now, and that's what this Subteam is focused on.

So, with that, we have – with that, I'm going to turn it back over to (Mary) and our Subteam participants who are here in the room with us, as I am just an ex-officio member of this Subteam, so we're going to turn over the actual running of this session to the Subteam members in the room.

And then, following this session, there will be a 90-minute session where we begin our inquiry into Uniform Rapid Suspension – the URS – but here we go on the data collection rationalization for the upcoming surveys. Thank you.

Mary Wong: Thanks again, Phil, and I'm sorry to keep jumping in like this, but one of the things that Phil noted is that there are other data requests that do not involve the surveys that we spoke of a while ago.

And a lot of these requests have been directed to ICANN Staff to start the research, and the compilation — and, in fact, the second session, where we'll start talking about the Uniform Rapid Suspension procedure, we'll see an update by Staff on that particular project.

But for purposes of the Subteam work, what was done was to divide the data work into the survey piece that I mentioned — and that's the Table 1 you see here. There's also the Staff Research and Work piece which is called Table 2. And that is actually on Page 27 of this 36-page document.

So, what we've been asked to do is to provide a very quick update to the Working Group, as well as to members of the community, as to what we've

done, what we've not done, what we plan to be doing, and how we're going about to do it.

And it looks — at least in Adobe — that the document has been cut off a little bit. So, what I'm going to try to do is to take you really quickly through it. Hopefully, even without the headings, that you'll be able to give us some input as to whether we're going about it the right way, or whether we are actually doing something that we ought not to be doing.

I see that we're back at Table 1, but we do need Table 2. Yes, and that's the one that's been cut off, so apologies. Let me try and pull up one that actually does work. If you just give me a few minutes, and pardon my delay here.

So, we're back, and apparently, since even though you can't see it on the screen if you are in the room or in Adobe, if you click on the link that my colleague has just posted in the Chat, you will go directly to the actual Google Doc.

And so, starting on Table 2, the numbers here start at 7 because there's actually a list of something like 14 or 15, and Numbers 1 through 6 are the Survey work that the data Subteam is looking at.

And so, one of the other tasks, then, was research to obtain data on domains that were registered in the new gTLD program but that were subject to dispute. And for that, we mean the Uniform Rapid Suspension Dispute Resolution Process, as well as the Uniform Dispute Resolution policy, or the UDRP.

And the one thing that we will note here is that, while there's quite a lot of data, and certainly quite a lot of cases under the UDRP, obviously, comparatively less so under the URS, there isn't at the moment a single comprehensive source of all that data that can be easily analyzed.

ICANN does have some of that data, because some of that is reported to us, and some of it is collected by us. So what we have done as staff — and again, this will be highlighted in the second session today — is to start off by looking at the Uniform Rapid Suspension data, because that is one of the Phase 1 RPMs that this group is dealing with.

And so, we're looking at the number of cases filed, what domains were those cases filed against, which new gTLD were those domains registered in — and just to take a look at the numbers, so that ultimately, we can then match the creation dates of those particular domains that we now know were subject to a URS dispute.

We know the result. We can match that to the date of the claims period of the applicable gTLD. And that will help, we hope, the Working Group do some analysis of some of the questions pertaining to the efficacy and the success of the Claims Notice Mechanism.

One of the challenges that we have here is, again, because there is no single source that's usable of that data for the UDRP that has been with us for well over a decade, and there's ten thousands of those cases.

Staff has not started to embark on that effort. We think that that effort will be quite extensive. But we also think that that effort is not only just helpful to Phase 1, but is necessary for this Working Group.

So, the Working Group has advised that, for that effort, we might be able to use some other researchers, and these could be law students, for example, to help us gather and compile that data.

And so, in our report, we basically think that although it's possible to postpone the gathering of the UDRP data, which will be in the same form and trying to do the same things that the URS data: which domains were in dispute, what was the result, which were the TODs? We think that might be

advisable to start that now, just to inform the Working Group, even in Phases 1.

Because obviously, for the new gTLDs, there are domains that were subject, not necessarily to URS proceedings, but to UDRP proceedings. And in order for us to know what those are, I'm told that we can't just go to all the providers and say, "Give us all the disputes you have that were under the new gTLD program." It's not as simple as that.

So, if we need that data for Phase 1, we're thinking we might as well just try and get all of the data.

So, that's one piece of the research. There is another piece, and I'm going down to what's labelled as Number 8, now. If you are looking at the Google Doc link that was posted in Adobe Chat, that's at the bottom of Page 27.

And this was a suggestion to have a third-party contractor to do this. This is not something that I can staff, as able to do in-house, I believe – not at this point. To generate semantics of programming, to test historical data, to try to see how many claims notices may have been generated, or may be generated.

Staff has taken a closer look at this request, and we believe that this will require quite a substantial expenditure of money that the budget probably will not commit.

Given that the surveys that we talked about were approved for a certain sum of $50,000, and will probably end up being somewhere north of that figure, we wanted to get guidance from the Subteam, especially, as to whether this particular request on the semantics of programming is either immanent or something that's necessary to do, given the need to get a third party to do this and the substantial expenditure.

Phil and everyone, I don't know if you want me to stop at the end of each one to get feedback, or to keep going? So, maybe I could just stop here and ask if anyone has comments about, either the suggestion earlier on to continue with what we're doing in terms of collecting URS data, to expand that to UDRP data.

And, of course, this question about whether doing some programming to test claims notices against historical data is something that you wish us to continue to proceed to do?

Susan Payne: Yes, thanks, (Mary), it's (Susan Payne). Whilst I've no desire to ask you to produce or gather more data than is needed — and I recognize it could be a reasonably sized task — I do think if we look at what the question is that we're trying to answer, it's about whether the claims notices have served its intended purpose.

