Transcript GNSO Council Teleconference
15 November 2012 at 11:00 UTC

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http://audio.icann.org/gnso/gnso-council-20121115-en.mp3
on page
http://gnso.icann.org/calendar/#nov
Adobe Chat transcript :
http://gnso.icann.org/en/meetings/chat-transcript-council-15nov12-en.pdf

List of attendees:
NCA – Non Voting – Jennifer Wolfe

Contracted Parties House Registrar Stakeholder Group:Volker Greimann, Yoav Keren, Mason Cole
gTLD Registries Stakeholder Group: Jeff Neuman, Jonathan Robinson, Ching Chiao absent, proxy to Jeff Neuman
Nominating Committee Appointee (NCA): Thomas Rickert

Non-Contracted Parties House Commercial Stakeholder Group (CSG): Zahid Jamil, John Berard, absent, proxy Zahid Jamil, Wolf-Ulrich Knoben, Petter Rindforth, Brian Winterfeldt, Osvaldo Novoa
Non Commercial Stakeholder Group (NCSG):David Cake, Maria Farrell, Magaly Pazello, Wendy Seltzer, Wolfgang Kleinwächter - absent, Joy Liddicoat –only on Adobe Connect
Nominating Committee Appointee (NCA): Lanre Ajayi

GNSO Council Liaisons/Observers Alan Greenberg – ALAC Liaison
Han Chuan Lee – ccNSO Observer - absent

ICANN Staff
David Olive- VP Policy Development,
Rob Hoggarth - Senior Policy Director,
Marika Konings - Senior Policy Director,
Brian Peck – Policy Director

Berry Cobb – Policy consultant
Margie Milam - Senior Policy Counselor
Glen de Saint Géry - GNSO Secretariat
Eric Evard - Technician

Jonathan Robinson: Hello everyone. This is Jonathan Robinson speaking. I'm not going to say good morning because I already understand that it's not particularly good for those who had to get up at 2:00 or 3:00 in the morning on the West Coast. But it is a serious point and we will have to think about this - the time slot. So you've got to set the diary dates for the next meetings and we'll have to think a little bit about how reasonable the time slots are, but we'll come back to that.

So Glen, if we could kick off with a roll call, that would be great, please.

Glen de Saint Gery: I'll do that for you, Jonathan.

Jeff Neuman?

Jeff Neuman: Yes. Sorry. Here. Took me a minute.

Glen de Saint Gery: Jonathan Robinson?

Jonathan Robinson: Present.

Glen de Saint Gery: Ching Chiao is absent and he has given his proxy to Jeff Neuman.

Mason Cole?

Mason Cole: Here.

Glen de Saint Gery: Yoav Keren?

Not yet on the call.

Volker Greimann?

Volker Greimann: Present.

Glen de Saint Gery: Thomas Rickert?

Thomas Rickert: Yes.

Glen de Saint Gery: Lanre Ajayi?

Lanre Ajayi: Present.

Glen de Saint Gery: Zahid Jamil?

Zahid Jamil: Present. Sorry, I was on mute. Present.

Glen de Saint Gery: John Berard is absent and he's given his proxy to Zahid Jamil.

Brian Winterfeldt was on the call and he was on with another person who was the primary person on the call, so we asked that person to leave, and unfortunately Brian disconnected as well. So he will probably be calling back.

Petter Rindforth?

Petter Rindforth: Present.

Glen de Saint Gery: Osvaldo Novoa?

Osvaldo Novoa: Present.

Glen de Saint Gery: Wolf-Ulrich Knoben?

Wolf-Ulrich Knoben: Present.

Glen de Saint Gery: Maria Ferrell?

Not yet on the call.

Wendy Seltzer?

Not yet on the call.

Magaly Pazello?

Not yet on the call.

David Cake?

David Cake: Present.

Glen de Saint Gery: Joy Liddicoat is on the Adobe Connect. She cannot connect to a telephone line, but she will be listening to the audio cast for the vote.

Wolfgang Kleinwatcher?

Not yet on the call.

Jennifer Wolfe?

Jennifer Wolfe: Present.

Glen de Saint Gery: Yoav Keren has just joined the call, and so has Brian Wianterfeldt.

