ICANN
Transcription
GNSO New gTLD Subsequent Procedures PDP WG Work Track 5 (Geographic Names at the top-level)
Wednesday, 11 July 2018 at 20:00 UTC
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Coordinator: Recordings are now connected.

Terri Agnew: Thank you. Good morning, good afternoon and good evening and welcome to the New gTLD Subsequent Procedures Sub Team Track 5 Geographic Names at Top Level. The meeting is taking place on Wednesday the 11th of July, 2018. In the interest of time, there will be no roll call as we have quite a few participants. Attendance will be taken via the Adobe Connect room. If you're only on the audio bridge would you please let yourself be known now?

Hearing no names, I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I'll turn it back over to co-leader, Olga Cavalli. Please begin.

Olga Cavalli: Thank you. Thank you very much. And welcome, good afternoon for us in could, Buenos Aires, good morning, good evening wherever you are and I guess some of you are not attending the call because you must be watching the game in England Croatia which as far as I know it's 1 to 1 for the moment. So as being a futbal fan I will stop a minute and chair the call for one hour. I

will chair this call with my dear colleague, Javier Rúa from ALAC. Ola, Javier. And we have an agenda. As you can see the idea is first to review if there are any statement of interest updates? Any comments about statement of interest updates? Okay, hearing none.

As you can see we have only one hour for our call and we will do a short recap about what we – the two cross community sessions we organized in ICANN 62 in beautiful Panama and then we review what we presented there which is the principles for non-capital city names and then we will review what happens with terms which are not considered a geographic – which were not considered a geographic in the 2012 round Applicant Guidebook and then if there are any other comments.

As for organization matters, we will start having these calls every other week so one week yes and one week no. And then we will make the calls a little bit longer, 90 minutes, so we can profit more from the interaction and exchange of ideas during the call and we will have more time to digest the content and the – all the ideas that we exchange in the call and in the email list.

So if we can go – any comments so far? I see also Annebeth. Hello, Annebeth. And hello all colleagues from all over the world. Please tell me if there are new goals in the match. And so next one please. So we will do a brief recap of the two sessions we organized in ICANN 62 after presenting some ideas that we have summarized of course with the fantastic help from our colleagues from staff. We have summarized two or three slides, and then we will open the floor for some comments and then we will follow up with the principles

So we – as you can recall if you were there, we break in groups to discuss some questions related to non-capital city names. Should there be universal protection for those non-capital city names? What – which governments should be consulted? Which are the relevant governments or authorities who are the – how can we identify in the case that we will seek for authorization.

That the intended usage of listing matter, if it's a same name of the city but the meaning is a generic name and it will be used for another purpose, do the government has to be consulted? Or which – it matters because may cause confusion and having in consideration the process that was already established in 2012.

So let's see some feedback that we have received. There were some of us, of the group, that thought that there should be support for protection – universal protection based on the national laws, the local laws, several lists, for example United Nation list and of course some colleagues think – and countries and governments think that the historical and the heritage of the names of the cities should be respected. Sometimes these names are unique.

Other colleagues are against those protections and they think that there is no universal definition of city – city means different things in different context – there is no legal basis for this protection and the local laws only are applicable in their respective jurisdictions so as this is a global policy it should not pay attention to the local regulations.

And then about the authorities that we should consult, which city, which – who are we targeting, depending on should we consider they're a big cities, medium, small, not small, so that was also presented as perhaps how can we order the list of relevant different cities. And can we go to the next one?

As you can see there are divergent ideas. Other comments were there should be a list of protected names. A few colleagues are from – work with me in the GAC, we have talked about this for many, many times, having a list of protected names; could be cities, could be different names that are relevant to certain territories. Comments about this list is – it may be difficult to build, difficult to maintain, it could be huge, could be a reference that is part of the ideas that we have been exchanging.

So some of the colleagues support for the existence of a list but it's not really clear how to build it and how it will be, who would maintain it. It may be also expensive to maintain it. Some lists are already included in the Applicant Guidebook but it seems that there was not enough – there were not enough names or geographic names in those lists.

And should usage matter? So some authorities approval perhaps could be needed when the name is used as activity name or always. And what happens with the confusion of the user? What happens if the approval is needed regardless of usage? Difficult to know what entity could grant that approval, for example, several cities with the same name or cities that have generic name as their own name.