And the way in which the group, as a whole, thought that we could help test that was by seeing how many, you know, how many domains were registered that went on to be subject to dispute.

And so, to only gather URS data quite clearly will not do that job. So, and frankly, hardly — you know, the feedback generally, anecdotally, is hardly anyone uses the URS. So, frankly, if you were going to only gather one load of data, the UDRP would be more useful.

So, yes, you know, as I say, I'm reluctant to tell you to do a sort of extensive task. I think it doesn't go to answer the question unless we have that.

But having said that, you know, there are only a certain number of UDRPs that will have been filed in relation to new gTLDs. We don't need all the UDRP data for every single case in ccTLDs and in legacy TLDs, at this stage. Recognizing, of course, that we may need it for the future.

Mary Wong: I'm going to ask Berry Cobb, my colleague, to follow up on that, and then, I
               see there are other hands in the room, and we'll move there.

Berry Cobb: Thank you, this is Berry Cobb, for the record.

               And we understand that. As you'll see, when we display the URS data a little
               bit later on, there still is no easy way just to run a query: give me all the
               domains and UDRPs from 2012 round on.

               And so, it's going to be easier just to get that entire data set, and once it's
               normalized, then we can easily filter out all of the country codes, all of the
               legacy, and get just specifically what we need.

               It will add, you know, I'm guestimating right now, because I haven't seen it.
               Like (Mary) said, there's tens of thousands of cases, just going back from '98.
               But I don't think it will be too significant of a chore to go ahead and start to
               right-size that data and make it available for use. And I think, once again,
               once you see some of what we present with URS, it will make it a little bit
               more clear.

Susan Payne: Okay. I mean, in terms of for this particular question, it doesn't need to go
               back to 1998, of course, but I recognize it may be more efficient, you know,
               for you to do the (tough) ones, rather than have to go back and get the info
               again. But, you know, for the purposes of looking at the impacts on new
               gTLDs, we only need it from probably the beginning of 2014 – I don't — yes,
               thanks.

Mary Wong: Thank you. And we had a hand over there, and can I just remind everybody
               to identify themselves for the record, and if anyone else would like to speak,
               please raise your hand if you're in the room. And we're watching for the
               Adobe Connect participants as well. Thank you.

Ty Gray: Thank you, (Mary). This is (Ty Gray) from the WIPO. I haven't been watching, I guess, all of the data gathering groups' work as closely as I know many people have. I just want to put out there, for the record, with regards to data gathering, just as a general – not so much – concern, but just a note, that with regards to the data gathering activities, we would just want to note that for our purposes, we want to avoid the substantive discussions going forward on information here.

We could see how just discussing, for instance, certain things you would see in URS or UDRP proceedings might lead to a substantive discussion, and we would feel that — given that these have particular roles within the process — we don't want to start in on substantive discussions at different points of the process and revisit it.

So, we just want to be careful with that, with regards to any sort of data gathering at this time, and the way it was, you know, to provide, I guess, the bulk of the datas and numbers, and the ones and zeroes, but rather, not to really jump ahead into substantive discussion. Thank you.

Mary Wong: Thanks very much, (Ty).

Is there anyone else would like to offer a comment? Berry?

Berry Cobb: Thank you for that. Berry Cobb, for the record, again.

That's precisely, at least, where staff is looking to go is the only element that's really needed to answer the question, as (Susan) had mentioned about – is the claims notice effective in what it was doing or not?

And if a notice was presented, and a case was filed later – yes or no. And really only understand the limited history of what actually happened with that, and stop right there. It wouldn't have any substantive discussion about any of the UDRP proceedings or anything like that.

It's really more just a quantitative gathering exercise: X number of notices sent from the clearinghouse; X number wound up in URS; X number wound up in UDRP; and some sort of high-level metric about, maybe, what some of those outcomes were, and that's where it was stopped, up there.

And for sure we'd like to work with WIPO, as well, to get some of this data — and hopefully in a format that can – we can more easily build into our format that we can build our charts to make meaning out of.

Mary Wong: Thanks, Berry. So, it sounds like, at least for those who have offered comments, and there's certainly no objection or concerns raised that we will proceed, unless some of the rest of the Working Group hasn't had a chance to consider this question gives us different direction.

Woman 1: (Unintelligible).

Mary Wong: I'm sorry? Oh. (Paul McGrady), I'm sorry, I did not see your hand. Do you want to say? Unless you have dialed in, you may not be able to speak unless you're dialed into the bridge. So, if you're dialed in, please go ahead. If not, please feel free to type your question in the Chat.

Paul D. McGrady, Jr.: Thanks, (Mary). (Paul McCready) here. (Jerry) was kind enough to dial me in. Can you hear me?

Mary Wong: Yes, thank you, (Paul).

Paul D. McGrady, Jr.: Great. Thanks, (Mary). So, I guess my comment on this is that it sounds like a very interesting idea that might give us at least a little bit of data about the correlation between claims notice and the URS.

Earlier in the Chat, I said that essentially the URS was not terribly well-used because of its various flaws, which we'll get into over the course of the next

coming weeks. And the information that we gather will be more fulsome once we, you know — once the UDRP is also included.

And that was (Susan)'s point; we probably should not be jumping to any conclusions about claims service until we've gone through both dispute mechanisms.

That all said, I am a little concerned that whatever information we gather won't give us much of a picture, because all it will tell us is, essentially, if a claims notice was presented, and somebody registered for the domain anyways, and they became subject to the URS.

If they won, I guess they will — I'm not sure what that teaches us. I guess it teaches us that, in addition to whatever content was in the claims notice, there must have been some other good-faith use to which the domain name could be put that did not run afoul of the rights presented in the claims notice. I don't think that would be a surprise to anybody. There certainly are scenarios such as that.