Thank you very much. Over to you, Jonathan.

Alan Greenberg: And Alan Greenberg present for (unintelligible).

Glen de Saint Gery: And Alan Greenberg. I'm very sorry.

And for staff we have Margie Milam, Markia Konings, Berry Cobb, David Olive, Barbara Roseman, Rob Hoggarth, Brian Peck, and myself Glen de Saint Gery.

Have I left off anyone?

Thank you Jonathan. Now it is over to you.

Jonathan Robinson: Thanks, Glen.

So moving on then to 1.2. Could we have any updates to Statements of Interest please?

Hearing none, I'll move on to the review and amend agenda 1.3. Are there any comments or points that anyone would like to make on the agenda before we proceed with it?

Thank you.

So we will now move onto the pending projects list.

Now I am a little uncertain here as to who normally reviews the changes. Actually, I realize in (stepping us through) and so it's something which I think the Chair has normally done. I must say, we reviewed the agenda and - so if you'll forgive me in my new status as Chair, I haven't prepared for a review of the changes so I'm going to have to take it that you have all looked at this. I have it in front of me, but I would like any comments or questions on any changes to that project list.

It is something which I think we need to come back to because it's ever more full and is going to need to some work on prioritization. But if I could have any comments or input on that, that would be great.

((Crosstalk))

Petter Rindforth: Yes, this is Petter. Just being a new member, it would be good to have some clear information on if there is any need for additional members of the working group.

Jonathan Robinson: Yes. That's a very good point, Petter, and I think it needs a more thorough review and - in terms of both contributions and prioritization in

my view. And so, it is something we will come back to. But you're right. That's - that is one key element.

I've noticed that there's been quite enthusiastic responses to a couple of the new working groups that have formed, yet we haven't necessarily got an even distribution of contributions. So yes, it's a good point and thank you.

Right. So I think I'm going to move straight on to a - some introductory remarks I prepared. So if I could have that slide up it would be great, please.

If you'll bear with me one moment and we'll put the slide up with a couple of things.

So I thought I would take advantage of my new status as Chair to add a couple of introductory remarks. I've already been told - questioned as to whether we actually really need ten minutes, but it is an opportunity to take - to say a few things to make sure that we start off in as positive a way as possible.

So I've just prepared one slide for you to look at, and really the very first thing I wanted to do was make sure I provided a very warm welcome in particular to the new Councilors who have just joined us.

And I'm reluctant to start with a cliché, but as you well know, Fadi has been promoting his theme of a new season for ICANN. And, there is a sense of - a general sense of sort of optimism and new opening into opportunity, and you know I think we should try and embrace that as a Council, both from my personal point of view as a new chair, from the

point of view that we've got some fresh blood as it were on the Council, and linking in with what's going on in the broader community.

So, very much like to take the opportunity to, as I say, to provide a warm welcome and hopefully start on as fresh a foot as possible with the new Councilors and all of you who've - with your varying degrees of experience.

We ran an induction call or an introduction call for new Councilors earlier this week. It was something I initiated. And in fact, there were some new Councilors and some Councilors who had previously been on the Council. I thank you very much for those of you who did attend.

For those of you who didn't, whether you are existing Councilors or have just joined the Council, it is recorded and available, and that's been sent to the list. And you know, I'd encourage all of you to listen and agree with, disagree with, or add to what's been said there.

But my real objective was to start with a sort of baseline and a common starting point in particular for the new Councilors.

I'm aware that there's a real danger of just being thrown onto the Council and expected to perform and work effectively from the outset. And although Glen has reached out individually to each of the new Councilors, an opportunity to make a common introduction seemed to me to be a good idea, and we can develop on that if necessary.

I obviously been thinking hard about where we go and what's important over the next period. You'll hear time and again from people what a critical period this is for ICANN, the broader community, the

organization, and the policymaking function within the GNSO. So the question to me that I - that is how best do we navigate this critical period?

And it seems to me that - you know, I've tried to break out three key areas for the Council that I think are important. And again, I'll happily take feedback and discussion on any of these.

But, the three that seemed most important to me is that we - is our effective working together as a Council. Our internal workings involves obviously the Council leadership, that's myself and the vice-Chairs working effectively with the Councilors.