So next slide please. Finally, so we have been discussing this, as you can see, for a long time, not only here in the Work Track 5, we have been talking about this issues perhaps within for example my experience within the GAC for several years, more than five years, and also with members of the community in different occasions. So what we thought could be good to have how more – over a holistic approach and have some general principles that we could agree on so about this non-capital city names.

So these principles could be kind of a guideline if we agree on the principles maybe we could try to find ways in the (unintelligible) rules that are related with these principles and respect the principles and that could be somehow in the middle of what I personally see as very different positions and totally opposite. So if perhaps if we want to be successful we may find some way in the middle, some rules that contemplate both ideas and both positions.

Also, we talk informally as if we could prepare a group of (prospectus) for applicants, for ICANN and for the countries and for the governments. There was general support of the principles and there was mention that being simple is good, so addition of simplicity. And one thing that we have been talking about a lot is how can we make the parties work together? Because

based on the experience it has the possibility of bringing parties together and talk before the application is made, maybe there is a solution – a (unintelligible) solution in between parties and less conflicts and less objections.

So next please, I think this is the last of this part of the call. And so we got some positive feedback from the interactive discussions. We got the feeling that we engage some colleagues from the community that were not engaged in the calls or commenting on the documents so that for us was very positive.

New ideas were presented and (unintelligible) which also was very positive for us and for you to know a summary or concepts that were not included before are now included in the cross community working document that I encourage you to review and make comments if you're a member of the working group. As you know it's a – there are several ways of commenting into the document. Just go and do comments in the online document or in the Word document or send the comments to the staff and they will include them.

So for the moment, I will stop here, I will open a queue and see if there are reactions from our nice audience and we have comments about what we did in Panama, if there were ideas that were not presented there and any other comment is welcome and then after your input we will move forward. Kavouss, welcome.

Kavouss Arasteh: Yes.

((Crosstalk))

Olga Cavalli: The floor is yours.

Kavouss Arasteh: Good afternoon, good morning, good evening and good time. I think you ask for comments. If you want to repeat what was said before the general pause of that is in the document that was provided before the ICANN 62. I don't

think that that helps. We can't do anything more than repeating ourselves. We have heard this, the divergent views. I don't think that by asking comments other than if somebody has some middle ground or some way forward I don't think it is worth to ask the views of Kavouss Arasteh, or the views of each, if Kavouss Arasteh or others repeat what they said repeatedly. That does not add any new element. We have a source of rules for discussions, after sometimes we say that, sorry, there is no new element in this discussions.

Saying that there is no international recognized agreement about this or saying that, yes, we should have that doesn't – I think in the report that was provided there are two or three areas, I think that the chairs or co-chairs provided the following way forward of finding (unintelligible) ground. If again, anyone has something a middle ground, something which would start to build up consensus, so far so good. Other than that, although everybody is free to say whatever he or she wants, this is freedom of speech, freedom of expression and so on so forth that does not help us to (unintelligible). My personal views here, Madame, or Olga.

I am attending currently in many (unintelligible) meeting and we have the same discussions, the positions or position does not help. You need to have some way forward. If someone has anything as a way forward it is most welcome or we are more present or more happy to listen to those way forward. Thank you very much. Sorry for this very general comments.

Olga Cavalli: Thank you, Kavouss. I think you made a very relevant point. And before giving the floor to Yrjö, I agree that we repeat ourselves. As you know, in the GAC we have been talking about this for more than seven or five years. The thing is that we have to try and insist in this different positions and try to find something in the middle that could perhaps enhance the rules that we had in 2012. If we repeat the rules my feeling is that maybe we have a similar or new conflicts and based on the experience we should be able to work – and I

am always optimistic that we should work together and try to find a middle ground position, try to find a way to have less conflicts.

One comment that I received during the Panama meeting is that we may have – we may decide on a best practice rules. If we can make them enforceable and perhaps some good ideas for the different parties to be in this process, that could help, I don't know. Unfortunately we don't have the solution but we are trying to find it all together. But thank you very much for your comments. Yrjö, the floor is yours and welcome.