Or it may tell us that we have a really persistent cyber squatter who didn't care about the claims notice, but I'm not sure that drawing the conclusion that really persistent cyber squatters ignoring claims notices makes the entire claims notice obsolete or unnecessary.

We still have the missing information, which nobody collected, about the people who otherwise would have run afoul of intellectual property rights and chose not to once they had the claim.

So, again, I think interesting data collection exercise; may give us some hint. But it's sort of like, you know, seeing the shadows on Plato's wall rather than seeing the object itself. So, as long as we go into it with open eyes, I think it's fine, but I don't know that, at the end of the day, we're going to be able to get to full conclusions based on the data set collected. Thanks.

Berry Cobb: Thank you, (Paul). This is Berry Cobb again.

And yes, very correct. I think the other element to all of that — what you just said — is that we'll be taking a look at that in context of the analysis group report as well, which did touch on a number of – you know, I believe there was somewhere of a 93% non-registration rate based on some of that data.

Having looked at some of the raw data that was presented in that analysis, initially, we were able to seem to confirm that the numbers are correct, at least as far as how they're presented in the report.

And what I'm hopeful that we'll be able to do in parallel, while we're gathering the UDRP data as well, that we can get a fresh version of that data from IBM to get a fresher number on that.

But again, it's looking at the context of the world of claims notices that were presented, versus how many actually wound up being registered, versus how much actually wound up going through the curative mechanism so that we kind of get a start-to-end view.

Mary Wong: Go ahead, (Kurt).

Kurt Pritz: Hi, this is Kurt Pritz.

So, Berry, one of the reasons I think we're here is because just about the only statistic ever cited publicly in that data analysis report is the 93% abandonment rate of registrations in the face of claims notice, which you know, we more or less as a group universally agree is pure bollocks, as (Susan Payne) might say.

And even the report itself admits that – that number isn't really backed up by any evidence that shows that the abandonment rate was caused by the claims notice.

And so, what we're trying to do is find the right combination of questions, which we'll look at very briefly later in the meeting, and combine that with the sort of person or people that can work with registries and registrants to get at a closer, you know, approximation of what that number is, or provide some really meaningful data that's got to guide the policy discussion.

One of the things some of my colleagues and I and are most upset with is the, you know, the fact that the data analysis report mentioned 93% abandonment rate, and that's the one statistic that's cited over and over again — much to the, you know, chagrin of us. And it's gainsayed by those who think the Rights Protection Mechanism are disadvantaging registrants in some way.

So, I just wanted to state for the record that, you know, we think that number's not true. We think that stating that statistic was a major shortcoming of that report, and part of the reason we're having to redo this data analysis is to correct those misperceptions.

Berry Cobb: Thank you, (Kurt), and you're absolutely right. And I believe (Jeff Newman) had said it once in a previous call that it was almost a disservice in how that number was presented in that report.

I think one of the things — again, when we get to this point where we have collected all this data, and it's put into a way where we can see if from start to end — we'll want to go take a look back at certain parts of that analysis group report.

Having gone through the raw data and how they got to some of those numbers was — it helped me understand how they got to that number, and

unfortunately, with the 70-plus million numbers that were being thrown at the beginning of that, I think, put things out of context.

But when you drill down and understand how they filtered out completely through all of the CNIS log data and get to the real actual number, it does start to make more sense, especially in the context of the total number of registrations, given that particular timeframe.

I'm not trying to turn this into an Analysis Group report, but I think whenever we get back to that, there are about three or four key elements of that report that the Working Group ought to take another look at, and it might provide a better aha moment, and for sure, none of that will say, "Is that 100% abandonment rate only because of the trademark notice?"

You know, there are dozens of other reasons why a domain may get abandoned in the cart, and those kinds of things. And as you rightly pointed out, hopefully, of the survey stuff can help complete that picture too.

Man: (Sean Corwin), for the record. Just a quick comment on – I'll agree you can't put much weight on that 93% number. We don't know how many of those abandoned — not only do we not have a baseline number for domain registrations that are begun and never completed, we know that in online retail, there's a fairly high abandonment rate, overall, for goods and services. And this would be consistent.

Without a baseline, we don't have any idea how many of those registrations were begun, not with a serious intent to register a domain, but an attempt to find out whether a particular mark was in the clearinghouse. We know some of that gaming was going on.

And we don't know, of the ones that were intended to go through the registration and were abandoned, how many were abandoned by people who had infringing intent, and how many were abandoned just by people who got

spooked by the notice, and got worried about getting hit by legal action when they didn't have it.

So, we don't know very much from that number. But the one thing I'd say is, I don't think – I believe the trademark community believes that the claims notice has some deterrent effect against bad actors, because we're going to be dealing later on with a proposal to expand the claims notices to non-exact matches of marks.

And clearly if trademark — if some of the people for non-exact matches generating claims notices believe that it was having no effect or a deterrent effect against bad actors, you know, it would be futile to even discuss expanding it to non-exact matches.

So I think we can all agree that we have that number, and we don't really know what it means, and we don't want to put a lot of weight on it, but there probably is some deterrent effect against some potential (regis) — I see (Karen) raising her hand, and I've said what I had to say, so go ahead.

Woman: Hi. So I wanted to just clarify something that you said. I'm not really sure that we all agree that the trademark claims have a deterrent effect. I would say that, more accurately, we – I can't speak for the entire trademark community – but I would say we've agreed that there's utility, but that utility might relate more to how it facilitates an unfortunate process, and how it facilitates things like UDRP filings to show knowledge and notice.

But as far as deterrent is concerned, because of the sort of remaining controversy around whether or not the deterrent is overreaching, I wouldn't necessarily just say that that trademark owners agree that there's a deterrent effect. I would say we agree that there's utility, and that's a more accurate statement.

Berry Cobb: Okay. Thanks for that clarification.

