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ICANN68 | Prep Sessions – Pre-ICANN68 Generic Names Supporting Organization (GNSO) Policy Webinar  
Wednesday, June 17, 2020 – 20:00 to 21:30 MYT

KEITH DRAZEK:

Hello, all, and welcome to the Pre-ICANN GNSO Policy Webinar, pre-ICANN 68. My name is Keith Drazek, the GNSO chair. And I am very pleased to welcome you all to this pre-webinar to give an update on the GNSO’s policy development process work.

I’ll say a few words of introduction and then we’ll get right to business. But first, I want to remind everybody that those who take part in the ICANN multistakeholder process are required to comply with the expected standards of behavior. And a link to that will be put into the chat very shortly.

So again, I just would like to welcome everybody. This is our now-typical pre-ICANN pre-brief on the GNSO’s policy development work. The GNSO, the Generic Names Supporting Organization, is the body within ICANN and the ICANN community that develops policy for generic top-level domains. So, the updates that we’ll hear today are related to the ongoing policy development processes that the GNSO Council is currently managing.

Just as a reminder for everybody, the GNSO Council is the manager of the processes—these PDPs—but the actual policy development work takes place in the PDP working groups. And so, we will receive and an

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update today from the three PDP working group leaderships that are underway. We'll have an update from the New gTLDs Subsequent Procedures PDP, Review of All Rights Protection Mechanisms in All gTLDs, and also the EPDP on gTLD Registration Data.

So, with that, I'd like to go directly into an update from Jeff Neuman, who is one of the co-chairs of the New gTLDs Subsequent Procedures PDP. And with that, Jeff, I will hand this over to you. Thank you very much.

JEFF NEUMAN:

Yeah. Thank you, Keith. Hello, everyone. Thank you again for this opportunity to present our status with the New gTLD Subsequent Procedures PDP Working Group. I am happy to say that we are making some good progress. And you'll see, when we go to the slide—here we go—the timeline for Subsequent Procedures, which we call SubPro for short, is on target for what we had presented to the Council ... I guess it was February, I think—January or February when we had our change request approved to get a final report completed by the end of this year.

And we had asked for that change, just to remind the Council, because we were strongly urged to do a comment period on the full draft final report. And so, to allow for that comment period and to, obviously, give some time for the community to comment, as well as time to analyze those comments, we had then asked to extend our timeline until the end of calendar year 2020.

So, at that time, we let the Council know that it was our intention to release the draft final report shortly after the ICANN 68. And we are on target for that. We are actually down to some of our last couple of topics. And although they are a complex last couple of targets, we are pretty confident—not pretty confident. We will meet this timeline to get out a draft final report for comment within a couple weeks after the end of ICANN 68.

So, that's good news and I'm ... The working group has been meeting twice a week for—I can't even remember since when but pretty much, I think, this entire year and a lot of last year. So, we have been working extremely hard and I have to credit the working group for sticking in there and for keeping with this for a number of years.

If we can go to the next slide. Great. So, some of these challenges are not too new. But one thing that we do want to emphasize, that as we release this draft final report, although we are releasing the entire report, we're really going to request that we get new comments from the community and not just restating the positions that they had in ... We've had four, I think, public comment periods, if not more. We've certainly considered all of the positions that have been presented, and hundreds of comments, and hundreds of discussions.

So, we're going to be asking for any new comments. And that really is ... There are some new materials in the report. So, obviously, comments on those are encouraged. And of course, comments on anything is welcome. But at the end of the day, we're really looking for

thoughts on the new items and things and positions that we have not, perhaps, considered before.

And so, there are a couple of ... While we've made some great strides in closing out a lot of the issues and developing these final recommendations, there are some items which, as you probably could guess, that we may not have consensus recommendations on.

So, when we do take a consensus call after the public comment period and when we're ready to publish the final, final report, there may be some items, such as closed generics, potentially some other areas, where we may not be able to have some or any consensus one way or the other.

That closed generics one is an interesting issue because unlike any other issue, with perhaps the exception of the prioritization of IDNs, which I think we have a compromise solution so I think we're good there ... But closed generics, that issue is one where the ICANN Board specifically came up with a solution, which was to not allow closed generics with the 2012 round. But they specifically stated in their resolution that it was really only meant for the 2012 round and they were looking to the GNSO to provide policy recommendations on how to handle this issue on a going forward basis.

So, while we've generally taken the position that the way things ... If we can't get consensus on a change, then the default, essentially, is the status quo or how it was implemented in 2012. The closed generic issue is actually a little bit different because this is the only issue

where the Board said that they didn't intend the resolution, or their solution of no closed generics, to apply to future rounds. So, this one is going to be an interesting issue when it comes up to the Council level because we may not have, like I said, a consensus on whether to allow or not to allow closed generics.