Yrjö Länsipuro: Yes, thank you. This is Yrjö Länsipuro. As you said, Olga, how to – how can we meet in the middle ground? I think that that was the most positive thing actually that happened in Panama, that the co-chairs came with suggestions to meet in the middle, actually to try to find a compromise on non-capital cities and whether a non-objection is required. I think that after so many weeks when each side has been presenting arguments to reinforce their position, now it's really time to search for a compromise. Thank you.

Olga Cavalli: Thanks to you, Yrjö. And I agree with you. Liz, the floor is yours and welcome.

Liz Williams: Hello, Olga. Good to talk to you.

Olga Cavalli: Hello.

Liz Williams: I wanted to agree to Yrjö and I wanted to agree with what Kavouss and you have been saying and I wonder if it isn't time I raised the possibility a couple of weeks ago whether it's not time to start taking some temperature gauges of where we have general agreement, general consensus, general ways of working towards agreeing on things, and then a basket of issues that I think that there are some divergences of opinion on the right hand side, let's say, that we would find it difficult to make agreements on.

And the reason I'm saying that is for two reasons. The first is I've been going through the initial report for Work Tracks 1-4 this week and I've got our Work Track 5 working document beside me with a pile of notes written all over it for clarification, and I'll put those comments into Emily and to Steve later on after I finish them.

And I think it's time also that we think about the way in which we can catch up with Work Tracks 1-4 because it seemed to be an issue for us to produce some kind of comprehensive picture for our set of issues so that we don't disconnect the work tracks from each other. And I think that's a very important process that we are mindful of.

So I'd really be asking us whether it's – asking the co-chairs to see if we can come to some way of identifying the top 10 issues, let's say it's 10, could be 20, doesn't matter how many it is but that we come to some way of saying issues 1, 3, 5, 7 and 9, we have general agreement on in terms of principle or practice or policy; and then 2, 4, 6, 8, 10, we don't agree and those are the things we either want to put aside and say no chance of agreement on this because of such different ways of thinking.

Or we could modify our positions on those matters and we're in the middle ground of trying to work out how we can move forward, because I think Yrjö is quite right, we've been going around you and, Olga, you're quite right, we've been going around in the GAC and elsewhere and I think it's time for us to start thinking about how we can draw that to some kind of possible semi-conclusion.

Olga Cavalli: Thank you, Liz. I have Greg and I will have to close the queue after Greg because we have to move on. Greg, the floor is yours and welcome.

Greg Shatan: Thank you, Olga. Greg Shatan for the record. In terms of trying to find a middle ground or at least move in some different directions, it might help to open up different possibilities. I note, and this isn't entirely a new thing but it's

important to note, that we've spent a lot of time going back and forth about the type of name, the type of list, the type of term, the type of use but we've spent very little time if any real time on the type of protection or type of possible way that the issue can be raised.

And as I think Yrjö put it, you know, it really is – the focus has been entirely on the letter of consent or non-objection as the only protection or remedy that has gotten really serious consideration. In looking at all the types of lists and variables and squishy concepts that we have, I really think that we would be far better served in looking at challenge type protections rather than preventive type of protections.

So because it seems that that would allow each issue to be determined on its own merits rather than making broad simplistic rules that are based on the size of a city or the like. In the end I don't think this is – that there is a universal solution but if we look at solutions that allow for something more particular where there is a challenge in some form of due process, I think we would be able to make some good progress. Thank you.

Olga Cavalli: Thanks to you, Greg. And I see your point about the challenge rules. The only limitation that I see that is that there are many, many, many cities, countries not so much involved within ICANN, so I see there are some difficulties in challenging what has – what the process is – what is happening in the process. So this is because of that, some governments or some different views of things that are preventing thing could be useful as well to avoid conflicts, but the point is well taken.

So let's go to the next one because you have made interesting comments that take me to the next slide which is about the principles. Can we change the slide please? About the principles, I think we got some agreement in allowing for new non-capital city gTLDs so that seems to be not a total horrible idea; it seems to be an idea that could be possible. But also there is some feeling of increasing predictability for all the parties, could be useful. I

don't know if this is feasible when business are involved, sometimes secrecy and strategic keeping the information for the company and the timing, I know it's important.

But at the same time, there is a lot of time and money invested in the applicant in preparing for the application. And so that could also be weighted at the moment of making a previous contract with the party, with the city and see if they can be advised that this is happening, included in the project somehow, or at least be informed because this didn't happen in some cases in the first round. So this is another idea that we thought it was somehow agreed or could be agreed.

