

KOBE – At-Large Leadership Policy Workshop 1: Subsequent Procedures: Objectives for the At-large Community
Sunday, March 10, 2019 – 08:30 to 10:15 JST
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YESIM NAZLAR: Good morning, everyone. Welcome to our first session on our second day, Sunday. I would like to make some reminders as usual before we start. As you know, we'll have English, French, and Spanish interpretation for today's session. So because of our interpretation services, please don't forget to state your names before speaking. And I know I did forget to say I'm Yesim. And also, please don't forget to speak at a reasonable speed. And when you would like to take the queue, please use your tent cards like this so we'll make sure that your name is in the queue. Thank you very much. Back to you, Jon. Jonathan. Sorry.

JONATHAN ZUCK: It's important this morning, this distinction. Good morning. My name is Jonathan Zuck, for the transcript record. I normally hide over in the corner there, so it's different for me to be sitting up here at the big boys table. So I'll do my best not to be too....

UNIDENTIFIED FEMALE: [Big girls table.]

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

JONATHAN ZUCK:

Yeah, it probably is mostly girls actually, so sorry. I'll do my best not to be too intimidated up here. But I spent a lot of time after the last meeting, ICANN 63, complaining about the lack of policy discussion during the At-Large meetings. They say be careful what you wish for, right? Because I was rewarded with three sessions during ICANN 64. So I consider them to be experiments in how we might discuss policy, air grievances, get talking points out, and start to reach consensus on issues in a longer form discussion in person about some of the issues that keep coming up.

As you'll recall from the talking points, the guess that I made about the things that we would be talking about the most at ICANN 64 was privacy, subsequent procedures, and probably the strategic plan. So these first two sessions, the first is about subsequent procedures and the second is about privacy, that is at 10:30.

The angle that I wanted to take on subsequent procedures was focusing in on what continues to come up in our discussions around subsequent procedures, which is how do we get the right kinds of applications. That seems to come up in almost every conversation. It gets motivated by different things and on different calls, etc., but on the whole this group seems

particularly interested in applications for IDNs, applications from underserved regions, and applications for communities and what that represents.

So what I wanted to do was make this kind of a brainstorming discussion as opposed to figuring out what our policy position on something. Kind of a brainstorming about how do we focus in on, as opposed to criticizing what's being done or being suggested, are there suggestions proactively that we can make?

And also, we have this other conversation about how we might better use our population, the size of the At-Large and all the people that are involved in it to be engaged out in the world outside of ICANN meetings to advance the interests that we've stated. And this is one area. Getting different kinds of applicants where that might be possible as well.

So I really want this to be a free and open conversation, a brainstorming session, etc. I have just a few slides, but I'm hoping that we make it an open conversation.

We have a special guest with us this morning as well. Christa Taylor carried the water at least for some period of time on the applicant support proposals within the Subsequent Procedures Working Group. So hopefully, she can talk about the proposals that came across her screen, what seemed to work, and how the

Subsequent Procedures Working Group felt about them and where they ended up or where they're headed. I don't know where things stand, so part of it is also just to level set where we are on those issues. And then just to drag her into this conversation about how to get what it is that we want most out of any subsequent rounds. Next slide.

Observations that we have made to date about subsequent procedures. The first is that there seems to be consensus within the At-Large that there's no need to rush to a new round. The demand is supply driven at this point. It's the people that want to create new domains as opposed to consumers demanding that they have a string that they can't find, etc. And we all remember that there was a lot of stopping and starting, if you will, associated with the round in 2012. So in many respects, we wasted time by rushing before. And so we should do what we can to get it right this time so that any future round is as smooth as possible and we've ironed out as many of the challenges and exceptions, etc., that we need before we launch.

We've also mentioned that it's important to take a hard look at the CCT recommendations to the Subsequent Procedures group and to the board with respect to data availability, etc., before launching into a new round. Because really understanding the implications of the round it turns out, and as chair of the CCT I

was vividly aware of the challenges associated with actually measuring in a quantitative way how competition had been improved, the implications on DNS abuse, etc. So having some of those reforms in place we consider important as well. And also implementing the RPM recommendations as well we think should happen before any new round occurs.

And then the other major observation that the At-Large continues to make is that we should focus on underserved applicant pools from 2012. In other words, the people that didn't really show up as applicants or at least didn't make it through the process as applicants in the 2012 round, how do we get more of them in a following round? Those are, as I said, IDNs, communities, and applications from underserved regions.

Oh, Sebastien, you've got your card up. Sorry. Go ahead.

SEBASTIEN BACHOLLET: Thank you, Jonathan. Thank you for your presentation, but I guess you need to avoid to use acronyms: RPM.

JONATHAN ZUCK: Oh, okay. Rights protection mechanism review team. I'll do my best.

SEBASTIEN BACHOLLET: Yeah, it's why I am trying to help you.

JONATHAN ZUCK: Thank you.

SEBASTIEN BACHOLLET: Thank you. And I have something of substance, but I would like you to go through your presentation and come back later.

JONATHAN ZUCK: Yeah, because it's very short.

SEBASTIEN BACHOLLET: Yeah, yeah, yeah.

JONATHAN ZUCK: We've also expressed concern about the treatment of geographic names. Tijani reminded me of that yesterday when we were talking about the talking points. So I am at some point hoping that – and maybe when we're done with Christa, it's something we don't force her to sit through it – we'll ask Justine and Marita to talk about what are the most recent developments in Work Track 5 as well. Next slide.

So community priority evaluation was this idea that we would give priority to communities. And not many communities made it through this process. So one of the things I wanted to bring up was people's understanding or lessons from 2012 about communities. And hopefully, Christa, you can enter into this. Can community be defined in an acceptable way? That seemed to be part of the problem associated with the 2012 round.

How do we get the kinds of communities we want? Because I think, again, our idea of a community might be different than, say, the music industry or something like that. But maybe not. So that's part of the conversation. Is it tied somehow to applicant support? Do the kind of communities that we're interested in seeing in the CPE process also have financial issues associated with participating?

Are there implications of a brand round? We've started to have conversations about a brand-only round, and Bastiaan in particular talked quite a bit about what the implications might be on communities if brands are able to gobble up strings before there's even a round that accepts applications from communities. How can we address that as our way to find a compromise between the two? And then finally, as I said before, how can the At-Large community be helpful?

Maybe, Christa, do you have some sense on the community stuff, are you just the applicant support?

CHRISTA TAYLOR:

Thanks. I know a little bit of it. Am I the expert on it as much as applicant support? No. But happy to, I guess, provide a little bit of a background on it.

To date I guess one of the biggest things on community priority evaluation, of course, from our purposes was more of it needs to be more transparent and predictable. Everything needs to be completed ahead of time before the window opens. The evaluations need to be done in a shorter period of time because in the prior round they just seemed to go on and on without really finalizing. And then they wanted some more communication, so some clarifying questions with community applicant people who were applying. And they also wanted things like not being limited by a box count where they had to provide only [yay] so many characters, otherwise they would run out of space.