And then, the last issue, which is, I think, indicative of the multistakeholder model that exists now, and one you've certainly heard me mention in the Evolving Multistakeholder Meeting—or sorry, Multistakeholder Approach—is that there's working group members that we believe that there no incentives, necessarily, to compromise.

And so, without those incentives, in fact, some are very happy with just having status quo. And so, some of them view, or could view, that coming off their position and trying to find a solution would actually be worse for them than not moving from their position because if they don't move from their position, they'll end up with the status quo. And in their minds, if they move from their position, they may end up with something worse than the default. So, that is an inherent problem in our ecosystem. And at some point, we will need to find a solution for that. But that's not unique with this PDP.

You can go to the next slide. So again, how can you all help us? Just trying to help us to get compromise solutions—reinforcing within your stakeholder groups or your consistencies that we're not trying to get the perfect solution here. What we're trying to do is get something that everyone can live with. Nobody's going to get everything that they

want. But if we can, at the end of the day, have a better process than we had in 2012, then I think we'll all be better off.

Please help with, in the comment period that's going to come up in a couple weeks, just to help get new comments in and not just rehashing old arguments. I can assure you that we have considered all of those comments. And so, please do get us some new ones if you can. Please also just make sure that everyone's familiar with what we're trying to get to at the end of the day. And we're in the home stretch.

Also, this one's one we brought up, I think, last year. But the Council may want to consider, as it's considering the final report and more specifically after it sends the final report, hopefully, to the Board, to consider a pre-IRT, similar to what it did with the EPDP Phase 1, just so we don't have a break in working on implementation. This, I think, is important because the Board will get the report from the Council, have to do its obligatory public comment period. There may be additional dialog that happens. So, instead of losing the momentum from those months of waiting for comments and resolving those, perhaps that pre-IRT is something the Council would want to consider.

And Cheryl and I, the leadership team, are available for any questions that you have. We also ask that if there are any issues that we've had ... And I'll knock on wood. I think our group has operated fairly well. We haven't had to escalate anything. And Flip has, I believe, kept you in the loop with everything going on and has kept us in the loop about what's going on at the Council level. So, I think we're good on that.

And if we can go to the next slide. So, at ICANN 68, we have only one session this time. It's for 90 minutes, on Tuesday at 00:30 UTC. Essentially, we're going to ... And in fact, probably it's not just going to be one topic. I think when we prepared these slides, we were expecting it to maybe only be one.

But we're going to actually engage in substantive conversations on two topics. One of those is the predictability framework. So, how do you handle changes that may need to be made to the program while we're already implementing it? And the second one is on, really, an issue of private auctions and whether that is a mechanism we would like or not like to see in the next round.

We are also going to hold our regular working group meeting on the Thursday of ICANN week. So, it's not on the official ICANN schedule. It's just going to be a regular working group meeting. So, while the Tuesday meeting that's scheduled is open to everyone and encourages everyone's participation, on Thursday, it will just be a working group meeting.

So, I think that's probably the last slide. Let me just double check. Yeah, the resources. I don't know why it says, "ICANN 67 schedule." Sorry about that. And yeah. I think that's it. If there's any questions ... Or how do we want to handle?

KEITH DRAZEK:

Yeah. Thank you very much, Jeff. And hi, everybody. Jeff, thank you and Cheryl, as the co-chairs of the SubPro group, for all of the work

that you've put into managing this process at the PDP Working Group level. And of course, also to staff support for all the work that they've done to support the two of you.

So, yeah. I just wanted to note. At the end of the updates that we receive from the three PDP working group leadership teams, we will have a Q&A session. So, I'd like to ask everybody to hold you questions on each one of these. But I do encourage questions. This is an opportunity for the community to ask questions, get further clarification from the leaders of these PDP working groups. So, Jeff, thank you very much for the very comprehensive update.

And with that, we will move to an update on the Review of All Rights Protection Mechanisms in All gTLDs Working Group. And I will hand it over to Phil Corwin. Phil, thank you.

PHILIP CORWIN:

Yeah. Thank you, Keith. And good morning, everyone. I'm one of the three co-chairs of the PDP Working group that's reviewing all the new rights protection mechanisms created for the new TLD program. My co-chairs are Brian Beckham, who I see is with us this morning and Kathy Kleiman.

Let's go on to the next slide. Okay. This has been a long journey—frankly, too long—and everyone on the working group is looking forward to completing Phase 1. This working group was chartered in March 2016. It's a two-phase PDP. We're heading towards the completion of Phase 1, which was reviewing all the new rights



protection mechanisms applicable to the new TLD program that was launched in 2012.

Those consist of the Trademark Post-Delegation Dispute Resolution Procedure—a long acronym there. That was an interesting challenge to analyze its performance because it's never been used. And I'm going to go to ... I just lost connection at my end but I have the slide. So, I'm going to go to my slides on my computer and just ask staff to go forward as I go to new ones. Connectivity issues this morning.