Also, some other principles could be reducing the reasons and likelihood for conflict within the process as well as after the delegation. Perhaps one way of (unintelligible) for conflict before and after is that the parties are informed and informed of what is the purpose of the project, if the name will be used related with the city itself or with no relation for the city name. So having that information will reduce perhaps the conflict or the objections that may come after the presentation – the applicant makes a presentation.

Also there was a request for simplicity, simple understanding follow and implement. And I would like to make a comment about the simplicity. Let me tell you that for governments that wanted to make objections in the first round was not easy, especially those governments who are not involved in ICANN. So that simplicity should be for all the parties. But again, not all the stakeholders are as much engaged as others, which is normal because each participation space has – it's not totally equal for everybody but we have to try to make them – to have for all the parties a simple way to interact with this complex issue.

Should we add as a principle, should we polish this, make them better? Would it be helpful to look at some of the solutions proposed for the non-capital city names in light of these principles having a list, having a repository,

ranking the cities in some way? If you're having – if you're making then comments in the chat I'm not very good in talking and reading the chat so maybe if Javier can let me know if there are some comments.

For example I see Liz says, "I think we should add predictability of timeframes. Time is the killer for applications waiting for decisions." You're right, you may add that. So I don't know if we have other slide for principles, ladies, can you go to the next one? No, let's go back please. Thank you very much.

So about these general principles, could we have some agreement in some of them? And I think this is aligned with the comments made by Kavouss, by Yrjö, by Liz and by others that we have been repeating, repeating again. But after all this repetition for so many years and so many months, some of us have the feeling that these principles could be agreed. So any comments about that? No comments.

((Crosstalk))

Javier Rúa-Jovet: This is Javier for the record. Hi to all. So on the – during Olga's presentation and the conversation that's been happening in the chat and a bit touched by Kavouss and maybe Greg, I think we can say that I think we all know there is extreme positions on different sides but I think we see that we have to start talking about middle ground. I think – one thing that seems to be going on in the chat also is that that we should try to isolate what we think are the problems that happen, you know, in the 2012 round that require solutions.

So maybe if anybody in the group in the work track from their perspective will – can speak on what they think a problem was with cities, with non-capital cities, and what solution they would submit from their perspective, and maybe an opposing view of a different point of view. Does anybody want to chip in on that?

Olga Cavalli: Thank you, Javier. There's a nice example in the chat by McGrady, non-objection letters are unwieldy and methods for solving – and he mentions the city Cleveland – all the Clevelands that exist. So that is an example that we can think about how to solve it. And also there is a comment from Robin, "Would this allow for new non-capital city gTLDs?" Robin, the idea is that we – there was some agreement that capital city gTLDs should not be allowed or so this is why we are saying that there's agreement in allowing capital cities – non-capital cities as gTLDs.

Javier Rúa-Jovet: So I think Liz has her hand up, maybe she wants to talk about…

((Crosstalk))

Olga Cavalli: Has her hand up, yes, go ahead Liz. And Greg. Liz, the floor is yours.

Liz Williams: So personally I'm mindful of the time clock so this is going to be the last verbal intervention I make because I would love to hear other people's points of view. I think that if I had a blank sheet of paper and we were trying to fill in the gaps between principles and implementation, then I would be drafting this document slightly differently. So and this is a question for Emily or for Steve, or for the other staff support that we're having help us on this.

I think that we could come up with 10 principles and we've got a very good start here, and then what I'd also like to try to do to break this nexus of disagreement is to look at ideal implementation so we have principles at the top, and we have ideal implementation at the bottom. And I've always been hesitating about talking about implementation because that seems to step over our policy and the principle tops the policy which should go in the middle, which then influences the implementation.

And I think it would be quite useful for us to think about ideal implementation looks like this and then we map each of our issues against ideal

implementation looks like this and we refer back to our principles. I'm not quite sure how to structure it yet but I'd like us to be able to fill in some of those gaps so we can – I'm really trying to find ways that we can find agreement and we can find predictability in what we're actually saying so we can say it once now and say it well in written form so we could start to come up with something that looks like an initial report.