So that was the feedback to date. And it's not my big expertise, but hopefully that helps at least to open the door to some questions or just to get some feedback on how we can improve it better. And I think the biggest thing from the work I've seen before is granular is really helpful. We all say that the community should

be involved, and we have all these people and how do we do that. But the granular detail helps to get the discussions going. And also we understand certain things didn't work. We get that. But how do we make it work in the next round other than let's throw it out to the community and see what we can do. If you have ideas, as Jonathan said, this is a working group and any ideas are great ideas.

MARITA MOLL:

Thank you. Yes, we have ideas, and we did work on the comment paper with respect to responding to all those thousands of questions that were thrown at us for Work Track 1-4. I did particularly some work on the priority evaluation process, and one of the big things that kept bumping up there is that the committee that does that particular evaluation didn't appear to be or the community didn't feel that it was balanced enough so that the people on the committee really understood the community concerns. So there was a – we really did make a major proposal to say that the way this committee is composed ought to be reevaluated. Thank you.

HOLLY RAICHE:

Not really specific, but I saw your link this morning. I haven't had a chance to look at the board's response, but I'm just wondering.

Is there anything in their response that we should be picking up? You circulated the link for the board's response to this [CRT] report. Have they had anything to say as to which recommendations they're going to do, which recommendations they're going to put on hold? And I'm wondering if that's going to add to this discussion. That's just a question.

JONATHAN ZUCK:

Thanks, Holly. I have to be honest. I haven't completely – I'm beginning now to ingest the feedback from the board on the CCT review. On its face, it's disappointing. There are 6 of the 30 recommendations that were accepted outright. Some were forwarded, which was the right thing to do. But it was sort of like noted and forwarded. So there wasn't this notion of agreement in principle or something like that, that might have been helpful as guidance to subsequent procedures or some of the other actors that are involved.

And there are others that have been postponed for study by ICANN staff about cost and things like that. So it's difficult to actually assess what the actual state of those recommendations is at present. So that's almost going to be its own conversation to try to go through the things, for example, that are forwarded to the Subsequent Procedures Working Group and determine what,

if any, action they've taken on those forwarded recommendations.

Because we've been talking to them the whole way along, and they have in fact been addressing many of the things we've brought up along the way because they were operating in parallel. So they weren't sitting waiting for the board in order to have conversations that we already suggested that they should have. So it may be that it's not all bad. It feels like it a little bit because there were only 6 of 30. But a lot of it just has to do with process. I think the board is very concerned about the budget and the fact that recommendations are going to be coming in from a lot of review teams at once and how do we prioritize, etc.?

Recommendation 1 which was about taking data collection more seriously was one of the ones that they accepted. And it remains to be seen exactly what that will look like because they said they were going to have the staff look at data elements, which wasn't quite the recommendation. So implementation, the devil's in the details, as they say. So I'm still trying to absorb.

Leon thought that I was going to receive some sort of correspondence that I haven't received. Instead, I've indirectly heard from other people that are upset about the response before I even saw it. So I'm trying to process that as well.

Sebastien?

SEBASTIEN BACHOLLET: Thank you. A few comments. The first one is that it seems that everything we as a community is doing, it's going through the filter of money in this organization. And I think it's not the best way to discuss issues. If each time we propose something it's [oh, it depends] how much it costs and not the value of the action, I am very, very in trouble with that.

Second point, it's now 19 years that ICANN is struggling with collection of data. In the round of 2000, it was supposed to gather data. We had a second round or second part of the first round, whatever you want to call that, in 2004 to be sure that ICANN will be able to collect data. We are now after this round of 2012 without having collected data, and we are suggesting that maybe the next round we will be able to do it. What is the trouble with that? Why ICANN is so in trouble to collect data about the core of the business of this organization to have a new gTLD or gTLDs and TLDs in general? I don't understand really. And I don't trust anyone who will say next time we will [share] for free. It will not happen. I don't know if it's an English expression. Sorry. It's a translation of the French expression "demain on rase gratis." But I don't trust that at all, and I don't know how we can deal with that.

You had a point about geo names, but I think there are two sides of this coin. It's geo names, how it could be handled but also it must be a priority because for some cities, for some part, country or whatever, region, they need to go to the Internet as soon as possible. And it must be one in our list, not just IDN, communities, and underserved regions but also geo TLDs could be a good addition.

And my last point, and sorry to be a little bit long, is that we have to be really careful about what we ask for underserved regions because if you remember in the run of 2012 some [mainly] U.S. companies decide to apply part of their portfolio in Europe and in other regions. Therefore, we can see a pattern that people will launch application in underserved region just because it's underserved region. But not to serve the region but to serve themselves. And we have to be very careful with that.

And my last sentence is that we have to try to see behind the curtain what the wrong people or what some people who have very good ideas or very bad ideas depending where you are will [tweak] the program for their own purpose. And I can give you a few examples on that, but I have no time for that. Thank you.

JONATHAN ZUCK: Okay, thank you, Sebastien. I'm going to try to remember each of these things when they come up in the discussion, but I wanted to focus on your first question about looking at things through money. Often what we're trying to do I think is figure out the value of things in conjunction with their cost. I think that the onus to some extent is on the community to try and identify value behind things so that an assessment can be made given that there's limited resources about how they should be spent. So that's part of the issue. It isn't that no one is looking at value. It's that suggestions are made without an assertion of value. And so then money ends up being the issue and we end up abdicating responsibility for making a cost-benefit analysis to the board, and then they do the best they can. And so it could be on the community to try and put a value on things a little bit better so that they get more priority in those discussions about resources.

Geo names I'm going to put off.

On communities though, I guess I want to again just get the conversation focused on what people's remembrances or ideas were about what was going on with communities and what it is that needs to change. One of the things I've heard is that community wasn't defined very well and can we come up with a better definition for community. What is it that we mean in the At-Large? Again, this is our own agenda here and we'll figure out how

to advance our agenda. But what is it we mean by communities, and is it the same thing that everybody else means when they're talking about communities? So that's the conversation I wanted to try and spur if possible.

We have Holly next. Thank you.

HOLLY RAICHE:

I'm really actually entering or supplying a comment to probably the fourth dot point, but it does tie in with communities. I'm not sure it makes sense to tie applicant support to communities because I think that depends on how we define community. There may be communities that don't need support at all. And then I think that comes to the harder question. I'm just thinking through how to do the definition, so I'll be really quiet and then try to come up with something about definition to support what I'm just saying. I don't think we tie money to that. Thanks.

JONATHAN ZUCK:

Thanks, Holly. Kaili?

KAILI KAN:

Thanks, Jonathan. I guess my opinion is going to be unpopular and [mostly] minority. Personally, I feel from our CCT-RT, first I do not see the new [Gs] bringing insignificant or even noticeable

benefits to the end users except supplying more choices. However, [inaudible] itself could be described as providing more choices.

So anyway, on the other hand, I do see some disadvantages for end users, including more spam, more bad apples, bad registrations, bad domain names, and also large-scale speculation. Say for well over half of the new registrations since the last [full] round was parked, and primarily speculation especially from China, unfortunately. And also confusion for end users. And also indirectly [surfing] by brand names. And they need to spend more money and confusion to [protective] register their brand names [other new Gs] and so forth. And that indirectly hurts the end users as well.