So anyway, that is a challenge when there's an allegation that a registry operator has directly infringed trademark or is encouraging registrants to infringe trademark. It hasn't been used for a variety of reasons. But we are coming up with some minor tweaks on that anyway.

The Trademark Clearinghouse, which is the basic database where trademark owners can register their trademarks. And once you do so, you get access to two other RPMs, which is the sunrise, the ability to register your marks, exact matches of your marks, as domains during the sunrise period of new TLDs; and the trademarks claims, which is a warning generated for potential registrants when they're seeking to register a domain that's an exact match of a term in the Clearinghouse; and finally, the uniform rapid suspension, which is a supplement to the well-known UDRP process that's less expensive, faster, and can suspend the domain quickly when there's a clear-cut case of infringement going on.

I have no connectivity now but I'm going to continue from the slides and just carry on. When we finish Phase 1, near the end of this year, later this year we'll be starting Phase 2, which is the first ever review of the well-known uniform dispute resolution policy, administered by WIPO and other accredited providers of that service for challenging domains for cybersquatting. And that's the first ever review of the UDRP.

Now, we have promised Council we will deliver our final report by mid-October of this year, just before Virtual ICANN Hamburg. But we are actually working toward a completion date of mid-September, having learned from the past that things can sometimes go over. And we wanted a very aggressive timetable to make sure we met that October deadline. So, we built some backstop in there if we need a few more weeks to complete.

So, can we go to the next slide, please? And I'm assuming that's on the screen because I can't see it. I have no internet at my end. So, what did we do this year? On the 18th of March, we published our initial report for public comment, which was open through May 4th. We did get extensive comments from 55 contributors, consisting of five ICANN groups, 12 individuals, and 38 organizations representing broad collections of individuals. So, quite a lot of input there.

What are we doing now? We are reviewing the public comments with the possibility of additional weekly meetings. So, we're doing very well on timetable. We've divided this public comment review into two subgroups. Subgroup A is reviewing the public comments on the

Trademark Clearinghouse, the sunrise registration period, the trademark claims notice, and the TMPDDRP. And also, not just on the recommendations but on ... We asked a number of clarifying questions related to issues we encountered in our initial analysis. Subgroup B is focused solely on the Uniform Rapid Suspension.

I want to give credit. Subgroup A is being chaired by David McAuley of Verisign. He volunteered for that. And Subgroup B, our volunteers to co-chair that were Zak Muscovitch and Paul McGrady, well-known attorneys in the community. So, we have good leadership for those subgroups.

And the full working group is going to begin meeting again at ICANN 68 next week and continuing on. And we did have quite a number of individual working group member proposals, both on URS and the Trademark Clearinghouse, as well as some of the overarching issues. Those will be reviewed, the comments on them, by the full working group. These individual proposals did not generate enough support to reach the threshold to be working group recommendations in the initial report. But the working group felt they had sufficient merit to be worthy of public comment and see if, with some feedback from the community, they might be modified and achieve broader support.

And then, in August through September, having completed all those reviews, we're going to be conducting our consensus call on the final recommendations and complete our final report for submission to GNSO Council. And we hope to do so by mid-September but we

promise to deliver by mid-October. And we're pretty confident right now we can make that target zone.

So, the next slide, please. This is the mandatory boilerplate slide that recounts the challenges that all working groups meet in ICANN. There's the volume of public comments—as I said, 55 separate commenters on the initial report, many of them representing organizations with broad groups ... Yes?

KEITH DRAZEK: You're okay, Phil. Keep going.

PHILIP CORWIN: Okay. Divergence, no surprise here. Members of the community hold strong opinions often and they're divergent. They don't agree on what the right answer is to a policy question. And that makes it difficult to reach consensus. And of course, we have a policymaking process which sets a very high bar to set policy and to modify policy. It's not majority rule. It's not supermajority. It's consensus, which is unanimity or near unanimity, and that's difficult to achieve but we do our best.

There's been some temptation in the past to relitigate issues, when one group or another wasn't satisfied with the way initial discussion came out, though I will say that we're not facing that at this time. People seem willing to not spend our precious time recounting the same arguments we've already had, the same debates. And time management, that was also a challenge in the past. But right now,

we're managing our time very well, as you'll see in a minute. But we did have to submit a change request to Council to give us the extra few months to complete our work this year.

So, the next page, please, which is about how the challenges and issues are being addressed. The working group co-chairs, when we submitted that project change request, we committed to work together, understanding that we couldn't expect any further timeline extensions.

We're being firm with the working group and doing what needs to be done to deliver the final report in the target zone date. And we have a very, extremely detailed plan, both to produce the initial report, which is done, to review comments, which I'll get into in a moment, and produce our final report. And we've been clearly communicating our procedures to the working group members and getting their agreement to go forward in the manner we've suggested as co-chairs—full working group co-chairs.