Olga Cavalli: Thank you, Liz. You made me remember some – as I mentioned before some best practices that we have drafted a while ago and that idea came up in Panama. Greg, the floor is yours.

Greg Shatan: Thank you. This is Greg Shatan for the record. I don't recall anybody advocating that new non-capital gTLDs should not be allowed so that seems to be somewhat of an odd premise for that bullet point. If there is somebody who advocated for that I'd love to hear what their reasons were. I don't think anybody's been advocating for that.

On the other hand I don't think that a common principle that prefers that non-capital city gTLDs should be the result of registering a string that has multiple meanings including that of a non-capital city. So I would write that I think there's a more general principle that can be agreed which is to allow for new gTLDs, whether that gTLD is, quote unquote, a non-capital city or it's a brand or it's a community or it's a generic, or it's some – or it's a professional restricted TLD, doesn't matter but the principles should be in favor of applications and delegation, not reservations and blocking rights.

So I'd be concerned that they allow for new non-capital city gTLDs seems to be a sideways way of trying to introduce a preference without really saying so. I think that if people want to try to introduce a preference, then they should just say so, otherwise I don't think either way I'm not going to support this but I would support allowing for new gTLDs. Thank you.

Javier Rúa-Jovet: This is Javier Rúa. Thanks, Greg, for that. So I think we should keep on structuring this conversation in terms of you know, fishing out or pointing out problems that require solutions. I know what the extremes are and, you know, an extreme would negate delegation and another extreme would always permit delegation. And as Greg mentioned, maybe nobody's really advocating no delegation ever; I think we all agreed on the principle of the permitting of new gTLDs, so thanks for that Greg.

I see in the chat a comment by Liz. She says, "So it looks like Part A: Principles; Part B: Policy, pretty empty just yet; Part C: Ideal Implementation. We think about how to match our principles with ideal implementation in each case and then the policy will fall from it. Then we ditch the implementation text and put that somewhere in the best practices guidelines. Just think about how to structure a practical document."

We have a comment from somebody new, hello, John, John Rodriguez. He says, "The third principle regarding conflict assumes that there is agreement a conflict exists but I understand there are divergent views as to whether there is or isn't a conflict."

So before going forward I think that, you know, the comments that have been made so far by Kavouss, by Greg, by Liz, by others, by Robin in the chat, I think we have to keep on focusing on problems that require solutions. Liz made some very interesting recommendations regarding, you know, like a 10-point list, staff, please take notes on ways we can structure that.

I, you know, I and the rest of the co-leads – and you have also – you have been looking at the working document and you know, the working document – and somebody asked in the – I think it was Robin that asked in the chat, you know, its purpose, you know, in the long-run, the working document is just that; a document to, you know, to look at what the community is thinking generally and – but I urge you to keep on looking at the working document and keep on, you know, writing in there your comments either directly in the

Google Doc or even in an independent, separate, you know, writing that you can send to the work track in the mail and then in the – and then it will be integrated into the working document.

But from there, from that type of, you know, contribution, you know, a contribution that you know, takes into account these principles that we all seem to agree in general and the other principle trying to look for middle ground, in that spirit try to, you know, contribute in the working document and maybe we can find some solutions in there.

I see a comment by Robin, she says, "When there are competing legitimate interests, it is appropriate that those interests be given an opportunity to apply, so assuming reducing conflict is not necessarily a bad thing, because it is a process that allows for competing legitimate interests to be resolved fairly."

Okay, so I see a hand by Kavouss. Please, Kavouss, go ahead.

Kavouss Arasteh: Yes, I have two comments. One of them maybe a question. The comment is that in some democratic countries, I take example in Europe, there are laws that are changing from time to time. Could one say that the change is because of difficulties that people have encountered? Is it right to say that because of this change of the law for the person that have it, let us totally delete the law and leave freedom to everybody; or we find what were the problems and try to find a solution of problems.

My question is that has there been any record of any permanent continuous systematic objection from everybody for, from every government (unintelligible) or every local authority for particular or for all geographic names or there has been some cases and what are the (terms)? Rather than saying that we have full freedom to do whatever we want to see that there are the bottlenecks and obstacle and to find a solution for that.