Mary Wong: Thanks, everyone. And so, while we're on this topic, I should probably note that for those that haven't been following the Subteam's work closely, that obviously, there's going to be different sources of information and data that we're looking at.

And since we 're talking about trademark claims, for example, for the efficacy, we've talked about getting the URS data that you looked at a little bit, and then how and what we can get out of the UDRP data.

There's other things that we're also going to be doing as part of this Table 2, for example. One suggestion had been for Staff to work with the existing trademark clearinghouse providers — that would be Deloitte and IBM — to obtain some kind of statistics.

And these can be aggregated and anonymized to get a sense of the percentage — both of domains that ended up in dispute and domains that did not, but that generated claims notices.

And also, the Subteam is also looking at other questions that we can touch on later on. And I think the idea — we don't know; I think, at this moment, what the data is going to look like. We don't even really know whether — aside from the URS and the UDRP data, which we know is there, we just need to get it — we don't really know what other types, or how much of the rest, we're going to get.

So, the hope is that all of these efforts – you know, the survey results and responses, the actual quantitative data – some kind of statistical sampling, et cetera, et cetera, will come together, and in this respect, for trademark claims, to try and show us at least a data-driven picture from which some analysis may be done, but I don't think we're quite there yet. We're really just starting the data gathering phase.

And so, actually in view of the time that seems to be passing more quickly than it really should, I'm wondering whether — with the Subteams and the Working Groups' permission, and Phil, of course, yours and Jay Scott's and actually I noticed — I think our third Co-Chair, Kathy Kleiman has joined the call as well on Adobe, so welcome, Kathy.

Perhaps what we can do is post this document, especially this Table 2, to the ICANN Meeting Schedule, so that those who are not members of the Working Group can look at it as well, but also to send it around.

Because quite a lot of the remainder of this Table, if you've had a chance to look at it — we've tried as Staff to just put in really short reports. We've done this; we've not yet done that; this is what we're continuing to do. And maybe I can let everyone take a look at that and provide us with feedback.

The only other point I think that would be significant from the Staff's perspective for today to note is that some of those other tasks listed in Table 2 are fairly extensive, in terms of the utilization of Staff time and resources, and I don't want to sound like I'm winging; I'm not.

I do have a lot of great colleagues who are all helping out with this. But there are certain things that we're being asked to do, like conduct research, that's going to take a lot of time, using Nexus/Lexus to look for articles, for example, going through industry blogs. And the working group has identified something like a dozen industry blogs that we can comb through to look at for coverage of issues related to both sunrise and trademark claims.

This is something that we have on our list we haven't started to do, but we will start to do. So I just wanted to let you know that we will start to do it, but it's probably not something that we're going to get done within the next two weeks.

So is that all right? Would anyone like to comment on Table 2 anything else that was reported on or anything that was said?

Susan Payne?

Susan Payne: Just a quick question, really, for you Mary because when we talked amongst a subgroup about an agenda for this meeting, you said that there were a couple of points on which Staff really was kin to get input from the subteam.

Have we covered all of those or is there anything else where you feel you could do it with some guidance?

Man: Thanks for reminding me of that, Susan.

I would say that the most important question that we had was on the UDRP data. We feel as -- I think we indicated and I think as some of you have indicated -- that it would helpful to get, and we were planning to do it unless we were told not to, but it would take significant time. So I think we have covered the most important.

The second thing that was important on our part was again to let you know that the research that you've asked us to do is on our to-do list and it's not yet started. We will start that.

There are a few other things on Table 2 that we would like to get feedback on. I think I mentioned the semantics of programming requests. And while these are not imminent, so if there's no feedback today we can certainly come back to this on the mailing list or in a subsequent call. I'd be happy to go through those as well.

Susan Payne: I don't think I have any views on the semantics of programming. And I'm asking Kurt and he said, "No I'm not at the moment."

Personally, I'm struggling to understand what that even means. I don't know if I'm the only person who just reads the semantics, "What?" So any guidance from that?

Berry Cobb: Berry Cobb for the record. I've got a vague sense of what it wants. And from what I've understood from previous deliberations is let's say that we could get all of the possible claims notices that were sent whether they became registered or not -- which of course is a direct match with the marks that are in the Trademark Clearinghouse some of which are the primary marks and then I believe there's some certain percentage -- I can't remember the numbers off the top of my head -- that are the Trademark Plus 50.

But they're variations of their primary marks. And should we take that dataset and look at what would happen if we expanded it to include WWW without a dot of a mark? Or should it include typosquat-type possibilities.

I have some ideas about how we can go to that. But I think what staff would like more clarity on is is it just enough of what's loaded into the Trademark Clearinghouse today enough to do that analysis? Should we expand it to other marks that have been identified in URS or UDRPs?

You know, do we even just take a random sample out of the Trademark Clearinghouse and try to keep it more concise because I mean what we do know is that the more variations you add to a particular stream, it is going to lead to more possibilities. But again, those are only just possibilities. We don't know that potential Registrant X is going to try to register that typo-squat variant of a mark when that mark is probably available directly in the TLD.

So - and as Mary said, this is - I don't think this is imminent so we can chew on it for a month or two and start thinking about it as we put more of our focus and direction on the data that we're collecting today but to take this further.

And I'd like to discuss with IBM if they've got some ideas around this in any way. I'd just like to flush out the requirements further before we go down that road.

Kurt Pritz: Hi, this is Kurt. So I have a knee-jerk reaction, but, Berry, as you said or Susan, it's going to require a little bit more thought.

But it seems like, you know, given that one of our goals -- one of ICANN's goals -- is to keep the cost flow, but one of our goals is to get the data we need necessary and bring this to a conclusion as quickly as we can.