So, our two Subgroups, which I already went through their assignments and their co-chairs, they adopted a joint policy on the parameters of their work. And the reason we're able to stay on time, and even we're getting a little bit ahead of schedule the last two weeks, is that we are only looking at new and material perspectives coming from the comments—that is, new facts, new arguments, or new proposed resolutions which did not come out of the working group when we were creating the initial report.

We decided there's no sense taking into account positions, and arguments, and policy statements which we've already heard from within the working group. We'd only be relitigating the same debates we've had. And because of that consensus agreement to only look at new material in the comments, we're being able to stay on time and even get ahead of the timeline.

We're also noting if any of the recommendations received widespread and substantial opposition from the community that was disproportionate to what we saw in the working group itself. We're not seeing too much of that, thankfully.

And the parameters say that when either a or b exists, the subgroup may decide to refer the new perspective or revised recommendation to the full working group for their final deliberation. When neither one of those conditions exist, the subgroup will tell the working group that not much has changed and that the subgroup recommends that a particular recommendation be maintained as is—as it was in the initial report. And the full working group, not the subgroups, will make the final substantive decisions on what stays in the final report and whether it's modified from its initial report language.

So, how can Council and the community assist? Again, we're doing pretty well right now so we're not looking for a great deal of assistance from outside, though it's always welcome. Again, these are boilerplate slides. But the members are being largely cooperative now. They've accepted the parameters. I think most working group members are accepting that the initial report recommendations are not likely to be

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changed in a significant way from the initial report in most cases. No one's trying to reopen closed topics.

We're not just monitoring—staying on timeline. We've gotten a little bit ahead of timeline in the subgroups. And certainly, we feel very accountable, as working group co-chairs, to Council to keep it up, to maintain discipline, and to deliver our final report between mid-September and mid-October.

Next slide. So, what are we doing at ICANN 68? The full working group has one meeting scheduled, which is on Tuesday, June 23rd. It's at 10:30 AM Kuala Lumpur time. So, it's really ... In the United States, it's 10:30 PM in the evening Eastern time, 7:30 Pacific. If you're in Europe, obviously it's going to be in middle of the night for you. Sorry for that.

What are we going to be doing at that working group session? The subgroup co-chairs will be making short presentations to the full working group on where their work stands and what they've concluded so far on the recommendations and the questions they reviewed as of next week. And then, the full working group will begin its review of initial individual URS proposals to see if any of them have garnered significant support from the public, where they might rise to the level of full working group recommendations to be considered in the consensus call.

Everyone in the community is welcome to attend that meeting but you will be watching a full working group meeting as we press forward to complete our work and deliver our final report in early fall.

And then, you see the resources on the next page, for those of you who want to know more about this working group and the final stages of its mission. And I believe that's it. I'm glad I was able to carry on, even with a dodgy internet connection. And I'll be sticking around, if there are any questions. Thank you.

KEITH DRAZEK:

Thank you very much, Phil. Hi all. And again, we will have a Q&A session after we receive the next update on the EPDP from Rafik. But let me just take a moment to thank you Phil, Brian, and Kathy, as the co-chairs for the RPM PDP Working Group. And to staff support, of course, as always, for the time commitment and the efforts that you're putting into this.

I just would like to note for everybody. You've heard from both the leaders of the Subsequent Procedures PDP as well as the RPM PDP Working Group's references to project change requests or PCRs. This is actually a relatively new step that the GNSO Council has instituted, in terms of managing our processes and trying to improve the effectiveness and efficiency of the management of our PDP working groups. Whereas if a timeline or a deadline appears to be slipping or might be missed, there's now a formal process for the leadership of PDP working groups to submit a request to the GNSO Council for approval of, essentially, the extension.

And I'm pleased to hear that in response to the very first PCRs, or project change requests, that the GNSO Council had ever received,



back in February and had approved subsequently, that both the Subsequent Procedures PDP Working Group and the RPM PDP Working Group are on target to meet those updated timelines. So, I'm very pleased to note the updates from both of these PDP working group leadership teams that they are, in fact, expected to meet the current deadlines that were provided for in the PCRs that were approved by the GNSO Council.

So, just a little bit of additional context, for those who may not be following this as closely or understanding fully the processes that the GNSO Council now has in place to try to keep our PDP working groups on-task and on-target for particular delivery dates. And that's really an acknowledgement that there's only limited bandwidth within the community and within ICANN Org in terms of support for managing various processes at the same time, or concurrent processes, and that we need a better handle on understanding when an existing ...

NATHALIE PEREGRINE: Hello, everybody. We appear to have lost Keith for a couple of seconds. Just be patient while we try to get him back. Thank you.