I don't think we can find a one solution for everything because (unintelligible). First, name of the country, capital cities, big cities, rivers, mountains, the difficulty, problem, obstacle for each were different and then come (unintelligible) whenever we have name of the country with the name of the city, the same thing will happen. I don't think that we can find an overall solution for everything unless we continue to divide our (unintelligible) that one group want to total freedom, now other people want something, whether that something is obstacle or whether that something is legitimate.

So I don't think that this overall discussion can get us anywhere. So let us have where are the bottlenecks. Thank you.

Javier Rúa-Jovet: Thank you, Kavouss. And maybe a question for you and the rest of the work track, so in terms of – in terms of non-capital cities, and the delegation of gTLDs of non-capital cities, what do you think or anybody in the rest of the work track thinks would be a possible norm that would somehow take into account the competing interests between the, you know, the authorities and those applicants that want a delegation? Is it the current policy, you know, something like the current policy in place for cities non-objection letters or endorsement letters? Or is that acceptable or is that completely unacceptable? Maybe Kavouss?

Kavouss Arasteh: Yes, my concern is that for just say capital city, what were the examples that requests for a capital city was continuously, permanently and systematically objected? What are the percentage of that? How many capital cities name has been requested and what is the percentage of those rejections and what are the reasons of that rejection, where the reason is something or reason is just some I don't like you, instead of saying why I don't like you.

Javier Rúa-Jovet: Okay.

Kavouss Arasteh: I could say why but not I don't like you. So what are – where are these statistics? How…

((Crosstalk))

Kavouss Arasteh: …to solve that? Yes, thank you.

Javier Rúa-Jovet: Thank you. I think Olga has her hand up. Olga, you want to take a stab at that?

Olga Cavalli: Thank you very much, Javier. And my apologies to all of you. It seems that the network are totally over – overloaded by the work track so everyone is watching online. And so I think Kavouss makes a fair point. There is a group that follows this issue very closely and what happens with those cities that are very successful story? Many cities in the world – not necessarily capital cities – some others are not capital – are very successful. My modest opinion about that, there was a previous (contract) in between parties and there was a previous project agreed in between parties.

So then finally it's a success because everyone is – on the same page and everyone is sharing their own concerns and interests. So perhaps someone else on the call can give examples about concrete examples. Over to you, Javier. And thank you for…

((Crosstalk))

Javier Rúa-Jovet: This is Javier for the record again. Does anybody in the work track have anything to – that you can contribute to answering Kavouss's question in terms of prior data…

((Crosstalk))

Olga Cavalli: Successful stories about non-capital city names that were requested as gTLDs.

Javier Rúa-Jovet: I see Annebeth writes in the chat, that Berlin is one of the most successful.

Olga Cavalli: Yes, but it's a capital city. I think…

((Crosstalk))

Olga Cavalli: …(Colonia) is another example, well New York City is not a capital city, big, big city but not capital city. There are many examples and Hamburg and I cannot recall many of them. But my feeling is that there were projects planned ahead with contracts with relevant authorities that allowed for a good outcome.

Javier Rúa-Jovet: Okay. This is Javier for the record again. So does anybody in the work track that hasn't spoken at this point wish to add anything regarding non-capital cities, any points whatsoever on this particular topic we're talking about right now or anything we've discussed in the – during the past 40 minutes? Or in the chat?

Olga Cavalli: Maybe, Javier, we can go to the next slide.

Javier Rúa-Jovet: Let's go then to the non AGB terms. Please next slide. And before we – you can move the slide but I want to also, you know, there's a point that Greg made regarding the principle to allow for new gTLDs whether that it's a non-capital city or a brand or a generic or a professional restricted, the principle should be in favor of application and delegation so maybe, Greg, do you wish to restate that for a second if you could?

Greg Shatan: Thank you, Javier. I think you actually stated it pretty well. But the, you know, in essence the principle would be to allow for new gTLDs, which I see is on this slide now, and I think the idea is that it should, you know, generally favor application and delegation and regardless of the type of use or intent that the applicant would put it to. And it could be a generic, it could be a restricted, it could be a community that's non geographic like music for instance. And or it

could be a brand or it could be a name of a non-capital city. And in that case if there are multiple cities with the same name, again it would, you know, favor the applicant moving forward. So…

Javier Rúa-Jovet: Thanks, Greg.