One thing I noted that was quite interesting in the bylaws is that the bylaws see the vice-Chairs as vice-Chairs of the whole Council, so they have a responsibility and a duty to the whole Council. And to that extent, you should see them as your vice-Chairs, not simply vice-Chairs of a particular house.

Councilors obviously have a responsibility to work effectively with one another. And you know, I would like to start with a position of trust amongst the Councilors and assume that our intentions are good and that we are willing to make honorable compromises wherever possible.

I think - you know, my impression is that there are some outside of the Council who are cynical about our ability to make progress and to work effectively together. And my ambition is to really to do as best as possible in proving them wrong.

In order to do that, I think the other area - key area is that from a strategic point of view is having an effective external focus and working with - clearly with other SO's and AC's.

And I noticed Wolf's comment which was bang on target in this respect about the output from the GAC high level meeting and the interest of the GAC in being involved in policymaking as early as possible in the process, which creates for my mind a very opportune moment for engaging with - or reengaging with the GAC and other SO's and AC's.

Clearly, the Councils represent their different groups and constituencies, and their role in ensuring that they come to the Council well prepared knowing the positions and knowing where there are opportunities to compromise or to rationalize existing positions is vital. But, it's also the job of - I believe of the Council leadership to reach out to those SG's and the leadership of those SG's and makes sure that they - that we are effectively engaged with them.

Finally, of course, there's also the staff. It was difficult to know whether to put the staff as - under the internal bullet in my mind or the external bullet. (Unintelligible) the staff aren't part of the Council as such, but they're vital to the effective functioning of the Council and there's tremendous knowledge and experience there that's existing and growing.

So, I'd encourage Councilors to take advantage of either - of any of the members of staff and their expertise and understanding of some of the issues.

And then the final - the third priority I see is clearly this workload management. And even in the short period since Toronto and including Toronto, there are items just piling onto our list. And, there's no doubt that we are going to have to organize those and decide on some methods of prioritization.

I'm seeing this concept of expedited PDP's and things need to be done in a hurry, and everything's going to be potentially urgent. And so, there's definitely going to have to be some work and build some agreement on how to prioritize items on our - on this.

But overall, my final bullet on the slide is really about an ambition to be seen as a productive, effective, and respected Council. From my point of view, it's personally important. And, I would hope that for every one of you that you - you know, whether you'll want to be and to be seen to be part of that kind of Council.

So those are really the thoughts I have. There's a couple of practical items that - we've put out a set of dates for the future Council meetings. I'd encourage you to contribute to this. I've already heard some feedback on the time slots and I will give that some more thought and work with you to try and get the most effective time slots to try and get the most effective timeslots.

There's never a perfect rotation, but I can accept particularly this slot is challenging, and it may be that we can work on that.

And I've already done a little bit of work on trying to simplify the way in which we structure motions, and it's going to be an area I'll continue to focus on, but any of Council work is done and written in as plain

English as possible, and that's for all of our benefit. So let's - I think there's a temptation to turn some of our phrasing into legalese.

And while it has to be formal and proper, there's no reason why it can't be clear and simple at the same time.

I'd like to think that we can run effective meetings that are on time. And clearly, a lot of that's down to the responsibility of the Chair. But, I'd really encourage you - you know, I've realized in having to really roll up my sleeves and be in a position to hopefully Chair things effectively - Chair the meetings effectively. Quite - what an effort it takes to be prepared.

And I know some of you come to these meetings particularly well prepared, but I just encourage everyone in as much as possible to do your homework. And I know various of you have got day jobs, other roles, and all sorts of things that keep you busy. But to the extent that you can, to please prepare for the meetings and read the material. It will undoubtedly make the meetings more effective.

So I think I've kept that comfortably under the ten minutes. I did want to say a couple of things at the outset, and I've said it. So again, welcome to the new Councilors. Really looking forward to working with all of you and let's move on with the agenda, unless there are any other questions relating specifically to these introductory remarks.

Wolf-Ulrich Knoben: Jonathan?

Jonathan Robinson: Yes?