You know, it seems to me it can work backwards and use UDRP and URS claims to see which claims are type-squats or something like that rather than go forward and analyze all the trademark claims notices that have been made.

So it seems like we could simplify our analysis just by URS and UDRP claims and see which ones, you know, might have been avoided if that typo of a trademark could have received a claim. So, but that's after ten minutes of analysis; not a couple of hours like it needs to be.

Berry Cobb: And just to respond quickly to that, you know, something that I was visualizing is, you know, as part of the architecture for the trademark claims process is the registries basically have a daily version of the domain name list -- which is all the possible strings that if there is a direct match after it's been confirmed in EEP that it's available for registration, doesn't match on the DNL. If it does, then the registrars go to actually access the claims database to get the claims notice.

That list of the DNL is somewhere in the 60,000 range. And again, you know, it also contains the Trademark Plus 50 as well as the original marks which, I believe, was in the neighborhood of around 30,000 entries -- 33,000 entries.

So it does add up quickly just to give you some context, but definitely want more information and talk about it some more down the road.

Mary Wong: Thanks Kurt, Susan and Berry. And to add to what Berry said, obviously once we have a sense of how we can get all the UDRP data working with the providers like WIPO and others, we can probably come back to you with a better sense also of the timing that would be involved and not just getting all the information, but compiling it into a form that is usable, I guess, and presentable as opposed to giving you thousands of pages of Excel spreadsheets. So hopefully we can start on that.

In relation to the other task -- going back to your question Susan -- if we're looking at things that are somewhat imminent or things that from the Staff perspective we think would be useful or that we would expect that you would want us to go out and get right away in addition to starting on the research and the blog searching that I mentioned earlier, one of the questions that we would have had - well I apologize, we actually do continue to have is the use of sampling. So for example, in here I'm going to jump a little bit to the Sunrise RPM because that's the way we have it in this document.

One of the suggestions was for us to obtain information on Sunrise and general available data. And it would be practically impossible to get all of that for every single registration and every single new gTLD -- or at least exceedingly difficult.

So the suggestion was to do it through a sampling of different types of domains for example, a Joe TLD versus a community TLD versus an open TLD. And that sampling in terms of Sunrise pricing and general availability pricing would be to assist the working group to see or to really take a closer look at the charter question about whether this kind of pricing affected the ability of trademark owners to participate in the Sunrise protection mechanism.

So I thought I would raise this amongst all the other updates for discussion amongst this group as to whether or not this is something that you think it would be useful to do. We are going to continue to try and pull the information as much as we can.

Phil Corwin: Phil Corwin for the record. Let me speak here, and I should have said prior, but anything I say in this session is strictly a personal view; I'm not speaking for the working group or trying to steer the working group in any particular direction. That are just personal observations.

I believe the number 8 on Page 30 of the document which we're discussing not -- it's not up on the main screen. So here relates to potential data gathering if we're going to evaluate a proposal for generating claims notices for non-exact matches.

Am I correct in that? Okay.

So just thinking it through, we're going to take that suggestion seriously. There's members of the working group who favor generating notices for more than exact matches. So that requires a number of questions to be answered.

So you take a trademark. And then, as I remember, we don't have the paper in front of us. There was a research paper on this -- which Greg Shatan who is a member of the working group and chairman of the IPC shared with us. I didn't read through that research paper which I think was the model for his proposal.

My recollection is that there were more than a dozen possible types of non-exact matches proposed or at least discussed in that paper. And out of them, a dozen could probably be generated through some kind of software program to generate the potential matches and identify them if a registrant began a registration for a match -- or the non-exact term -- while others would require some additional human intervention.

So for each of these types of non-exact matches, the first question would be if you take the trademark and you say, okay, a claims notice will be generated for this type of non-exact match, say an extra letter -- or there's different ways to do this -- so one that would be a fat finger.

So if one of the numbers in the - one of the letters - excuse me for jetlag - one of the letters in the trademark was an H, you should say, okay, for each of the letters -- let's say it's a six letter trademark -- what are the letters surrounding it on a qwerty keyboard that might be substituted for each of them. And then you would need a computer program that would generate all the potential matches from that type of non-exact match.

I don't know what the number would be; it would dozens or hundreds or whatever it would be. It depends on the length of the word, the position of the corresponding letter for each letter of the word in the keyboard. So for example, some letters like the P only has two letters next to it. Letters in the middle of the keyboard have six around them.

So we would need to generate some kind of program that when a trademark is - so just for terms of evaluating, we'd have to get some idea of how many non-exact matches would be generated by a particular trademark and would generate a claims notice. And we'd have to know that when a trademark was entered into the clearinghouse, that the clearinghouse -- that that single entry of a mark -- that the clearinghouse would have a computer program that could generate all - let's say we're looking at fat-finger typos which is a pretty typical type of typo; not the only type.

The clearinghouse would need a (unintelligible). They're not going to hire people to figure out for each trademark. So you would need to know that -- I'm pretty sure this can probably be done -- that there's computer programs that would generate all the potential fat-finger typographical variations of a

single trademark. And then for each of them, if someone tried to register that variation, they too would get a claims notice.

So this -- for the working group -- we'd want to know, one, can it be automated because if it can't be automated and requires human intervention, that a different level of expense for the clearinghouse -- which will probably be a higher registration fee for entering a term into the clearinghouse, so they're going to cover their cost for that.

Then I think potential registrants and registry operators and would want to know how many additional notices are going to be generated. And then I think trademark claims -- trademark owners -- would want to know, "Well, we have a cost of monitoring these matches particularly if they've got a registration. If we go from monitoring one exact match that gets registered to potentially hundreds of non-exact matches for that type of non-exact match, is it worth the monitoring expense?"