So my personal feeling is what we at At-Large can do is not how to stop or minimize new gTLDs, next round or so forth. Because to be honest, I don't think we can stop it. First, ICANN needs the money. Secondly, the core part of ICANN is the registry/registrar, the contracted parties. They're the core and also money supply of ICANN. So I don't think we can stop it. So if you cannot beat them, join them. So just let the market rules do its work. What I mean is that I do not see anything putting an end to [inaudible] or trying to limit the number of new [Gs] could possibly work.

And also from our CCT-RT I think it is very obvious that already supply way exceeds demand. So just let it go. Even [inaudible] whoever wants to register, apply, go ahead. After 6-12 months waiting period, if no [contest], you pass. And that keeps it simple. However, the [processes] from new applications must go to protect end users interests, including anti-phishing, anti-spam, that kind of stuff efforts, commercial or non-commercial by ICANN. That money needs to be allocated.

Also, money should be allocated or subsidization should be provided for brand name protection because that also indirectly protects end users interests as well. So I think that is my idea, and also in a nutshell is let the market force do its work. Thank you.

JONATHAN ZUCK:

Thanks, Kaili. I think as a group we've come to the conclusion that we can't prevent it from happening. So I think this conversation is, given this land rush that might occur, are there plots of land that we can protect for indigenous peoples, for example? Are there plots of lands that we can protect for groups, etc.? I mean, history is full of failures at protecting indigenous groups, but are there ways that we can try to tweak this land rush that's going to happen. I think that's the kind of conversation that we're trying to have.

I've got Alan next.

ALAN GREENBERG:

Thank you. A couple of comments on things that have been said before. Sebastien raised the issue of data collection and our absolute failure to do it despite all of the pious words saying we're going to do it. I think it falls under the same category as my saying, "Some day I have to get organized." Today's work always takes precedence over getting organized. And data collection is, I think, like that. ICANN is very good at collecting data that has to do with their revenue streams. We do collect data from registrars as to how many new domains they register among other things. We collect some other data at the same time incidentally. But we collect the data that's key to that. Other data is nice to have, but it puts an onus almost always on the contracted parties to do work, and therefore it is hard to negotiate. It potentially impacts their business models and privacy issues, so they're reluctant to do it.

I think we need to really push hard to make sure that we do collect data and it's not a peripheral operation which we can say, "Some day I need to get organized and get some data." Because, as Sebastien said, we have a long history of saying the words and not doing it. So I think that's a great concern and something I'd like to see really embedded in whatever we end up coming up with in

this program. And it's not something we've talked about virtually at all in the PDP. And although I've not been very active in the last little while because of the EPDP, I was very active before and I can't remember a discussion like that. It may have sometime in the middle of the night when I wasn't there.

The second thing is community. The definition is the key, and I don't know how you define it. It's not so much that we need a definition, but we need to make sure that the people who are judging whether you are a community are all using the same set of rules. Because we have very different sets of rules, and therefore expectations were not necessarily met. You don't want to make it too wide because then everyone is going to be a community and the CPE becomes problematic. On the other hand, we know that we were too restrictive last time and clearly not precise enough to give predictability.

And the last comment is from Kaili on that ICANN needs the money, therefore we have to have new gTLDs. As far as I can tell, new gTLDs for ICANN is a cost center. We are determined, for reasons I don't agree with, to say that the price we charge for the new gTLDs must be a cost recovery of the application process only. Every time you have new gTLDs, especially problematic ones, you end up having costs associated with compliance and

with GDD and other things. And I think it becomes a cost center not a profit center. So it's just the opposite. Thank you.

JONATHAN ZUCK:

Thanks, Alan. I'm confident that I'm going to be trying to use the recording of this session to make sense of all the conversation to try and coalesce some of this together.

One of the board's responses to the CCT recommendations on data collection did, in fact, have to do with the fact that they can't completely control what the outcome of a contract negotiation will be with the contracted parties. So that's how they backed away from that particular recommendation. But I wonder if we propose making some changes to data collection a prerequisite to any further rounds, then suddenly those negotiations might become more easy. So we can concede that the board can't force them to do something. But the board can withhold the prize of future rounds without some changes to data collection. So maybe that's something that we want to proactively recommend.

Tijani?

TIJANI BEN JEMAA:

Thank you. Good morning, everyone. Sebastien, you said something that is bothering me a lot. You know, during the whole

process of the [inaudible] working group we had exactly the same reasons [inaudible] by a people who didn't want the support program to succeed, and the support program failed because of this kind of remark. Saying that the system will be gamed, so we were pushed to come up with very tough criteria so that no one passed those criteria. For sure, there will be always people who try to game the system. We have to try to find a way to stop them but not to come back to this kind of arguments that will make the support program fail. Thank you.

JONATHAN ZUCK:

Thanks, Tijani. Folks, it's my fault for having put a summary slide at the beginning and saying all the things that we would discuss up front. What I'd really love to do if possible is confine the immediate discussion to the questions around communities: their definition, things that we can do to promote community applications. So if that's not what you are raising your card for, then put it down for just a second so that we can get to those questions. And then we'll move on to applicant support as the next discussion. Okay, I'm trusting you.

All right, Marita, go ahead please.

Community

MARITA MOLL: Yeah, I agree with you. The community part, figuring out what that is and what that means was a big part of the discussion that we had when we were responding to the questions Work Track 1-4. There was a question, what is a community? How do you define it? And basically, our response was we really shouldn't try to define it narrowly because you can't really define it narrowly. But what you can do is put some people on that committee who have a basic understanding and feeling for what community is. Those people who are evaluating the community priority applications need to have a really good feeling for what is a community. You can't always define that in numbers, but that's the group that puts those numbers on to various – you're rated and you have to get a number up to a certain number to get into that community priority evaluation group. And this time, the community thought that there was not enough sensitivity at all inside the committee for what a community is or should be or how they should address it. So as I say, we did talk about it and generally speaking it does not do us any good to try to narrowly define a community. But we need to have people there on the spot who will have a feeling for that. Thank you.

JONATHAN ZUCK: Thanks, Marita. I guess one of the questions for this group is when we talk about communities, are we even necessarily focused on

them needing to be global communities? Are the strings so precious that you can't apply for one if you are a Canadian photographers association or something like that? And you may end up with a string that later on French photographers wish they had applied for, but does that matter? Is it okay if a community is not of scale or something? And that might be, again, something for us to think about.

Satish?

SATISH BABU:

Thank you, Jonathan. First a quick comment on Kaili's point about whether we really need a new round. I think, especially from the IDN perspective, there is a lot of excitement in some parts of the world, especially Asia Pacific, on the potential for IDN-based new gTLDs. We're not sure whether this excitement is warranted or if it will yield the kind of expectations that have been raised. But still, we must realize that there are people looking forward to a new round.

My question is on the intersectional aspect of IDNs, communities, and underserved regions. I think there is likely to be an intersectional group where all three apply. And the question is, what can we do for them? And the definition of community noting that .gay was disqualified, will something like .disabled be

acceptable? [inaudible] global/local issue. Can a linguistic community be a community by ICANN's standards? And the fact that we will be asked to advise end user groups on this, and what do we tell them? Thank you.