Wolf-Ulrich Knoben: This is Wolf speaking. I'm still not on the Adobe, but I - if I may, I would like just to emphasize on one or two points which you just mentioned.

One is the vice-Chair role. As I'm still the interim vice-Chair, and I also would like to emphasize that we are vice-Chairs for the whole Council, not just on behalf of our house. We are elected by our house, but we are - we have a role with regarding the whole Council, and that is something which I would like to emphasize.

But it helps also to build trust, which you mentioned on the other side between the two parts - at least two parts of the house also internally in the houses. And so that this role is to be seen not as a kind of just representative of that house and he or she, the vice-Chair, could be approached by anybody of the Council as you, as Chair yourself, you can be approached by everybody as well.

So that's - that is role the vice-Chair should have. And the trust building is one of the major items I would like to emphasize which is necessary between the Councilors in order to be effective and - yes, to be effective. Thank you.

Jonathan Robinson: Thanks very much, Wolf.

Any other comments or other points on this?

I suppose I should remark for clarity. I mean, Wolf touched on it. He is - he was the vice-Chair from the non-contracted party's house in the previous term. And absent another nominee being put forward, is continuing in this role. So just to be clear on that, but that's very

helpful. I appreciate both the support and your additional contribution. Thanks Wolf.

Right. Moving on to the next item then, there's an item on the consent agenda, and this relates to the IRTP Part C recommendations report. And this is - staff is going to prepare the recommendations for the Board. There will clearly be some implementation discussion to follow, but I don't believe there's been any objection to this being on the consent agenda.

So providing I don't hear any comment or response now, we will assume that it is acceptable for it to remain there.

Perhaps I should remind people that an item on the consent agenda, remind Councilors that an item is on the consent agenda because it is presumed to be uncontroversial and going through as a matter of course, but any Councilor may object to it and bring it out for further discussion. So that's the position there.

So I see no comments or hands raised. I'll move on to Item 4, which is the - a motion that was prepared for Toronto, and in the event was I believe not seconded, and in fact ultimately withdrawn in Toronto.

Zahid, you were the maker of the original motion, and I believe you're on the call so are probably now in a position to make the motion; although normally has been made by me because I think we were unable to get you to remake the motion online. Perhaps, I could call for a second for the motion then?

Zahid Jamil: Jonathan, this is Zahid. I wouldn't mind seconding the motion if you were to still be the proposer. That would be fine as well.

Jonathan Robinson: Great. Thanks, Zahid.

I would appreciate it if you could in any event read the motion prior to the discussion if that would be okay?

Zahid Jamil: Yes.

Jonathan Robinson: Thank you.

Zahid Jamil: No problem.

Should I begin whenever you wish?

Jonathan Robinson: Please do.

Zahid Jamil: Great. Excellent.

This is the motion on the initiation for policy development process on uniformity of contracts to address registration abuse. Whereas the Registration Abuse Policies working group, RAPWG, recommended in its final report the creation of an issues report to evaluate whether a minimum baseline of registration abuse provisions should be created for all in-scope ICANN agreements.

And if created, how such language would be structured to address the most common forms of registration abuse.

The GNSO Council requested an issues report to evaluate whether a minimum baseline of registration abuse provisions should be created for all in-scope ICANN agreements. And if created, how such language would be structured to address the most common forms of registration abuse on the 6th of October, 2011.

ICANN staff has posted the preliminary issues report and uniformity contract on the 25th of July, 2012, for public comment. ICANN - and there's a link to that. ICANN staff reviewed the comments received and updated the report accordingly.

The final issues report and uniformity of contracts was published on the 20th of September, 2012. The final issues reports recommends that the GNSO Council proceed with a policy development process limited to consideration of the issues discussed in this report.

And the General Council of ICANN has indicated the topic is properly within the scope of the ICANN policy process and within the scope of the GNSO; therefore, be it resolved that the GNSO will initiate a PDP on the issues defined in the final issues report on uniformity of contracts.

A drafting team will be formed to create a charter for the working group which will be submitted to the GNSO Council for its approval.

Following the approval of the charter, a working group will be created for the purpose of fulfilling the requirements of the PDP. Stop.

Jonathan Robinson: Thank you, Zahid. We'll turn it over to discussion now.