So I'm just trying to give you an idea of what this is going to be looking at in my understanding. I'm not rendering any judgment as to whether any particular type of non-exact match is worth generating a claims notice from, but I'm just trying to explain the type of data we're going to need to know in this working group to make a knowledgeable recommendation as to each of the many different types of non-exact matches whether or not the working group has a consensus for believing that that particular type of non-exact match is worth generating a trademark claims notice from.

So I'm going to stop there and I hope I've objectively and clearly tried to articulate the type of data we're going to be looking to gather in this part of the data portion to evaluate the proposal for non-exact matches. Thank you very much.

Mary Wong: Thank you Phil; this is Mary Wong from Staff again. And as you noted, there was a proposal that was brought forward by a few members of the working

group to possibly expand the RPMs to non-exact matches. And this would be one of the few data requests that may be concerned with that.

Another is the research that I mentioned earlier, and I should have been more specific, that one of the things that we were asked to look at through a LexisNexis search, for example, was articles discussing harms from typosquatting and other forms of cybersquatting including non-exact matches.

So again, that's not quantitative data as such, but its information that may or may not provide some additional information that we don't have at the moment.

And I think we had a hand up from Maxim who actually was, I believe, was the proponent of this particular suggestion. Please go ahead Maxim.

Maxim Alzoba: Maxim Alzoba for the record. Actually, there is one thing we should decide as a group before handing this particular request for that gathering.

It's a set of ideas like one idea is for fat-fingers -- example. Next idea is about the, yes, other language. For example, you use A not from Latin script, but from some Cyrillic script -- which is a machine called different number. But usually you will see the same brand, yes, the same graphical representation of letters.

The thing we need to decide is the rules of combination. I mean you have all these ideas; at least it's by 10 or 12. And to evaluate the number of hits, you need to understand how many times you can apply rules to one word.

For example, we have five-letter word, and you're allowed to change five letters in fat-finger type of problem. Or you're allowed to do it twice or three times.

From probability perspective, the probability of amount of mistakes is getting lower and lower with each letter because most probably you are not going to mistake each time.

But we need to understand how many times these rules can apply to a single string and the combination -- how they combine -- because if the number of combinations directly - yes, they elevate actually from the method you use those rules.

And it can be done by machine. It can be evaluated (sic) by machine. For example, if you apply those rules, each of the mistakes can be applied once, for example, for the string of five letters. Yes? You have, for example, a few hundred probably matches. And if you apply twice, so we see in numbers.

And I think we need to carry some initial evaluation before requesting the data to avoid station with too many or too low of number. Thanks.

Mary Wong: Thanks Maxim and Phil.

So again coming back to the question, I guess now that we've been able to clarify for the record -- thank you Phil and Berry as well as Maxim -- what the purpose and what the scope of this might be, I guess the question remains is this something we should go ahead to do at this point?

Phil Corwin: Mary, could you clarify that when you say, "Is this something we should do," can you clarify what the this is, and then I'll provide a personal response?

Mary Wong: I think we're still at the number 8 at the bottom of Page 30. And again, this is - when I say this, I imagine that it really is to have someone -- if it's not already developed -- develop or use some form of software to allow us to conduct the kind of exercise that would be helpful in trying to generate the sort of information with regard to claim notices or non-exact matches that may be helpful.

I'm not being very specific here because I don't personally have any idea what that would entail, so I'm going to look at Berry to see if he can be more helpful.

Berry Cobb: Berry Cobb. You know, I obviously can't make a decision for the working group, and again, this is why I kind of said up front that even though we do need to finalize requirements on it such as Maxim as mentioned is kind of one of those requirements around what that analysis would look like. I don't think we have the bandwidth or time to really look at this now anyway with everything else going on.

And in fact, I would almost ask to put this on the backburner for now until we do more of the quantitative analysis from URS data and the claims data, and maybe that will help inform some of these requirements as well.

The one thing that I would say about this is, you know, this particular data requirement is for the new gTLDs. And why I won't say absolutely with 100% certainty, I would pretty much guesstimate that 98% of any UDRPs or URSs filed on any new gTLDs were probably more aligned with exact match and not typos because they were available. At best, maybe there were dashes in between some brand name words.

So, you know, now that doesn't answer the question of should claim notices be expanded or not. But where we do see the typosquatting and stuff that we're talking about is certainly more in the common network, and, you know, I'm just curious if there's not already other studies about the significance or prevalence of that that we could maybe lean on instead of recreating a new analysis.

So that's my statement. Thank you.

Phil Corwin: Okay, thank you Berry.

Personal view, but I do believe that - I know there are members of the working group who are proponents -- fairly strong proponents -- of generating trademark claims notices from various types of non-exact matches of trademarks. And I haven't made up my mind personally. And there are many different types of variations covered by that.

Again, I remember reading this research (unintelligible). So I think the only response I have, at some point the working group will need some analysis for each potential type of non-exact match of the type of thing I've talked about.

How many, you know, given a trademark of a certain length, how many variations with that type of non-exact match produce? Can it be automated? It can't be automated again. It becomes a much more expensive undertaking for the clearinghouse, or does it require some kind of human subjective intervention to create that type of match.

And also I do remember in the research paper that the office observed that certain types of typos were much more prevalently used by intentional cyber squatters and others. So even a type that might look okay on other criteria, in a real world might be a type that's used very seldom if ever and it might not be worth adding.

But I just think if the working group is going to look at this that at some point it's going to need some type of objective criteria on which to decide what, if any, types of non-exact matches should generate a claims notice. I think to make a decision without that kind of basic data would not be a responsible way to proceed. It certainly will not be an informed way to proceed.

Karen.

Karen: Thanks Phil. Just - I don't know how closely you're following the chat, but it seems like Paul has put in some interesting information and data about how

the questions that you're asking that you're labeling potentially dangerous and overbroad have actually already been…

Phil Corwin: Karen, I never said dangerous or overbroad. Please don't misquote me.