JONATHAN ZUCK: Eduardo? Thank you, Satish.

EDUARDO DIAZ: I wanted to comment on this community issue which I think is key because we're talking about communities that use the Internet. That means all the users are using the Internet. But then you have communities are geographical to that geo. You have users that just not only users by domain names. They use the Internet, period, and that might be a community. So what I want to say is it's very various. And if there is a committee that is doing this, you should bring those type of people with that experience and that community so you have a balanced view when you do these evaluations. That's what I wanted to say. Thank you.

JONATHAN ZUCK: Thanks, Eduardo. Humberto?

HUMBERTO CARRASCO: Thank you very much. I'll speak in Spanish quickly. Sorry. What happens is there are two fundamental aspects, in my view. We do

not need to forget that we represent the interests or we say to represent the interests of end users. And I want to make it clear that one of those interests is the economic interests. Of course, we want consumers to have alternatives, but this is not the only interest. And we should not forget there are other interests that are not economic, such as the communities. And this is where the essence of the problem is. If, in effect, this can be defined or not, I mean, if you ask me, we cannot define what community is on a very narrow and simple way. And if we have a definition, we will always leave someone aside. So probably what we can do is establish certain parameters that are exemplary, but there has to be some discretionary trait because, otherwise, we will always leave someone aside and we will always generate more problems than solutions. Thank you.

JONATHAN ZUCK: Thanks, Humberto. Holly?

HOLLY RAICHE: Always the lawyer and, I suppose, the spoil sport. I would like to see some kind of parameter in terms of if you put your hand up as a community, you ought to be able to define in some way boundaries, whether it's some kind of membership. Because if you're going to run a name, then in fact somebody is going to

have to be responsible. So you're going to have to be able to, I suppose, define the boundaries. Define the extent to which it's used, how it's used. Assume some responsibility.

And so while I'm a little bit sympathetic with the fact that everybody wants to define themselves in terms of lots of communities, from a manageability point of view, I don't think we can do that. And you're looking for criteria. We have to have some kind of criteria, some boundaries so that you can say, "Okay, these people identify as a community." It doesn't mean that necessarily it's defined by we only have this many numbers or we only have this many geographic boundaries. But instead of being expansive, I think we have to start thinking about what the boundaries are so that it becomes a manageable application. And we're not doing this, so we're not helping you at all. Thank you.

JONATHAN ZUCK: Thanks, Holly. Sebastien?

SEBASTIEN BACHOLLET: Thank you. I'll speak in French. I think the matter of the community is a key aspect, but we need to pay attention to other elements as well and we're merely discussing what a community is here. But if we think of what the community is, then should it be preexisting to the willingness to present an application? Or

should it rather be related to the application submitted? Like in the case of .gay, .green, and other applications, I think they would have wished to create a community around their application. So they couldn't have one single organization that represented the entire world. But it could have been the focal point for the different organizations existing in different countries and different continents which would then come together to support that application. So I think it would be interesting to go a bit further and explore that idea some more.

And then I think another priority is to establish what the criteria are. We have already posted a list with numbers and notes and if you are above that rate, then you will get the diploma of being a community. Otherwise, you would have been rejected for your application as a new gTLD. And I think those who did that knew what they were doing. One of the people in charge of one of the main applicants said I took part in the definition of what a community is because I knew I would have to [compete] them and I wanted to make sure they didn't get the priority. So it would be interesting to see who participated in defining what a community is to see what their conflicts of interest are regarding what was done afterwards. Thank you.

JONATHAN ZUCK: Thanks, Sebastien. Hadia?

HADIA ELMINIAWI: I think question number three is actually a very important one which speaks about how we can get the kind of communities we want. But I think prior to actually being able to answer this question, we need to have a general agreement on what are the kind of communities that we actually want. Part of the answer could be very simple and easy and we all agree on. But maybe we would like to have a wider understanding of the kind of communities that we would like to have. So I suggest that we need to draft something about what are the kind of communities that we as an ALAC see that we would like to have. Thank you.

JONATHAN ZUCK: Thanks, Hadia. I know that in the comments that we submitted, we started talking about characteristics of communities instead of a definition of community. I think that's how we attempted to try and get in that direction of what are we looking for in a community as opposed to hard limits. Tijani's next.

TIJANI BEN JEMAA: Thank you very much. I will also speak French as Sebastien did. I understood and I heard that everyone had issues with the definition of what a community is. And I think that's only natural, especially seeing that the community assessment panel did what

they wanted afterwards, the community evaluation panel. Each member of the panel had their own viewpoint and their own understanding of what a community is. And in the end, the CPE was one of the reasons that community applications didn't work out.

So for the 2012 round, I think one of the biggest issues was that panel. That was one of the greatest failures, I think. And it is probably because of them that there weren't more community applications approved.

JONATHAN ZUCK:

Thank you, Tijani. And to Hadia's point, if we engage more in this idea of characteristics we're looking for, that might speak to this notion of how we might be a part of trying [inaudible] the success of those community applications going forward as well.

Alan is next, and we're going to close the queue after Mohamed.

ALAN GREENBERG:

Thank you very much. I must admit I'm sitting here in awe or shock or something like that. We're having this discussion at the very, very end of this very long PDP as if we have the ability of completely setting the direction, and we're not there right now. Yes, the details are not finalized. Yes, we can probably still help.

But sitting around this table and having this discussion as if we have a blank slate and we need ideas I find just mind boggling.

We had a session on community TLDs a year ago. I think Christa was one of the people who presented. And we had a similar discussion to this right now. And then no one has done anything. And we expect to now come in at the very last moment and fix it, and I somewhat despair. I don't think we're going to be able to fix it. I think we were too silent, too long and no one came up with any good ideas. But I'd like to do a level set just to say where we are and what we're trying to accomplish here. Thank you.

JONATHAN ZUCK:

Thanks, Alan. I'm not positive about what we're trying to do. But what I was trying to get to is there's been the characteristics of the comments we've made, and so it was more about what could we do to tweak things to help ensure the success of a CPE going forward. That was sort of the idea. I don't think it's about completely overhauling the subsequent procedures work. But it's about the fact that we keep bringing up these things as issues.

And when we did comment, some people said we should just give up on communities. But the consensus was, no, we shouldn't. The community priority evaluation was still important. But it still remained that previous attempts were not successful. And so it's

just really a question about whether we as a group either through tweaks to how this implemented or through our own efforts in community building, etc., might be able to play a role in a more successful implementation of CPE. That was the idea, and I share your concern. It was just something that I know is going to be talked about and I thought we should talk about it an air [inaudible] some of these issues. Should we give – okay, briefly.

ALAN GREENBERG: I'm not faulting you for having this session. It's the tone of the comments imply we have a blank slate and we need some good ideas, and that's not where we are.

JONATHAN ZUCK: [That's probably right.] Do you need to jump the queue, Maureen, or do you just want to be in it? Okay.