KEITH DRAZEK: Sorry. I'm here, Nathalie. When did you lose me? I apologize?

NATHALIE PEREGRINE: We lost you for about 15 seconds.

KEITH DRAZEK: Okay. I'm back. I apologize. I was just wrapping up that the PCR's are basically a tool for us to ensure that we're managing the PDP working groups effectively. And so, with that, I would like to hand it over to Rafik Dammak, who is the vice-chair of the EPDP PDP Working Group. And Rafik, let me hand that over to you. Thank you so much.

RAFIK DAMMAK: Thanks, Keith. And thanks for everyone for attending today. It will be [nice] preparation for ICANN meeting next week. So, let's move to the first slide. So, for those we are familiar, this is the EPDP Phase 2 timeline. And you can notice that we are in the last mile of the work at the EPDP level. And that's to deliver the final report. But in terms of target dates, it's important to take note of the footnote, which is with regard to the possible change, following the GNSO Council view regarding the project change request. So, we are now working towards that goal. And we can give more details in the next slide.

Next slide, please. Okay. So, in terms of challenges and issues, we are, at the EPDP Team level, endeavoring to complete the final report before the departure of the chair, Janis Karklins, on the 13th of June. And for that, we are focusing on what we think is the must-have element for many groups. And this is the mechanism for evolution of the SSAD. And we also are working to find an approach that's acceptable to all. So, we trying to and aiming to have our final report

to cover the SSAD. And this is one of the—we believe, a critical element to get.

Okay. Next slide please. So, what we can ask the Council and the community here to assist us is first to encourage the EPDP Team members from the stakeholder groups and constituencies to provide timely feedback on assigned homework. So, currently, we are reviewing the final report recommendation, and all the related materials and documents, and also the priority two items. So, we know that we are moving fast but we need everyone to be involved and to provide input by the deadlines so we can do very few.

We also want to encourage the team members to strive for compromise, consensus building, and constructive engagement, and that when we are doing now the “cannot live with” items when we are reviewing the final report. Okay.

Next slide, please. Okay. In terms of expectation for ICANN 68, we don't have any planned session for the meeting next week. But we are taking into account any possible delay to finalize the report. And so, we will take a decision based upon tomorrow's team meeting, if we need to meet next week in our usual timeslot. For now, we are planning a silent week to give the EPDP Team members the opportunity to review the report and provide any final suggestions and edits. But this will be decided later on this week and based on the assessment of the EPDP leadership with regards to the progress on the review we are conducting right now.

Next slide, please. Okay. I think that's it from the EPDP. So, as you can notice, we are in the ... How to say? We are close to the target. And so, that's why our update is basically asking, really, everyone to make that last effort so we can get our final report and recommendation and to get the—on the SSAD. So, we need, really, everyone to work towards that goal. That's it from me.

KEITH DRAZEK:

Thank you very much, Rafik, for that update. And obviously, thanks to you and to Janis and staff for all of the work that been going on in the EPDP and, of course, the EPDP Team. The group is very much in crunch time right now. And we appreciate all of the time, and effort, and energy that's going into trying to bring this group to a conclusion and a final report. So, thank you so much.

So, with that, we will move to the Q&A now. So, I'd like to ask if anybody would like to ask questions on any of the three updates. Feel free to put your hand up in the Zoom Room chat. Or you're also welcome to type in a question. I will manage the queue. And if anybody would like to type a question in, feel free to do so as well. We'll try to get through all of it in the time allotted. So, any questions?

As folks are thinking about possible questions, Jeff, I'll turn back to you for just an acknowledgement of the letter that the GNSO Council received from the Subsequent Procedures PDP leadership related to some of the CCTRT recommendations that were referred to the Subsequent Procedures group from the Board. And just to

acknowledge that the GNSO Council is now looking at possible next steps related to those CCTRT recommendations, essentially on the topic of—related to DNS abuse, as a broad term.

And so, just to note for everybody’s benefit that obviously, we’ve received the letter that you all sent, referring those back to the GNSO Council, essentially noting that any new policy work to be done related to the topic of DNS abuse should be view holistically for gTLDs and not just any future TLDs.

And so, if there’s anything, Jeff, that you’d like to say around this topic, feel free to jump in. But I did want to note for everybody on the webinar that the GNSO Council has received that letter and is in the process of assessing possible next steps related to those particular CCTRT recommendations. Jeff, your hand. Go right ahead.

JEFF NEUMAN:

Yeah. Thanks. Thank you, Keith, for acknowledging that. And I think, just to add to it, we know that and we’ve heard that the GAC is not thrilled that we’ve kicked this issue back up to the Council. But one of the things that we just wanted to state was that some of them have said, and members of the community have said, that, “We know that it’s not only new gTLDs. But if we can get it into the new gTLD agreements going forward, then we can by essence, or by implication, get it in all the legacy contracts when they renew.”