Karen: Okay, would you like to clarify then because I heard the word dangerous in association (unintelligible).

Phil Corwin: I never said the word dangerous. Can someone check the transcript? I've tried to be very objective (unintelligible).

Karen: Hey, really? Is this court? Are we going to go back to the court record? Okay.

((Crosstalk))

Phil Corwin: When you try to put words in my mouth when I'm trying to be very objective.

Karen: Okay, at any rate, my point is that Paul put in the chat that a lot of the things -- the questions that you're asking -- have already been dealt with by other groups. And so potentially this group can look at not having to duplicate efforts.

And look at what Paul has put in the chat, the resources that are available for us to determine what's an appropriate way to look at typographical squatting or fat-finger typing. Okay? Thanks.

Phil Corwin: Well that's welcome and if that data - I was only saying that that's the type of data we need. If that type of data has already been developed, then we don't need to develop it on our own.

Mary Wong: Thanks everybody. And sorry. Is there anybody else?

Martin Sutton: (Unintelligible). This is Martin Sutton speaking.

Something is not entirely clear for me. I mean expanding this match level of protection isn't like getting ahead of or actual relation (sic) of the success or efficiency of the Trademark Clearinghouse. And at least as a registrant position, I do think it might be a concern if we spend too much with typos and typing your typos and different type of typos I mean in an ultimate way which would really could - easily, we can get high numbers of new claims and new protections that could be a potential thing against future registrants. Thanks.

Mary Wong: Thanks Martin. And so again, for folks who haven't been following it closely, the proposal was to look at the possibility of expanding the claims notices to non-exact matches including the few that Phil and others have listed. And concerns have been raised about that.

This goes back actually to the working group's review of the trademark clearinghouse itself. And working group members may remember that we actually paused that discussion on non-exact matches to try and see if we went into the data phase, if there's any kind of useful research or, you know, other types of efforts that we could look at to try and give us some information to have that analysis.

And of course some of this is somewhat hypothetical and the data isn't there. So again, the hope is that by doing something -- whatever that something is -- it need not be this specific proposal; it may be something else. And I think we're all going to be very open to suggestions on how to do that so that when the working group comes back to the question and one of the questions here in the charter that's been reproduced is whether the matching criteria should be expanded, so for the working group to answer that question.

At the time that we looked at this, we didn't have any data information we thought we could make a conclusion of. Then the question is what do we do to get that kind of information.

So maybe what I should have done is rephrase the question and say from the Staff side, we've had one request to do this.

Are there other ways that we can be getting useful data to help inform that analysis?

Susan Payne: Thanks Mary. I think that's quite a good summary of this particular topic. I think that is the whole point.

We need to come back to this prep here within this subgroup. We need to bash this around a bit more. And it sounds as though, poor for example, has suggested some alternative recourses that might make this particular exercise unnecessary.

I don't think any of us want to, you know, go down an unnecessary path if alternative sources for data which could be useful and informative would be available.

You know, but there are lots of different ways in which one might expand the matching rules or, you know, for whatever reason. And I, you know, instinctively some are more valuable than others. And a massive exercise of fat-finger matching, you know, replacing every single letter in a five-letter word is a total waste of time from my purely personal perspective. So we need to try and do an exercise that's sensible and targeted.

Mary Wong: Thanks Susan. So if there are not other comments on this topic, then I think what we'll do is come back to the subteam at one of your subsequent meetings…

Woman: Mary.

Mary Wong: …and as you say flash this out a little bit more.

Oh I apologize, I'm sorry. Kathy, I didn't see your hand so please go ahead.

Kathy Kleiman: Greetings all from Washington D.C. Sorry not to be joining you. This is Kathy Kleiman.

Can you hear me? Mary, can you hear me okay?

Mary Wong: Yes very well, Kathy. Thank you.

Kathy Kleiman: Okay I wanted to follow-up on what Berry and Martin said which is that timing may be an issue right now.

When we're looking at these variations first, we pause the review because my understanding was because it was premature; not necessarily to gather data later on. But it was premature because we hadn't yet studied the success or not success of Sunrise and trademark claims.

And so we don't know yet whether we're getting great success or not on how these mechanisms are already working and how successful they already are. And also what the unintended consequences are for registrants and how much we're forcing registrants back.

And I came online just in time to hear the analysis group being bashed. And of course I wanted to put in a word for that statistic that other people don't like. But it was shocking and we need to absorb the fact that that statistic was shocking.

So I don't think we have the consensus to move forward on gathering too much data in this area because this is a resolution to a problem that may or may not exist.

So it was, you know - so until we know that there is a problem, why are we kind of exploring remedies to it? Thank you.

Mary Wong: Thanks very much Kathy. Before we leave this topic, are there any other comments either on the remote participants or from folks in the room?

Paul McGrady?

Paul McGrady: Thanks Mary; Paul McGrady here for the record.

I just wanted to correct the record. I was on the same call, and while I heard criticisms of how that particular abandonment rate was included in the record and some comments about whether or not it was helpful, I don't recall anybody bashing the analysis. I'm not really sure where that comment came from, but I wanted the record to reflect that I did not hear anybody bashing them. Thank you.

Mary Wong: Thank you Paul. Kathy, your hand is raised? Thank you, Kathy.

So as noted, we'll come back to the subgroup. And Kathy, as you mentioned, you know, certain of these requests, they're all coming at the same time. So from the Staff perspective, again, some direction as to not just how you would like us to proceed on some of the tasks that may not have been as clearly defined as well as when and how important it is to get it done now would be very, very helpful.

And at this point, I'm looking at Susan, Kurt and Kristine as well as Kiran -- who are members of the subteam. And I think Michael Graham and Lori Schulman are on line.