MAUREEN HILYARD: Thank you. I find the discussion really, really interesting, and I think that even if it is replacing or repeating some of the things that we've done in the past. One of the discussions that I had this morning was that one of the things that we should come out with from the end of these discussions and the end of the week, because our role is advice, and that perhaps out of this discussion

that we may come out with some suggestion that may contribute to the general discussion on how we define communities or whatever. I think that – I know that there used to be a [chair] report or something at the end of a meeting and that sort of thing could be included. And probably a paragraph from you as the moderator or something of this that can be we’re actually adding to the advice that we’re giving to the board. Thank you.

JONATHAN ZUCK: I’ll do my best. John, go ahead.

JOHN LAPRISE: I want to weave together something that Kaili said early in the session, and then Alan hit on it a different way. Which is Kaili’s point to let the market, you know, let the cards fall where they may. And Alan looking at the process as a cost center as opposed to a profit center. I guess I want to maybe ask Christa and Jonathan about whether or not from ICANN’s point of view there’s a presumption of success or a presumption of failure with new gTLDs

I mean, because if we’re looking at a presumption of failure on these because it’s largely a marketing driven effort and [then] we’re seeing a lot them not being successful, that would raise the entry cost because we’re assuming that the new gTLD is going to

fail. And so we have to price that into the process. I think right now, it sounds like we're presuming success when a new gTLD launches. And so maybe we just have to ask the hard questions like, well, maybe looking at the landscape as it is, we should rather be assuming the presumption of failure. And, yay, if it works, but it's a hard market out there. Thank you.

CHRISTA TAYLOR:

I don't think we really made an assumption that it was a failure or a success. And if there was, it was too early to say. I think your point earlier on the metrics came up in the working group a lot of how do we make sure that whatever program or whatever we're putting in place in the future we can determine it was a successful outreach. If we're doing applicant support, what do we consider success? Is it the number of applications, or is it the number of people that considered applying and then decided not to do it because we gave them sufficient support to make an informed decision that they didn't want to go ahead? So those types of ideas and, I guess, finite details really help go through it all.

And then going into there's a lot of items on costing is how do we pay for that. If we're going to have a revenue neutral application fee, then how are we going to support applicant support? Is it something ICANN will pay for? Or is it something that we just add a little bit of extra to the application fees so we're planning for it

in the future to make sure that in the future rounds we can provide this applicant support to another generation?

But I think going back to, I think, Alan's point is we've spent a lot of time on this and any details or definitions or even magic wands on a definition of a community would be great. Because I think we need it. And I don't mean to jump topics, but on applicant support we need the ideas rather than everyone in the community is going to help out. Well, what are the details? How are we going to do that? Thank you.

JONATHAN ZUCK:

Yeah, and, John, I guess overall, and I think it was the conclusion of the CCT review that on balance the program created competition and choice and didn't have negative overall consequences in terms of consumer trust. But things like DNS abuse, etc., seemed to move out of the old TLDs into the new ones, which suggested the safeguards that had been put in place specifically to prevent that were ineffective.

So there were certainly failures associated with the program, but the idea of some TLDs working out and others not doesn't play into whether or not the program was a success because that's just the market. And the next great string might be really successful and some people are going to do better than others and that

might be okay. I think that the overall feeling of the ICANN board and others is that there's more good than harm to come from continuing on probably.

All right, we have two more: Daniel and then Mohamed. So Daniel is next. Okay, and then we have one – actually, before you go, Daniel, [we have one] in the chat that Humberto's going to read. Is that right? Is it Humberto that's going to do it? You want to read it?

HUMBERTO CARRASCO: I'm going to read Alberto's comment. I have translated this into English in the chat, but I'm going to repeat his comment. "In relation to communities, it seems that the definition of criteria should be predominant and not a definition of community." This is the summary of what Alberto is saying in the chat.

[DANIEL]: Thank you very much. I think I don't know if I'm the only one who is confused, but I see that there is no clear definition of the word community. And if we are going to be able to use appropriate marketing strategies to be able to reach [the] targeted audience, then I think we have to come out with a clear definition. And probably [inaudible] possible I also see a challenge of time constraints could probably a timeline be given to be able to

Community

identify or to come up with a key definition of the word community because it might vary in different aspects based on the target group. Thank you.

JONATHAN ZUCK:

Thanks, Daniel. And I think it's a good point. It's related to Hadia's point which is that we have an emotional reaction to this notion of communities, and therefore we've achieved consensus that we wanted to make sure that community priority evaluation was something that continued on. But there are going to be aspects to making that a success, and part of it is just having an honest conversation with ourselves of what we're thinking about, what's in our head when we say community. Because it may not be a consistent vision across the ICANN community, and whatever it is we think it means we should come up with our own strategy for promoting the success of those kinds of communities in a subsequent round.

Mohamed is next.

MOHAMED EL BASHIR:

Mohamed El Bashir, AFRALO chair. I think this is an important discussion and a timely discussion because the devil's in the details. And unfortunately, in the 2012 round we did end up with three applications in a pool of 1,900 applications in total. And I

think one of – Tijani might [remind] [inaudible] we had – I think one of the applications was from Africa, and we had difficulties trying to spread the word because there were very few and there was complete lack of communication at that time. So it was we had to rush to talk directly with specific entities or organizations, what we considered communities, and encourage them to apply.

So I think we shouldn't repeat the same mistakes in terms of giving early warnings, give communication earlier so at least potential applicants will think about it, consider what venues to use, what type of applications to apply. Do they, let's say, apply to get support or not. So I think communication is number one, and early communication is very critical.

And you need to try to reach out to the regional level. I mean, At-Large could help you reach out to entities and potential communities in different countries. The At-Large umbrella is wide. I think you need to think about reaching out, not put a criteria and wait for applicants to come to knock on your door. Because that was a failure in the last round. Thank you.

JONATHAN ZUCK:

Thanks. Okay, I want to move on to applicant support since we dragged Christa down here early in the morning. But this is obviously a conversation that's going to be ongoing. One of the

things I want to discuss further at some point is Bastiaan’s recommendation around a brand round and how it could help accommodate communities by postponing finalization or something like that I remember. So I’ll go back and find it, but we’re going to have more conversation about this, but I think we need to move on to applicant support.

You have something you want to add quickly on communities?

UNIDENTIFIED MALE:

This is [inaudible] speaking. I’m going to speak in Spanish. This is [inaudible] speaking. Jonathan, thank you very much for the opportunity of closing this item. We do know that ICANN sent a request to participate at the ITU working groups. And this is also part of a more active participation within this international framework at the UN.

On the other hand, one of the most important factors is to try to address the issue of communities as if they were brands. Here we find some challenges because addressing this issue from a legal point of view or to address the interests of communities as if they were a brand would work if everything would be a brand. But this is not the case for communities.

So as we said yesterday, ICANN is now facing a very important review of its mission not from the legal point of view, but it’s

facing a philosophical review in order to be able to adapt to new challenges coming up. And this is being reflected into the five-year strategic plan and the five objectives that we mentioned yesterday [inaudible] technologies.