Now we did discuss this to some extent in Toronto, both prior to and immediately after the motion was withdrawn. But, I would very much like to hear from Councilors on this.

So I see Jeff your hand is up. If you could initiate the conversation, that would be great. Thanks.

Jeff Neuman: Yes, sure. Hopefully you guys can hear me. It's kind of early where I'm at.

But yes, I just wanted to bring up the same comment that I brought up at the Council meeting, and I know Zahid was not able to be there, but I went back to the actual RAP report and looked at the support for this actual topic. And I have to say I'm deeply troubled at how it even got this far.

There were a total of I think it was 13 people on the working group. I may have that number wrong. I said it - I had the stats in front of me at the last meeting. But what happened was, although there was a majority of people that supported this recommendation, if you drill down into it, the only people that supported the recommendation were official members of the business constituency.

Everyone else that voted on it, which include the non-commercial stakeholder group, the registrars, and the registries actually opposed this recommendation. But somehow, it was classified as strong support, which I think is something that happened in 2009, but hopefully wouldn't happen again. I think the rules have been clarified since that point in time.

So the comments I made then, I actually listed the people who were in support of it I think during the last Council meeting, and it was only BC members.

So from my perspective, this shouldn't have gotten this far. I think we need to focus on the actual abuses and then bring those to the attention of the Council and the GNSO community as they come up, and not focus on contractual language. I think part of our problem in this community is we focus on the contractual language as opposed to the actual abuses themselves.

And then the third thing is that most of the abuses that are being talked about in the RAP group, or that were talked about in the RAP group are actually being addressed in some form, including these.

We have the RAA negotiations that are going on now. You have the whole - all the stuff in the new TLD agreements that address these types of things. So from my perspective, we've kind of covered everything here and I don't think, and the registries are not going to vote in favor of this motion. Thanks.

Jonathan Robinson: Thanks, Jeff.

Do I have any other comments or discussion on this motion before we move on to the vote?

I have a brief comment, and that is to request that a volunteer from staff to clarify to the list the change in rules that Jeff referred to. If someone could point us in the direction - a volunteer to point the Council in the direction of how the rules have changed on how

consensus perhaps was measured and is now measured so that the points that Jeff makes wouldn't be the same again. Thank you.

Jeff, is your had re-raised?

Jeff Neuman: Yes. It's not that there was a rule change. It's that since then, we've published all the - I forgot the group that - there were - we worked on the PDP process and we also worked on defining the rules of working groups and how consensus and strong support are determined.

And it's not that there was a change. I think for the first time, it was actually documented. So the reason I don't think it's - yes. Marika's just posted it up on Adobe. It's not a change. Again, it's just that it was finally documented. And hopefully, those guidelines will now be used by Chairs to determine what type of support there was.

Jonathan Robinson: Thanks, Jeff. That's helpful - and Marika.

Any other comments on this motion before we proceed to vote on it?

Zahid Jamil: Hi. Jonathan, this is Zahid, and I have to be honest; I've just started looking at these things. Can I get into the queue?

Jonathan Robinson: Please do.

Zahid Jamil: Thanks.

I'm looking as I'm speaking. I mean, I'm looking at two different outcomes that came out of two different working groups related to the registration abuse policy.

Now the first one is a final report of the registration abuse policy. Now I think what we just heard Jeff say, there wasn't a change in any rules, to say that there wasn't consensus or strong support, okay. So that's my understanding.

So I think we need to clarify that we need to ignore that aspect.

I'm looking at the registration abuse policy working group final report, and they clearly in the column says that a strong report for exactly for what we are about to do, so that's one.

Second, I'm also looking at the RAP IDT. This was another working group that basically worked on deciding what should be a priority? And should it be ranked as a priority or not? And I see on the Page 6 and 7 of that saying that there was - that this was a strong support and it ranked it Number 4 of several items that the second working group came out with.

So we have basically two working groups from the community saying that this is an important issue. That it should go forward. There's an issue report. The community can - comments have been taken, and I come back to the same issue - and I also connect this with what you said earlier.