Greg Shatan: …that's I think the idea. Thanks.

Javier Rúa-Jovet: Thank you. And thanks for those comments, Greg. And I know we're – I mean, time is of the essence here and but this topic of non-capital cities is important. I see a comment by – in the chat by I think it was Marita – Marita Moll from At Large that she, you know, she brought again the, you know, as an objective measure of a possible norm in the future that the concept of city size, the concept of city size as a, you know, as an identifier of whether that city should receive some special treatment or not, that non-capital city.

So we have to keep on looking at that. During, you know, in Panama there were other things discussed like, you know, the idea of maybe countries or authorities naming the cities that they would consider, you know, that would require some special protection, etcetera, besides non-capital cities. But I think Liz, go ahead and before we move forward go ahead and in the working document just keep on putting your ideas there.

So to quickly go into this next topic I think this whole new world, the terms not in the AGB, geographic terms in the Applicant Guidebook, I think as you see on the slide the same discussion of the agreed principles is applicable. We all want to, you know, move forward with – I think we all want to move forward with new delegations of new TLDs. We want – and we want norms that are predictable and that don't create more problems and are simple and are simple in the sense that are easy to understand and you know, good norms.

The question here is whether there's other principles that are particular to this topic of non AGB geo names that we should start thinking about. And in the

spirit of what Liz mentioned of making a top 10 list, I can, you know, coming from a – personally coming from a territory like Puerto Rico, and I bring the case, Puerto Rico is pretty lucky because even though we're a non-sovereign territory, because of whatever historical reason or decision, Puerto Rico is in the ISO and we have a country code – a two letter country code and we have a three-letter code.

But there's other communities and linguistic groups and groups that are not lucky for, you know, and I posit and I ask the group, should we start thinking about this in detail whether the norms out there – whether ICANN and whether we as a community should take into consideration these groups as a, you know, as these communities – linguistic communities – in this discussion in Work Track 5 or do you think that it's, you know, generally handled well by other work tracks, the work tracks that are dealing with community applications, etcetera.

And another question could be whether the norms that were created, you know, or were implemented for things like sponsored TLDs like the dotCat, Catalonia and communities like that, is there something we could learn from that? Please, anybody that wishes to speak on that, I see that Paul McGrady is in the queue. Please go ahead, Paul.

Paul McGrady: Thanks. Paul McGrady here. So I think to – if I understood Kavouss's question, he was looking for examples of non capita city names in the first round. And so I just looked through the list real quick and decided to check out whether or not Bingo is a place name, it turns out. And I put this in the chat with a link. It is a non-capital city place name. In fact it's 15 places around the world.

So whether it's non-capital cities or like Bingo like Cleveland, which is a big city of, you know, several million people in the region, or whether it's more well-known places like Paris where there are 13, the places named Paris, the bottom line is that a lot of the mechanisms in the Applicant Guidebook like

getting letters of approval in advance and things like that, don't necessarily you know, match up with the principle of simplicity.

There'll be nothing simple about somebody who wants to apply for dotBingo to run a website having to do with, you know, super fun game that you play, you know, socially, running around the globe, you know, searching out 15 letters of non-objection from you know, places who also happen to be named Bingo. The thinking in the Applicant Guidebook when it comes to simplicity is just not going to pass muster.

So I'm very happy to hear that we're starting to at least think about moving away from the old dichotomy of lists versus no lists, letters versus no letters, and, you know, Greg mentioned you know, and he said it much more eloquently than me that it's time to start thinking about you know, other solutions, non-objection or objections or, you know, something else besides what's in the Applicant Guidebook now because when you really apply that and especially if you start to apply it to non-capital city names, it's pretty clear that the solution there is not simple and it will get bogged down.

And so anyway thanks. I just wanted to comment primarily to draw attention to the examples I put in the list which I think are very instructive. Thank you.

Javier Rúa-Jovet: Thank you, Paul. And I see Susan Anthony in the – wants to speak, go ahead Susan.

Susan Anthony: Thank you. Now I'm not going to be able to get that Bingo was his name-O, children's song out of my head, thank you Paul. But the question that I have regarding the Bingo example is what interest is being served? Why do those 15 cities or however many they are that are called Bingo have any interest in an application where for example, the applicant is a very large company in the gaming industry, for example, and they know the love of people around the world about bingo or at least in the United States we do.