So within this framework, ICANN sent a request to the ITU, and it becomes evident that behind the scenes we need to create a concept of community which should be closer to the UN concept of community. I mean, we have to pay attention to the definition of community by the UN because they are not trademarks of the UN. They are human beings. So we need to pay attention to these, and we need to take into account the new philosophy of ICANN for the next five years. Because this is a challenge and we need to understand that not everything has to be translated into the trademarks. And perhaps we can include this definition into the legal framework.

And as Daniel said before, for the [inaudible] perhaps we can protect these due to certain aspects. We need to protect this in a different way or translate it into a different way. But we need to understand and fully understand that this is not an issue of trademarks. Thank you.

JONATHAN ZUCK: Thank you. Okay, let's switch over to the next slide, and let's switch over to applicant support. Lessons learned from 2012. What are the proposals for improvement? Hopefully, this is where we bring Christa in. Is there a template for success with a gTLD? This is one of the things that came out of a study that AM Global did about applicant support in Africa and Latin America. That folks were looking for a kind of business model example that they might follow to make TLDs useful.

Are underserved regions good markets for gTLDs? The take up of second-level domains, of ccTLDs would suggest that many of these underserved markets aren't ready to buy domains yet, and therefore getting applicants to apply is almost like tricking them into a bad business model. And so there are some questions about that. And then, again, the question of how can the At-Large community be helpful in a subsequent round.

So I'd love to turn it over to Christa to talk a little bit about the state of affairs currently with the Subsequent Procedures group. Thanks.

CHRISTA TAYLOR: I think one of the things immediately that comes to mind is the working group initially had an issue or how to deal with the right regions. We call them underserved regions. But if somebody can't

afford or water, what are the chances that they're going to want to go and buy a domain name?

So we came up with what we called the middle applicant. And we actually defined it so you don't have to do that part. But we defined it as struggling regions that are further along in their development compared to underserved regions. So these people have the infrastructure there. They have food and water. Those basic requirements are there. So what can we do to outreach to these people to get them involved in wanting a new gTLD, and how can we support them? And it's not just financial support. It's writing their business case. Do they have a business case with it? How can we help them? Is it templates to do that?

Some of the feedback we received was we wanted to make sure that there was somebody there on the ground that understood their issues and not just simply an ICANN person that they would e-mail. There needed to be different things put in place. They wanted to make sure that there was superficial rampway, the guidebook in other languages that we were targeting.

And I guess taking a step back is they didn't also just say it's the global south. An underserved region can be anywhere. It can be any kind of community. It can be somewhere in our backyards that are underserved to a certain degree and need support. So that was one of the other things.

And I think – I’m not sure who brought it up earlier – but one of the aspects around the financial part of [it] is gaming. And before, the criteria was so stringent that no one applied for it because they were afraid that they were going to lose all their money. So this time around the feedback came back saying, how can we prevent gaming but on the flipside get people who want to apply? So now if you’re not purposely gaming it and you fail the applicant support process, you can have a certain amount of time to pay the additional fee and go through the standard application process. So hopefully, it helps people make an informed decision and also getting rid of the bad apples at the same time.

So I’m hoping that provides a bit of a background, but I’m happy to answer any questions provide any refinement there.

JONATHAN ZUCK:

I have a couple of questions. One, Christa, is that some people have argued that the application fee isn’t really the issue but that it’s the help necessary to go through the whole application process, the lawyers, to hire [you] to help them navigate the process. Is there some contemplation of trying to help applicants beyond just the application fee through a system like this?

CHRISTA TAYLOR: Yeah. That was one of the aspects. It goes way beyond that, and some of the conversations were can we use some of the funds to just pay the registry fees as well to get them up and started. But the flipside on the conversation was, of course, these people are applying for a TLD. It is a business, and eventually they're going to have to stand on their feet. So where is that line? We provide support. We provide mentorship. We provide some of the legal expertise, the consulting. But at a certain point, it is a business and so there's always that kind of balance in the working group so far.

JONATHAN ZUCK: Thanks, Christa. It's a business, but they could be a small business. And so a lot of the costs that are imposed by ICANN presuppose that it will be a big business, and I think that's part of the complexity. There was also a mentoring program in the last round in which both mentors and potential applicants submitted their names. But I can find no indication that they ever were connected to each other or mentored each other. Did that happen, and was there the notion of some kind of mentoring program going forward as well?

CHRISTA TAYLOR: Yeah, I know that was certainly brought up along with there wasn't sufficient timelines to connect that. It was kind of a last-minute ditch effort two months before the application window was to close or was opening that here's a list of people. And then there were conversations around, is ICANN in a position to do that? Is there a conflict of interest if they have this list and is there some kind of legal potential there if they create that list? So I hope that helps.

JONATHAN ZUCK: Okay, let's go to the queue. Kaili is first, I think, from before. Don't feel obliged to go if you don't have something to say.

KAILI KAN: Thank you. I just thought applicant support should be a GNSO issue not – well, At-Large should be more focused on customer support and consumer protection. That's my comment. Thank you.

JONATHAN ZUCK: Okay. Holly?

HOLLY RAICHE: Not so much what is the nature of the support, but how much information is available about what you can do in terms of if there are qualifications? What is your test for providing that support? How do people find out about that? Who is going to determine whether or not they're eligible? At what point is there going to be a we can do this, this, this? So congratulations on providing the support but I guess I'm asking, how easy is it for anybody to find out about it, to access it, and then maybe come to the very sensible we don't want to do this, there isn't a business case or thank you for your help but we think there's a business case that's X? Really more just the availability of information about what you do to help people. Thank you.

CHRISTA TAYLOR: Those are the fine details. I think it would be really great to have some more information on it. So far, we've said we want a longer lead up time. We want to have people more in the regional area that will help support. We want the guidebook done earlier, more searchable, user friendly with a shorter version for people to understand. But we don't have the fine details of here's talk to X, Y, or Z in this area for this region and they're going to do A, B, and C. Those are the details that after two years of doing this, we still don't have them. From my perspective, I would hope that

everyone can contribute those details because that's the only way it's going to be successful.

JONATHAN ZUCK: Christa, is there some distinction between the policy and the implementation in this particular case? Is there a separate implementation phase, or are we trying to get more of these detailed questions answered before the work group finalizes its report?

CHRISTA TAYLOR: Yeah, so while we're doing the policy work, the implementation question always arises and we're always finagling that line in there. So I don't think we can say we want it all done before because we don't really have, I think, sufficient information to say we could be done now anyways. So maybe if we had this brilliant plan, we could say, yeah, it's done. It's in the book and this is how we're going to carry it out. But we don't have that.

JONATHAN ZUCK: Thanks, Christa. Tijani?

TIJANI BEN JEMAA: Thank you, Jonathan. In our comment on your report on the working group report we replaced the underserved regions by underserved regions and communities because as you rightly said we may find a marginalized community in a very rich country. So it is not only the region. It is the region or the community.

Another point about the kind of support, in the 2012 round the applicant support program wasn't only about dollars. We had a set of kind of support that was included too. You are right to develop this issue and to try to find all kinds of needs that those underserved regions and communities may need to apply.

So I think that in 2012 the problem wasn't because it was about dollars. It was because of the barriers, because of the criteria we put. And tell you the truth, the dollars are the main need because if they don't have money, they will not apply. Thank you.