And just as a personal view, that’s really not the way that we should, as a community, be making policy is to sneak something in, in a new

agreement, so that you can force it on the legacy. I think the letter pretty much sums it up, that we really need to deal with this in a holistic approach and not just try to use the easy way out, which is to get it into a new gTLD agreement, to ultimately force it into the others.

I think there have been some great community discussions, not only within the Council but there's a lot of efforts out there, whether it's the Contracted Parties holding webinar and voluntarily doing things. But also, there's a lot of efforts. And the At-Large has done some great work on this, too. So, I think that just really is the right way forward, is to coordinate that at a much more holistic level than try to keep it within our group. So, thanks, Keith.

KEITH DRAZEK:

Yeah. Thanks, Jeff. And I'll just also note and to acknowledge that there is existing GAC advice to the ICANN Board on the topic of those CCTRT recommendations and that obviously, we have some time from the time that the Subsequent Procedures PDP Working Group concludes its policy development work and we move to implementation, and then eventually launch of the next round. We do have time, I think, to be able to consider these DNS abuse issues broadly, the specific CCTRT recommendations, and among the community and within the GNSO try to figure out what the next steps ought to be.

And the GNSO Council is currently discussing this. We've discussed it at our last couple of monthly meetings and we're certainly aware of

the interest in this topic across the community. So, I just want to make that note. So, Jeff, thanks very much for that. I have Wolf-Ulrich in queue. Please, Wolf.

WOLF-ULRICH KNOBEN: Hi. Thanks, Keith. I have a question to Rafik with regards to the EPDP 2 Phase. So, first of all, thanks for the update. We are also, in our constituency and together with our constituencies in our stakeholder group, the Commercial Stakeholder Group, continuing to discuss the recommendations and the most critical recommendations in order to find ways—well, in order to find a consensus on that. So, that's a continuing work ongoing here and so we hope that we come up with a good result on that.

My question is with regards to your paper, Rafik. I've seen ... I think it was sent to the Council, regarding a potential continuation after the EPDP 2 Phase. So, we received three proposals you have into that paper. I understand that all the stakeholder groups are asked [whether to scrap it entirely]. But my question is was there any discussion within your group, the EPDP group, about that? And is there any kind of direction towards which of the—or inclination of an idea where to go—where the interest would be from the team where to go? So, that is my question. Thanks.

RAFIK DAMMAK: Okay. Thanks, Wolf-Ulrich. What I think you are talking about is the framework for next steps with regard to the priority two items. And

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that framework was shared for GNSO Council consideration. So, it was an action item from the previous Council meeting. And I worked with the staff to propose that draft framework.

But it was not discussed with the EPDP Team. But it's a follow-up of a discussion within the Council and how we should deal with the priority two items that might not be covered by the EPDP Team. And so now, it's for GNSO Council consideration to make a decision which approach to follow—to go with this recommendation or not.

But I can state there is no position by the EPDP Team members because it was not a topic for discussion in the ... It was not in their agenda. I hope that answers your question.

KEITH DRAZEK:

Thank you, Rafik. And thank, Wolf-Ulrich for the question. Yeah. I just would like to reinforce, also, that the EPDP Team right now is focused on the development of policy recommendations related to the development of the SSAD, the Standardized System for Access and Disclosure.

And the GNSO Council is acutely aware that there are some other issues—some leftover or remainder items from the EPDP Phase 1 and some additional items that were classified as priority two issues that are not on the critical path of the policy work for the SSAD itself but that are still important and require some level of consideration by the community.



And those items have been enumerated. Legal versus natural is one. Data accuracy is another. There have been questions about the privacy/proxy service. And there's a range of issues that still require some consideration. And the GNSO Council is currently—to the question and to Rafik's proposed framework, as the vice-chair of the group and also the GNSO Council liaison to the EPDP—is basically putting out a possible framework for approaching these issues, while recognizing that the critical path of the SSAD policy work is on a relatively short timeframe now and needs to be concluded.

So, the Council is actively discussing and considering various approaches for consideration of those remainder items, if you will. So, I hope that's some additional helpful context. Thank you, Rafik and thank you Wolf-Ulrich. I have Philippe next in queue. And if anybody would like to get in queue, please go ahead and put up your hand and ask any questions that you might have. It's very much encouraged. So, Philippe, over to you.

PHILIPPE FOUQUART: Thank you, Keith. Can you hear me?

KEITH DRAZEK: I can. Go right ahead. Thanks.

PHILIPPE FOUQUART: Thank you. This is a question for Jeff and your call on the inputs to be focused on new issues, I have two questions. The first is very simple

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and [I'm quite sure that] probably I should have listened carefully. Is it mostly on the completion of the draft report or is it on the public comments that will come? I suspect that's on the latter but just to make sure that I understood that.