And so they decide to apply for dotBingo? What is the interest of the 15 cities around the world or within the United States that are called Bingo? That's the thing I can't get my hands around. Thank you.

Olga Cavalli: Javier, can I comment on that?

Javier Rúa-Jovet: Yes, go ahead. Go ahead, Olga. Thank you.

Olga Cavalli: Thank you. Susan, I think you make a very interesting point. I think that there are several issues to be considered. First, they may be interested because of the confusion I'm (unintelligible) having dotBingo with the same name of their city. Second, there is confusion about the usage of the same name. So there may be interested and there may be not. So that is the beauty of reaching out to the different parties, so you may – they may say, okay, fine, just no or give us some names from my own urban organization, or something like that or they may get engaged in the project. I think there may be value for them or they must be informed because the city happens to have the same name.

Javier Rúa-Jovet: Thank you, Olga. And so we are four minutes away from the top of the hour so please, Kavouss, quickly and then Greg, quickly and then if we can get something on non AGB terms. Go ahead, Kavouss.

Kavouss Arasteh: Yes, I still think that everybody's right but the discussion is not well structured. We are going to find a solution for an issue which is not have or does not have a general application. Most of the difficulties coming from the names in the old continent, Europe, and new continent, America. We have not so much problem in Asia Pacific, for instance. I have seen in the report several examples of successful application of that capital, whatever is that X, Y, Z, and so on so forth. But I don't see any lists of the unsuccessful. I would like to know, what are these unsuccessful and try to figure out where is come from? Is come from the Asia Pacific, coming from the Africa, coming from the Europe, coming from the American continent, coming from what?

So we want to really know that. I have very, I mean, very little example or maybe no example that this is in the report of the unsuccessful cases. And even having the list of unsuccessful I don't know the reason for that unsuccessful and I don't know whether that unsuccessful reasons of 2012 are still in 2020 will remain valid or people they have changed their minds and that that is (unintelligible) not exist so – sorry, political situation, grammatic situation, social situation, has been changed. So (unintelligible) a little bit in a structured way but not trying to find one solution for all problems are generalized…

((Crosstalk))

Javier Rúa-Jovet: Point taken, Kavouss. Point taken. I think it's similar to your prior position. Greg, quickly please.

Greg Shatan: Thank you. Greg Shatan for the record. As we step into what's potentially a new sub topic, terms not in the 2012…

((Crosstalk))

Greg Shatan: …AGB, I would strongly suggest that we begin the discussion around the type of remedy or method or process or tool and the timing at which that tool is invoked and who invokes it rather than starting with trying to define the list or scope or type – in other words I propose that we do things backwards from the way we did it the first time because doing the same thing twice and expecting different results – you can look up what people think that defines. I think it would be really helpful to try a different starting approach. Thank you.

Javier Rúa-Jovet: Yes, Greg I think that's sensible, opening up, you know, new ground here before we get, you know, we finish with the prior – it's not a good thing to do. Susan, is that an old hand or a new hand?

Susan Anthony: Old hand, apologies.

Javier Rúa-Jovet: Okay. So we're almost at the top of the hour. If anybody wants to quickly bring any other business, any – I don't think we should go into non AGB terms right now head first. Anything anybody wants to bring up? So as Olga mentioned early in the call, there is – the calls are going to be, you know, every other week and they're going to go – they're going to go 90 minutes long, 60 minutes is a bit short. And those emails announcing the calls will go out. If I see no hands – I see some comments made in the chat by Paul and others.

I really thank you all for your participation today and also some new people today also, there's a person by the last name Rodriguez, welcome. I also see other people that don't come that often like Bruna and others. Thanks a lot. And so let's keep on in this spirit. I think we're looking for middle ground; we have to keep on doing that, we have to go into the working document and into the chat and into the mails and look for problems that require solutions that could be acceptable by all.

So thank you all, thanks Olga, thanks to the rest of the call list, thanks staff. Bye-bye.

Olga Cavalli: Thank you, Javier. And bye-bye. Thank you.

Cheryl Langdon-Orr: Bye.

Olga Cavalli: Thank you.

Terri Agnew: And once again the meeting has been adjourned. Operator (Jess), if you could stop all recordings? To everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

END