JONATHAN ZUCK: Thank, Tijani. One of the interesting conclusions of the AM Global report that came to the CCT is that there were people with money that didn't apply because they just didn't have enough clarity about whether it made sense or what running a TLD was like. So I think there's different kinds of applicant support that are probably going to be necessary.

Sebastien?

SEBASTIEN BACHOLLET: Thank you. I have a number of comments to make. Regarding what you just said, Jonathan, there were 1,930 applications although ICANN only expected to get 500 applications. So you can always say there's people who didn't submit their applications. Would we have wanted to have 3,000 applications though? I'm not so sure. I mean, 1,930 was already too much if you ask me.

I want to insist on one element though. Had we had the JAS before, we wouldn't have had it if ALAC hadn't pushed for it. And it was done within ALAC and then thanks to your board member at the time who worked to manage to get this further on. I think that only came at the very end of the program, true. But that was work between Kurt Pritz who headed the new gTLD program, me a board member at the time, and a number of people such as Tijani on the ALAC side. It was thanks to these people that the program was a reality.

Did it come too late? Yes, but at least it was there. Maybe it didn't meet the expectations we had. We already knew that. We asked ICANN to have enhanced communication tools. Rod Beckstrom the ICANN CEO at the time could have worked on that during all

his travels, but he never paid attention to that. I have regretted dearly, but he never paid attention to it.

Now how can we improve the situation looking forward? I think from the beginning, we would have to have this included in the applicant guidebook. I hope that will be of help to new applicants. And just now someone asked whether people used the [matching] program [both]. Yes, to the best of my knowledge, at least one applicant, one person [inaudible] three did get in touch with the mentor that had been proposed for him and worked with one of these companies to help develop the program. And then out of [affinity] between them, they went on working. So there weren't great progresses made in the 2012 cycle, but at least something was accomplished.

JONATHAN ZUCK:

Thanks, Sebastien, for the historical update. We just have to figure out what the best thing is to get our own objectives met going forward I think.

Are there other comments about applicant support that we want to talk about? Go ahead.

MOHAMED EL BASHIR: Christa, it's a question for you. You mentioned that you need more details in terms of implementation from this group. So are you welcoming ideas, for example, to have a team working with you in details from this community so we can take it further? Because still the idea of how we can contribute and give you those details is lost to me, I mean how we can send you this. Because you're talking about details about outreach, how to do things differently in this round. So if I understand you well, do you need this community to work with you in the details of reaching out to those potential applicants in this regard?

CHRISTA TAYLOR: We've already gone through the – you know, we've done our questions and they've been submitted and we're reviewing them now. I don't see any harm in adding any information and sending it to the group. I think it would all be helpful and appreciated. I'm not sure if there's a better way to do that, and I'm not sure if we need a separate group on it. We've spent already at least two or three years on trying to get those fine details. But I guess any information or any submission would be appreciated.

JONATHAN ZUCK: Christa, you've said that we've spent two years on it and we still don't have those details and we need them. Are there particular

barriers or roadblocks, questions where the conversation comes to a halt? Is there anything like that that's making that process difficult? Is it lack of information, etc.? I guess that's the question.

CHRISTA TAYLOR:

I don't think it's a lack of information. It's just a big world, and what's the best approach to get to these people? They're in our backyard. It's not just the global south, so we can't just focus our attentions there. It's not just in one little area, so how do we get everyone involved as a community? We can say we're all from around the world. How do we reach these people and what's the best way to get to them?

I forgot what I was going to say. Yeah, I don't know.

JONATHAN ZUCK:

Getting everybody involved I guess.

CHRISTA TAYLOR:

Yeah. We're all from all over the world, and how do we get everyone involved in our own backyards is a difficult enough question. So any ideas on how to do it better are always appreciated.

JONATHAN ZUCK: All right, thanks. Glenn?

GLENN MCKNIGHT: Good morning. Glenn McKnight, NARALO. Since you asked for suggestions of how to do things better, we faced the same problem when we did a project with IEEE the largest engineering society and the UN foundation looking at the core sustainable development challenges. And what we had is a clear strategy of working with locals in terms of community, not-for-profits that are local, that are engaged, and respected. Getting a mentor from outside that are people they don't trust doesn't make sense because there's a lot of distrust. So what we did is one example we implemented a project in Haiti for solar power and very successful. But again, we worked with the locals who understood the conditions and managed expectations.

So this is very important to have that engagement with people who are of trust and that they build a relationship over time. If you parachute in, it's not going to work. And I think that's one of the core issues as you saw here. So I think you've got to go back to like Sierra Club's work on community engagement, how they did it effectively. I think you have to sit back and say how did other groups do it effectively? I think the money is one issue. I think implementation is the problem here.

JONATHAN ZUCK: Thanks, Glenn.

INTERPRETER: [speaking in Spanish]

JONATHAN ZUCK: ...the people that are part of this community and let's find creative ways to be a part of the solution in the problems that we identify.

I would love to move to geo names. Are these things you want to get on the record here? Can you keep going [on the] wiki when we do it? I don't mean to be negative. I want to be inclusive, but... Okay, sorry. That's me, the hammer.

Okay, so thank you, Christa, for participating in this conversation. We can let you go or you can stay. What I wanted to do was hand the microphone to Marita and Justine to talk a little bit about what's been happening of late on geo names and how we might want to respond to it, etc. Go for it.

JUSTINE CHEW: Good morning. Sorry, I was just going through my slides. If I may, I actually had a question for Christa before she leaves. The

[inaudible] working group is now reviewing all the public comments, so to me that's more the policy angle of how we're going to write up the final report and that sort of approach. But the last few discussions, conversations that have been going on in terms of ESP it's more toward implementation of the program, right? Which can still happen in parallel to what's going on with the working group. Great. Thank you. So thanks for confirming that.

So there is more work to be done within At-Large because one of the comments that I wanted to make and perhaps I should make it now before we [inaudible] Work Track 5 is, yes, we have the ALAC and by virtue of ALAC the At-Large has submitted a statement to the initial report or subsequent procedures. We've also made a statement to the supplementary initial report, the five additional topics, as well as the supplementary initial report to [inaudible].

I understand where Alan is coming from, and I personally share some of his frustrations. But I also see the possibility for At-Large to still participate despite the fact that we're into report writing going toward the final report. But as some people have already identified, there is still devil's in the details that need to be fleshed out. And the way I see it, the public comment process doesn't facilitate the identification of devil's in the details items very well.

Because the way the reports are structured is you ask specific questions and it's very hard to build a narrative around a series of questions unless you go back and write an overview and then [slot] in points that may not have been asked within the report itself.

So that's something that – God help me – that I'm considering doing with SubPro. I'm not sure how I'm going to do it yet, but I'm going to try certainly. And I do most of my work through the Consolidated Policy Working Group so if any of you are still interested in contributing, please join that working group. But I do appreciate the comments that are coming out from here. Some of them have already been incorporated [inaudible]. Some of [inaudible] moving along that direction, but there could be some what I call little gems that people have not thought about. And I would appreciate just if anyone has anything to say, by all means say it. So you never know what you might have triggered in other people's minds. So please join the CPWG.