And the second question is whether that's a call from the chair, essentially, or whether you think that's something that is understood, endorsed by the participants that should they be on the final report, the changes would be, essentially, on those new issues as opposed to rehashing old debates? The reason why I'm asking is that the initial comments or discussions that I've seen do not seem to be new. So, I was wondering whether that was something that was shared within the working group. Thank you.

KEITH DRAZEK:

Yeah. So, thanks for the excellent question. Yeah. So, ultimately everything's going to be looked at by the entire working group. So, all the comments will be taken in. They'll be available for all the working group to review. And what we usually do is do a comment matrix on all the comments that come in.

So, I also believe that what we'll do is highlight ... We being—sorry—leadership and staff will most likely highlight the areas that we think are maybe new or comments that we haven't really seen before. But that's just a guideline. Like I said, the complete comments will be available to everybody but we'll help to provide a guide. So, I'm not sure if that answers your question but the entire working group will

see all of the comments and will be involved in the deliberations at the end.

And I think the main thing is that for each of the groups that have submitted comments before, just review your old comments that you submitted, just to not rehash these arguments because when we get comments, a lot of times they say things like, “As we said in our letter dated so-and-so, we strongly believe that ...” We don’t need those again. Obviously, we can’t stop people from filing those types of comments.

But I guess we just want the community to understand that we have read, we have discussed, and we have considered all of those previous comments. Rehashing them is going to be a waste of the commenters’ time as well as the working group that’s got to go read these again to see if there’s something that may be new. Hope that helps.

KEITH DRAZEK:

Thanks, Jeff. And thanks, Philippe, for the question. There’s some ongoing discussion in chat. So, thanks. I think that answered the question, Jeff. Thank you. So, I have next in queue, C. Venkatesan. Please go right ahead. Thank you.

CHOCKALINGAM VENKATESAN: Thank you all. To be precise, I want to know the time—how long it will take for the proposal and other things, whatever it’s forwarding to ICANN—how long it will take. That is my key question. Thank you.

KEITH DRAZEK: Thank you very much. I'm sorry. Can you actually repeat the question? I wasn't sure if that was directed to a particular person.

CHOCKALINGAM VENKATESAN: No. Whatever the EPDP Team—whatever the changes, the revision, and other things submitted to ICANN—and how long it will take to initiate the process. Just I want to know the time limit.

KEITH DRAZEK: I see. Thank you. So, Rafik, I think, related to the EPDP. This is probably a question for you. But I think, just generally speaking, what will take place is once the final report is concluded by the EPDP Team, it will be then delivered to the GNSO Council for consideration. And the GNSO Council will then have a vote to approve or not approve the recommendations coming from the PDP working group.

And if those recommendations are approved by the GNSO Council, it will be delivered to the ICANN Board for its consideration. And typically, what happens, once the ICANN Board receives the approved recommendations from the GNSO Council, there will be a public comment period. And then, the Board will consider the recommendations and take a vote of its own. And then, it will go ... Assuming it's approved by the ICANN Board, it would go to an implementation team and the Implementation Review Team phase for the actual implementation.

So, the timeline for implementation, or for concluding the entire process, is quite long and could take a year or more, depending on the complexity of the implementation. I hope that gives a high-level response. Rafik, is there anything more specific that you'd like to add?

**RAFIK DAMMAK:** Thanks, Keith. I think you made a clear explanation about the process and the steps after publication of the final report.

**KEITH DRAZEK:** Thank you, Rafik. So, I hope that answers the question. And of course, as always, if anybody from staff or other councilors would like to weigh in, feel free to do so. I don't see any new hands in the queue. Would anybody else like to ask any questions related to these three PDP working groups, Subsequent Procedures, RPMs, or EPDP? And I see a new hand and that is Michele. Michele, go right ahead.

**MICHELE NEYLON:** Thanks, Keith. I suppose it's just a question, I suppose, really, of timelines and process. So, we've received another change request from the EPDP via Rafik, which is asking us to choose from one of three possible ways forward with dealing with the EPDP, where "E" is definitely not for "expedited." But the thing is, it's already gone past its deadline so we have to give them an extension of some kind. But what's unclear to me is what is the timeline around that and does that

have to go to a vote, or is that something we just discuss, or how does that work?

KEITH DRAZEK:

Thanks, Michele. It's a good question. And I would ask staff or Rafik just to confirm that the PCR request, or the project change request, actually includes the requirement for identifying the path forward. But essentially, the way that we handled the PCRs from Subsequent Procedures and RPMs earlier this year was that we discussed them. We reviewed them and discussed them at the Council level and we asked for any objection—were there any objections to approving these? And then, the Council leadership, essentially, took the step to communicate the approval of the PCRs. So, we have not, in the past, had a vote to approve the PCRs. But it's been more of a call for any objection. And we had no objections to those previous two.