Would you like to speak briefly to Table 1 in terms of next steps with that or at least, you know, what each of the members have been contributing to the Google Document?

Susan Payne: Yes, hi; Susan Payne here. Yes, I can talk briefly to Table 1.

I know Mary made this point at the beginning as did Phil. You know, we didn't come to this session intending to be making presentations to the room and, you know, presenting our outcomes as a subteam or even talking through the document and conclusions that we've reached because it's too premature for that.

We had actually really hoped to be able to have just the five or six of us who actually volunteered to be in this subteam, we'd actually hoped to have just a meeting of ourselves where we could actually do some work. And we were unfortunately not given a room that has made that conducive.

So we aren't going to sit here and spend the time, you know, chatting through the individual questions because it's not, you know, we're now actually about to run out of time anyway. But I mean it's just not a conducive setup for that. So we will be doing that; that is our task.

What we did was we have this set of charter questions that had already been sort of refined, if you like, by the working group. And we then had this set of kind of data that a subteam had identified would be useful to find in relation to answering those charter questions.

And our task of this subteam was to go through that and just work out whether that information on its own was going to be good enough to go out for (unintelligible) update and find a supplier who could do the exercise of gathering the data.

And if we didn't think it was enough, and it either needed a bit of further explanation or some further refining, then that was the task that we gave ourselves. And we had questions for registries, questions for registrars, questions for trademark owners, registrants and so on, and we just literally divided them up. And so we each took a target group and went through it on our own and just submitted via Google Doc what we would suggest.

And then that's the stage we're at. We've all been working over the course of just the last few days to do that exercise because we've only had two meetings -- which were both, you know, last week. Our most recent meeting was on Friday.

And so we - none of us really had time yet to look at each other's proposals and to come to an agreed position.

But we don't actually think it will take us very long. I think we just need, you know, a nice quiet little working session where we all, you know, either alone or, you know, in small groups, just bash it out. And then we'll be in a position to present it to the working group.

And entirely my personal view, I've chatted with a couple of others on the subteam about this, but it's by no means a subteam position. We don't really have a chair. As I said, we're quite a small and nibble group.

My personal view is that, obviously, we will need to present this back to the working group and we would propose to probably do that on the list and perhaps give people a week or two to look at it. And maybe we'll have one call where people can ask us questions or make suggestions to us.

But this thing is very much is just a stage in the process where we have to find a supplier. And obviously, when we find a supplier, they will be drafting the actual survey that's going to go out. And people will undoubtedly want to review those survey questions before they go out.

So we don't think that this document at this stage needs a huge amount of sort of debate over the course of weeks and weeks of meetings because this is not the question that's going to the recipient. This is just what we're trying to provide as helpful input for a survey supplier.

So that's really what we're doing and that's where we've got to, and hopefully it won't take us too much longer.

Phil Corwin: Well Susan, thank you for that explanation. I understand completely that this large room and people who are not on the subteam, it's not a good atmosphere for completing the subteam's work.

Unless someone has something further to add at this point, we're three minutes away from the official scheduled conclusion of this part of our working group. So I would suggest if no one - if someone wants to say something or ask a question now, please do.

But if not, we'll stop three minutes early and convene again for our second session regarding Uniform Rapid Suspension at 5:00 pm local time, and that will be a session at which Staff will review a great deal of data they've already uncovered regarding what we know about the utilization of the URS as well answer a basic primer for those not that familiar with it on what the basic elements of the uniform Rapid Suspension in its final form as placed in the guidebook are.

So we're going to adjourn now and come back in 17 minutes and start Part 2.

Kurt? Go ahead Kurt.

Kurt Pritz: Thanks Phil. So this is Kurt. I just want to put a point on what Susan said.

So the task of the subgroup is really to take the data request that was approved by the GNSO, and since it's approved by the GNSO, it really can't be change. And that's the purpose and scope column of this chart that you're looking at.

And kind of provide some additional information for a professional survey provider or something like that so they can better understand exactly what's needed.

So my questions for this group to be answered maybe outside of this meeting are this. First, you know, I feel very strongly but I think other members do too that whoever does this survey for us needs to have real-time registry and/or registrar experience. That they have to be able to walk in a registry's shoes to understand what sort of data is already collected and available out there and that registries would be willing to share, and tailor the survey in a way that's brief enough that registries are able to take the time to answer it. So that's one of our presumptions.

So the second is, and I personally know some registry operators that have conducted extensive and very professional surveys, that I'll be reaching out to to try to accelerate this whole process and get somebody onboard to do this.

But of others of you in the community have worked with registries, ccTLDs, gTLDs -- any other small letter before TLD -- you know, Susan and I or Phil and Mary would like to understand who you've worked with in the past that has survey experience, data science experience, but also understand some of the domain name business. That would be helpful because the critical path here is, you know, get one of these survey providers onboard that can devote the resources and time to this to get this done in the quickest way possible.

Phil Corwin: Thank you Kurt for those very useful comments.

And anyone else? Mary.

Mary Wong: Right on the time we're supposed to end. So I just wanted to - this is Mary from Staff - to follow on that Kurt. And it would be really very useful to suggestions.

And I think I mentioned it briefly, but just to note that the Staff has started the internal RFP process that's going to be run by the ICANN organization. And again, you know, any specific guidance that the group will develop -- and this subteam in particular -- that will inform that RFP will be really helpful.

And certainly when that RFP goes out, to have entities and people that you know of with the requisite experience, to let them know that there's an RFP and to see if they want to respond to it so that we would have quite a rich list to draw from in terms of selection of the final vendor would be very helpful. Thank you.

Philip Corwin: Okay, and with that, I'm going to adjourn Part 1 of our RPM Working Group. And we will - it looks like there's some coffee and edibles over on the side for those in the room. And we will reassemble in 14 minutes at 5:00 pm. Thank you.

END