Okay, moving on to Work Track 5, yesterday morning we had two sessions on Work Track 5 specifically. The public comment period for Work Track 5 supplementary initial report closed 22 January. So the Work Track 5 have, I would say, just started to look at all the public comments that have come in. There's 42 of them if I remember correctly. We've only had two Work Track 5 meetings

since the close of the public comment, and within those two Work Track 5 meetings we've only managed to do a triage of the general comments and the preliminary recommendations.

So from those two parts of information or responses, we've been able to identify three buckets or three categories of where people sit. The first one is that they believe that the 2012 applicant guidebook (AGB) has worked well generally and they don't see any dire need to change anything. So that's one bucket.

The second bucket is to do with intended use rule. If you remember correctly, maybe some of you are not too familiar, but a few of the categories of geographic names have got an intended rule use. Which means that if anybody wants to apply for that particular geo name in that category, they would have to declare that they either intend to use the name in association with the place name in which case then they would have to approach the local government or the public authority for a letter of support or a letter of nonobjection in order to facilitate the application. If they declare or if they say that they are not intending to use the geo name string in association with that place name, then they're not obliged to get a letter of support or a letter of nonobjection from the local government or the public authorities.

So the second [pot] of people that I mentioned are advocating that this intended rule shouldn't apply. That it should be

everybody who is applying for a geographic name should approach somebody in authority for support or nonobjection to get that name. So it should be independent of intended use. It doesn't matter whether you intend to use it in associated with a place name or not. You should approach the local authorities. And the reason for that is because – the baseline argument for that is because the TLD is a unique piece of Internet property, real estate. That goes, that's it. You don't have another one.

The third bucket is for those who are not in support of extending any protections for the geographic names.

So in terms of the preliminary recommendations, the way it sits now the comments are generally in line with the three buckets. We did have a discussion about open issues. One particular item which was not covered in the supplementary initial report is the issue of translations. I don't believe the working group actually came to any conclusions as to what the policy should be on translations. And I'm sure the next Work Track meeting is going to take that up again.

There were some comments about – well, okay, if I may just explain. Some of the categories of geographic names are subject to protection under all languages. For example, country names, capital cities I believe, and two others, you cannot apply for those in any language. So they're protected throughout.

So there were some comments about perhaps limiting the protection or narrowing the protection a little bit to just either the six UN languages or the six UN languages plus the local national language of that place. So the conversation ended there. I don't believe there's any conclusion that we came to yesterday.

And the Work Track 5 still has to go through the comments received on the 13 questions and 38 proposals as part of the [inaudible] report. So we are actually quite at the early stage of looking at geographic names as a topic. So again, if you want to participate, please join the CPWG. I think I'll leave it there.

JONATHAN ZUCK:

Thanks, Justine. And I guess we have a comment online about it's not too late to get involved with the PDP as well. So if anybody wants to get involved directly, it isn't too late. There's still a lot going on that can be influenced.

Tijani is next.

TIJANI BEN JEMAA:

Thank you very much, Jonathan. Thank you, Justine, for this report. I was in the session yesterday, and I can tell you that we are far from having any consensus. We spent half an hour or so discussing if we have to put "many" or "several" about the

support of the recommendation. This is the interpretation of the comments. So people don't agree on how to interpret the comments on the report. And even this issue of languages there was a long discussion on it. So my feeling is that it is not ready at all. The work will continue, and the soonest we work on it on At-Large the best is because it is timely in my point of view.

JONATHAN ZUCK: Thanks, Tijani. Hadia is next.

HADIA ELMINIAWI: Excuse my question because maybe it's related that I haven't been following so closely the work of the group. My question is in regards to the three-letter codes that are related to countries. Do those also fall under the work of Work Track 5 or not?

JUSTINE CHEW: Yes.

HADIA ELMINIAWI: And I believe you have reached a conclusion in this regard?

JUSTINE CHEW: I have to clarify. The three-letter codes in relation to the ISO 3166 geographic names, yes, that's under Work Track 5.

HADIA ELMINIAWI: And have you....

UNIDENTIFIED MALE: They work with....

JUSTINE CHEW: No, I believe [there's] two camps for that particular question.

JONATHAN ZUCK: Alan?

ALAN GREENBERG: Yeah, thank you. The three-character codes were protected last time, and my guess is they're going to end up being protected again. Changing it is just too difficult.

I want to comment on what Tijani said. Yes, we're not finished yet, and there's lots of work to be done. But an awful lot of experience in this and partially based on knowing who the co-chairs are of the PDP, this is likely to come together to coalesce a lot quicker

than people might guess. So don't assume there's all that much time. Thank you.

JONATHAN ZUCK: Yeah, to put you on the spot, Christa, do you feel like the overriding characteristic of the subsequent procedures participants are those who are anxious for the next round to begin? Is there a momentum there that is overrepresented maybe or something that we should be concerned about?

CHRISTA TAYLOR: I don't know if I can say that directly. I know before there was conversation on the number of applications for the next round, and even in yesterday's discussions the number being thrown around was 20,000. Yeah, so there are obviously people in the working group who are optimistic and want to get everything rolling as quickly as possible. So there's I guess more of a balance that might be a little bit needed there, but everyone knows the process and is following it diligently.

JONATHAN ZUCK: Let Olivier close this out.

OLIVIER CRÉPIN-LEBLOND: Yes, I managed to speak finally. Thank you very much, Jonathan. Christa just mentioned a figure of 20,000 applications. So that might sound like a huge amount of money that will come into ICANN and then we'll be able to go to wonderful locations afterwards in season rather than out of season. But of course, that's the very short-term. We did speak about the economic issues earlier. And I think we really need to ask ICANN to do an economic study, a proper economic study, on finding out what is the economic impact of this multiplication of TLDs that will then need to be policed in the long-term.

So in the short-term you get all the money in the bank account. And then it starts going because you've got a multiplication of all the problems that you've got, especially with regards to malware. And when I look at the list of the top TLDs with I think some of them 90% of malware on these TLDs – the list is available online by the way – then you really think, wow, how much of this is being done?

I checked a couple of them. I looked at their public interest commitments when they applied, and it was all amazing. They were going to police this like this was going to be the best TLD in the world. None of that was followed, and compliance is probably totally overworked with that. Now imagine 20,000 new gTLDs. Wow, how many people in Compliance? 600 people? Do we have

to quadruple the number of people working in ICANN? We have to have figures for this because otherwise we really are setting ourselves up for failure in the long-term. Thank you.

JOHN LAPRISE: [inaudible] just to accent Olivier’s comment, we will be having a meeting later this week with Jamie Hedlund from Compliance, and we’ll be talking all about compliance. So great segue.

JONATHAN ZUCK: I think Jamie is very optimistic, so that will be an interesting discussion.

Thanks, everyone, for your brainstorming. I will, as I was requested by Maureen, try to build some structure to this and we’ll get some conversations going for the longer term. So enjoy your coffee break. And thank you for the interpreters and the tech support very much.

[END OF TRANSCRIPTION]