GNSO Council Adobe Chat 17 January 2013

Marika Konings: Welcome to the GNSO Council Meeting of 17 January 2013

Glen de Saint Gery: please join the call!

Glen de Saint Gery: If you are in the Connect room, please also call in on the telephone line

Glen de Saint Gery: If you need a dial out, please let us know

John Berard: waiting on an operator

Osvaldo Novoa: It takes some time to reach the operator

Jeff Neuman: 5 minutes and counting....no coordinator assisting me to get an operator

Jonathan Robinson: Me too

wseltzer: awaiting operator

Petter Rindforth: I have the same problem :(

Osvaldo Novoa: I on line now

Thomas Rickert: Hello all, waiting for the operator, too!

Alan Greenberg: Waiting too

Volker Greimann: Yup, they seem to be out for lunch ;-)

Volker Greimann: ah, now

Alan Greenberg: on now

Jeff Neuman: Ching is still waiting for the operator

wseltzer: Magaly is trying to connect

Marika Konings: @Wendy - if she needs a dial-out, please let us know

wseltzer: Thanks Marika

Ching Chiao: Hi everyone

Ching Chiao: sorry just got connected

Magaly Pazello: Hello! Now I have the call and adobe all working properly.

Thomas Rickert: Do we need to spell that out at all?

Marika Konings: Would it be possible to identify a Council liaison for this group?

Alan Greenberg: Do we really need a rolecall vote for this? Wouldn't a call for abstentions and No suffice unless some Councillor explicitly asks for a rollcall?

Alan Greenberg: Some votes we know will be controversial, but others not

Jonathan Robinson: Acknowledged. Thanks Alan.

Jeff Neuman: Where did the factors come from in the Micro elements and who determined that those are the right factors for proving/disproving the principles?

Wolf Knoben: Is the GAC going to be reviewed?

Thomas Rickert: Rob, any idea as to how much time from the Council needs to be counted in for this effort?

RobH: @wolf-ulrich -- I'll look into that and let you know wolf-ulrich

Thomas Rickert: I guess that I would like to see some estimates in terms of person days to allow for a discussion whether such process will paralyze the Council...

RobH: @thomas - initially I'm sure that various Council will be contacted to be interviewed by the reviewer. other than that, most of the workload will be dependent on the recommendations that come out of the reviewer reports. As Jeff noted, the last review round was quite extensive. that was because there a number of recommended "improvements" that were quite extensive.

RobH: @thomas - one of the main reasons the last review/improvements implementation effort took so long is that the Council balanced the implementation workload with substantive policy work (an effort to avoid any paralysis)

Volker Greimann: even if we cannot reach consensus, we can use Masons letter to show the majority opinion and include minority opinions

Volker Greimann: we should not duck away from our responsibility

Volker Greimann: the way this proposal was introduced is an attempt to circumvent the GNSO, and we should not stand for that

John Berard: Jeff and Mason are addressing item #9 on our agenda

Jeff Neuman: John...they are completely related

Volker Greimann: not really. We were asked for an opinion, and we should not duck away from that

John Berard: I agree, but the TMCH stuff, from the BC's perspective, is implementation. If it ain't we need to deal withy that first.

Volker Greimann: if it contradicts prior policy decisions it becomes policy

Jeff Neuman: of course you all do... because when you want something done its implementation....if you dont want it, its policy ;)

Jeff Neuman: @zahid...the registries did that. we indicated what we thought was policy and what was implementation that could go through

John Berard: As did the BC. It underscores my stated view

Zahid Jamil: But Sunrise and TMCH are also proactive - not reactive

Jeff Neuman: @john - what did the bc consider policy that should be referred back to the GNSO?

Jeff Neuman: i probably missed that

Thomas Rickert: Zahid, I tend to disagree. The claims service does not prevent registrations from taking place

Zahid Jamil: The sunrise does

Zahid Jamil: its purely preventive and proactive

Zahid Jamil: but I do like your distinction - hadnt thought of it that way before

Thomas Rickert: But the idea of sunrise did not stem from the IRT

Volker Greimann: This strawman and the LPR are a perfect example of disadvantaging potential registrants, registry operators and registrars to the benefit of a very small subset of the ICANN community

Zahid Jamil: The TMCH linked to the Sunrise - just as LPR which is linked to the TMCH

Volker Greimann: yup - that was me

Thomas Rickert: Glad you like the distinction, Zahid. Reactive measures are less invasive imho.