You know, we've seen several instances where work done by the community bottom-up is being shoved aside. Our job is not to develop policy in the Council. Our job is to manage it, which means that if there are things that come up from a bottom-up process, our job is not to re-

do them in the Council. I think this is an important distinction that we've talked about several times that we sometimes lose sight of it.

And it's important that we don't seem like a Council which basically shoves things aside when the community wishes to support them, because then that makes us look like - well, that the Council doesn't work.

So I think it's extremely important where you have such great consensus - I would say a strong support at least, and two different working group identifying this as an important issue, that we do go forward with it. Thank you.

Jonathan Robinson: Thanks, Zahid.

Jeff, your hand is up.

Jeff Neuman: Yes. I would like Zahid to read the names of the people that supported the initial one before making - I know the Chair had classified it as strong support. But again, I don't have the document in front of me, and unfortunately my Internet connection is not up to par here at the hotel I'm in.

But Zahid, if you would read the names of the people who supported that, you will see that they were all BC members.

My point is that it was improperly classified initially. The people who were working on the priorities then just were given that list without looking deep into the who supported it. So I understand your point about the community shouldn't be working on things.

But if someone could actually read the list of names, you'll see who supported it and that it did not have support from what we would define as strong support, which is multiple stakeholder groups and/or constituencies. It didn't have that in that case.

So I mean I hear what you're saying. It's not that I disagree, but it shouldn't have even gotten to the prioritization part. It shouldn't have gotten the second working group even looking at the issue. And even when the second group looked at it - and we've made these comments of contracted parties from the very beginning.

Let's focus on the abuses themselves. Let's not focus on - let's not focus on contractual language.

And even - and the other thing I'd like entered sort of into the record is the comments from the chair of that RAP working group and the prioritization. Mikey O'Connor made some comments during the working session the weekend before in Toronto and he even agreed that there was not so much support for this one.

Jonathan Robinson: Thanks, Jeff. I'm keen to – not make this too much of a dialogue but I realize, Zahid, you would like to respond and then I see Thomas has joined the queue. And I think we'll have to cut it off after Thomas. Zahid, please proceed.

Zahid Jamil: Thank you. Just two very quick ones. One, first of all, there is absolutely nothing in the drafting team – the actual final report that tells us who voted, who was the one who strongly supported it, did not

support, this particular recommendation, there just isn't. I'm looking at the report now; there's no list.

There's only one list at the bottom of it which gives you the list of who are the members of the drafting team, that's it. So I'm not sure we have an exact breakdown of what were the number of supporters. I'm looking at the report right now and it doesn't have that.

Secondly, let's not forget that if you are to say that the initial final report may not have had, you know, other sort of Contracted Party House members within that working group – I mean, they were there, maybe they didn't attend. That's fine.

You have a second working group where the attendance is not an issue, where the representation is not an issue, where, again, this has been given a high priority. So I think that the point that maybe – and I can't see it – that maybe some contracted parties didn't attend a specific call, etcetera, well that's fine but it, you know, it doesn't – it's moot because you have a second working group giving us the same priority. So that would be my view.

And I think we do need to move forward with this. We've reached so far; we've done so much work on this. It would be a shame to now sort of cast aside. If there were issues about not going for it then there shouldn't have been an issues report in the first place. Anyway that's my thought. Thank you.

Jonathan Robinson: Thomas.

Thomas Rickert: Thank you, Jonathan. I'm not going to speak to the past and how the work was – or consensus was determined at the time. I want to raise the question of whether this is actually an area of work where the Council should focus on at present given the limited resources?

If I were to look at this from an outside perspective I see hundreds of new TLDs being introduced into the market in the near or mid-term future. And I know that a lot of applicants have put an enormous amount of effort into drafting tools and policies to address this particular issue.

So I'm wondering whether we best spend our resources on drafting something now that may be superseded or may be over – may be outdated by all the ideas coming from the community with introduction of the new gTLDs.

So maybe Zahid can answer the question as to what your expectations at this moment are and whether or not you agree that it might make sense to look at the responses to registration abuse are that the new gTLD applicants have developed and whether a PDP would be the appropriate response or whether it would rather be an exercise of defining best practice looking at all the various mechanisms that are going to be introduced.