And as you noted, the PCR, in this particular case, for EPDP, is to extend the deadline by 30 days or approximately a month. And that's, I think, the most timely consideration at this point. I think the discussion of next steps on the range of priority two topics will take longer for the Council to consider than a simple review of the 30-day extension request. Michele, is that a new hand?

MICHELE NEYLON:

It is. Yes. Thanks, Keith. I suppose the thing is this is ... It's not a topic that hasn't been discussed previously. So, there are certain areas which, diplomatically, one could describe as "contentious." Not so

diplomatically, I'm sure you can just throw a few expletives at them and that will probably help to sum up how many people feel about them. The reality is that some of those topics are not ever going to be resolved to the satisfaction of all parties. It just simply is not going to happen.

So, the concern that some of us would have is that if people feel that extending this will lead to resolution of issues that are super-contentious and have been contentious for years and years, then that's not realistically what can happen, especially within that short timeframe. Whereas, if it's a matter of extending working group through until the end of July 2020 in order to clean up a few issues, which are not as contentious and just to round things off on all that, that's a very different matter.

So, I think there's an odd expectation setting coming from some parties, who seems to believe that we will somehow magically be able to find resolutions on issues that, to the best of my knowledge, have not been resolved for well over a decade. Thanks.

KEITH DRAZEK:

Thanks, Michele. And I'll hand it over to Rafik here in a moment. But I'll just note in chat, Berry had clarified that the project change request is only for the SSAD final report and the critical path and not for, as I described earlier, the remainder issues. And so, as we consider the PCR, it's really a question of an additional 30 days to get the final report on SSAD to a conclusion and not necessarily—not to focus on or

allow for the discussion of some of these other issues that the GNSO Council is considering separately. So, Berry, thanks for that addition. Rafik, over to you.

RAFIK DAMMAK:

Okay. Thanks, Keith. So, maybe a clarification here, if you want. There are two documents that I sent to the Council. And they are covering two separate issues. So, if you recall the timeline, it was saying that the target date is 11 of June. That's last week. And so, we were already behind our target date. And so, to follow the process—the escalation we have now with the PDP 3.0—we made this PCR to get back, to get our work done on schedule and also to explain the reason for delay and what are the actions—so, what we are envisioning to do until the 31st of July. We don't want to deliver by the 31st of July. We want to deliver, really, before that.

So, that extension will allow us to finish the work on SSAD. We are now doing all the review of “cannot live with” items. And the list is quite long so it might take us more time than expected to cover all. So, we are giving [inaudible] to do that work. And that's the priority one. We want to get the final report on the recommendation for the SSAD, priority one.

We have a few items in priority two that it might be covered, and they are not contentious. And the second document lists those who it's unlikely to get them done now. So, we are proposing next steps in that



framework to be reviewed and to be considered by the Council. But that is separate process.

So, the PCR is really to let us to be within the process to finish our work—to finish the deliberation—taking into account some constraints like our chair will have to leave by end of June. He can maybe stay a few days early July but he cannot stay more. So, we are giving us that possibility to finish the deliberation and get the final report.

I want to reiterate that because also we have back-and-forth discussion in the Council list. And happy to clarify more about the intent of the PCR. It's not designed or aimed to have an extension to discuss all the priority two items. So, I just want to clarify that. Maybe if there some concern, Michele, we can discuss the specifics. But that's how it was made and aimed for. And I want really to reiterate that.

KEITH DRAZEK:

Thank you very much, Rafik. That's very helpful and a good clarification. And thanks, Michele, for the question. Checking to see if there are new hands. Any additional questions? We approximately 20 minutes left in our scheduled call. We certainly don't have to use all the time, if there are no additional questions. But I'd like to put out, again, just a call for any questions. And I am seeing no hands and no additional questions in the chat.

So, perhaps with that, what I will do is just to, again, thank everybody for your time and your attendance and for the questions that we

received. Thanks to the leadership of the PDP working groups for their updates and for their ongoing work. Thanks to everybody who is contributing to the work of these PDP working groups. This is where the policy development work in ICANN for the gTLDs actually takes place is at the community level, in the PDP working groups.

As I said at the beginning, the GNSO Council is responsible for managing these processes. But the actual policy development work takes place in these PDPs and that's why we're spending the time that we do ensuring that the Council is aware of the work progress and understanding where we are in these updates and wanting to make sure that the community is fully-informed on the progress taking place.

So, with that, thank you for joining this pre-ICANN 68 GNSO policy webinar and we will conclude the meeting. Thanks to all.

NATHALIE PEREGRINE: Thank you, everyone, for joining. This concludes the day's webinar. Have an excellent rest of your days.

**[END OF TRANSCRIPTION]**