Mason Cole: Just to be clear -- I will be happy to work on constructing a letter that represents all points of view. The view of most of the council is unlikely to change so I wouldn't want an expectation that the letter is a negotiating tool. If it means a minority report, okay. Or if another mechanism, okay. The point is to fulfill Fadi's request.

Thomas Rickert: The biger the impact of a measure, the more community work is required.

Thomas Rickert: ...biGGer...

John Berard: @Jeff, LPR is clearly policy, for example

maria Farrell: Sorry, keep forgetting to put my hand down.

maria Farrell: I'm also happy to assist with working on the response to Fadi, onlist or offline.

Zahid Jamil: But lets have that discussion - lets discuss each item see if we can agree that its policy/implementation

Zahid Jamil: rathern than simply label it all as policy without giving it a chance

Zahid Jamil: Tx Maria - happy to work with you too

Jeff Neuman: @John - the BC statement does say that the LPR is implementation

Jeff Neuman: It goes on to state that if it is not, we should do a fast track pdpd

Volker Greimann: Agreed, but we should refrain from starting out by a) calling the strawman a negotiated proposal and b) pure implementation.

Zahid Jamil: @ Jeff - yes I think John may haave missed it - BC is of the view that LPRs are implementaiotn as they are amass sunrise

Zahid Jamil: but thats why we need to discuss this not simply push it aside labeliing it all policy

John Berard: @Jeff, yes, let my personal view intrude

Jeff Neuman: So, until the BC/IPC backs off from the notin that EVERYTHING is implementation, and the others back off from the notion that everything is POLICY, we may be at an impasse

Volker Greimann: LPR is a mass disenfranchisement of legitimate registrations to the benefit of rights holders

Zahid Jamil: No - we are just agreeing with you - if this should have been discussed in GNSO lets do that now

Zahid Jamil: that was @ Jeff

Jeff Neuman: So, lets form a new Rights Protection Mechanism workinggroup today

Jeff Neuman: Not a formal PDP

wolfgang: Why not?

Zahid Jamil: thats if we think its a new RPM - maybe its simply a tweak or enhancement - at least lets discuss it in GNSO with NCSG and others - NCSG werent there in LA

Volker Greimann: I recently saw an interesting breakdown of UDRP complaints filed:

Volker Greimann: http://domainnamewire.com/wp-content/wipo-gtld.jpg

Volker Greimann: this seems to suggest that abusive registrations seem to be less of a problem in TLDs that are not .com

Zahid Jamil: that chart doesnt tell us what period it tracks

Volker Greimann: The graph shows the breakdown of gTLD UDRP filings at WIPO last year.

Zahid Jamil: also it doesnt tell us if this incllides defensive registrations - nor those that didnt get to UDRO

Zahid Jamil: so it doesnt look at defensive registrations which is the problem

Volker Greimann: I agree that the felt need to register defensively is a problem...

Jeff Neuman: @wolfgang...that is what the draft response we sent out says

Thomas Rickert: I will prepare a quick summary that can go into an appendix, ok?

Jeff Neuman: @Thomas - I think that would be helpful

Thomas Rickert: @Jeff - Thanks. The Council can then decide to use or bin it.

Volker Greimann: Basically: Protections=Yes of course, but when granting the protections these should be reasonable

Alan Greenberg: It is possible to meet the criteria, but that implies that CSG and NCSG must select their non-North American applicants. That also ends up meeting gender rule.

Jeff Neuman: Can someone send out an official calendar invite for the meeting on the 21st?

John Berard: Item 9 is not the magical answer as much as it is the magical question

Zahid Jamil: lol!

Wolf Knoben: @Alan: CSG is discussing this

Jeff Neuman: Does the CSG have the magical answer?

Wolf Knoben: to item 9???

Thomas Rickert: The magical answer is 42 :-)

John Berard: Ah, A Douglas Adams fan!

Brian Winterfeldt: I apologize but have a 5 pm EST call that I have to join - so I will have to drop off now. I look forward to working with everyone on the list to continue our work.

Jonathan Robinson: Thanks Brian

wseltzer: (As I said on-list, but to reiterate here, I can't make the call on the 21st)

Thomas Rickert: Marika - great piece of work and certainly a good basis for discussion!