Zahid Jamil: Thomas, thank you. I think maybe I can respond with a question. Let's put it this way: The PDP would apply to all consensus policy and would apply to all the registries across the board. Any new work that is being done, especially with the new gTLDs, would only apply to the new gTLDs and so that's the distinction.

And the question would be whether any future work done on uniformity contracts would apply across the board. If it will that's something that we can sort of think about.

But I believe that if we're only going to talk in the context of new gTLDs – and that's where our recent requests have been coming from the Board and elsewhere – then those policies are only applying to new gTLDs, which leaves the existing gTLDs, you know, in a sort of a unique or distinct position where they don't have to have uniformity of contracts. So unless I've got that wrong I think, you know, that we have that distinction.

Jonathan Robinson: Okay I'm going to have to – Thomas, I don't think you've re-raised your hand? Have you re-raised your hand? Oh great.

Thomas Rickert: Yes I have. Just a quick remark in response to Zahid's comment. You know, even if that was the intention that you want the – want a consensus policy as the outcome wouldn't it make sense from a practical point of view to have that PDP, you know, I'm not saying whether I'm in favor or not, but wouldn't it make sense to inform that PDP work with all the ideas that we might see as, you know, starting in half or three-quarters of a year's time?

Jonathan Robinson: Okay well, Thomas, thank you for bringing that new perspective to the discussion. I mean, I think in any event we are – we commissioned the report – the issue report. We are obliged to now put it to a vote and take on the recommendation of a PDP or not. And given the timeframe we need to do that.

So I think we need to proceed to a vote. So if we could do that, Glen, if you could call for the vote then.

Glen de Saint Géry: I will do that. I'll do a roll call vote. I would just like to make sure, Jonathan, we have some councilors missing, Wolfgang Kleinwachter and Maria – not Maria Farrell – but Wolfgang Kleinwachter is missing. And so are we able to have an absentee vote for him? Because this motion requires absentee voting. He has not let me know that he cannot be on the call so can we just perhaps check with Margie?

Margie Milam: I need to look at it, Glen. Why don't you guys proceed and I'll chime in as soon as I figure that out and it should be just a few minutes.

Glen de Saint Géry: Thank you very much. Then I will proceed with the roll call vote. John Berard?

Zahid Jamil: This is Zahid on his favor – on his behalf – yes.

Glen de Saint Géry: Thank you very much. Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Yes.

Glen de Saint Géry: Wendy Seltzer.

Wendy Seltzer: No.

Glen de Saint Géry: Joy Liddicoat, will you please vote on the Adobe Connect? Can you hear me? Thank you. I've seen Joy's vote. It is no.

Zahid Jamil for yourself.

Zahid Jamil: Yes, thank you.

Glen de Saint Géry: Jeff Neuman.

Jeff Neuman: No.

Glen de Saint Géry: Lanre Ajayi.

Lanre Ajayi: Yes.

Glen de Saint Géry: Thomas Rickert.

Thomas Rickert: No.

Glen de Saint Géry: Mason Cole.

Mason Cole: No.

Glen de Saint Géry: Brian Winterfeldt.

Brian Peck: Yes.

Glen de Saint Géry: Osvaldo Novoa.

Osvaldo Novoa: Yes.

Glen de Saint Géry: Yoav Keren.

Yoav Keren: No.

Glen de Saint Géry: Jeff Neuman for Ching Chiao please?

Jeff Neuman: No.

Glen de Saint Géry: Jonathan Robinson.

Jonathan Robinson: No.

Glen de Saint Géry: Petter Rindforth.

Petter Rindforth: Yes.

Glen de Saint Géry: Wolfgang Kleinwachter is not on the call.

Magaly Pazello.

Magaly Pazello: I vote no.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: No.

Glen de Saint Géry: David Cake.

David Cake: No.

Glen de Saint Géry: Missing Wolfgang's vote. And so far…

Margie Milam: I have an answer, Glen, if you want me to proceed?

Glen de Saint Géry: Yes, please.

Margie Milam: Okay under the Operating Rules in order to give an absentee ballot Wolfgang would have had to notify prior to the call. So effectively under the Operating Rules it's treated as being absent. But it doesn't change the quorum requirements or the calculations and it doesn't reduce the denominator for any vote tabulations.

Glen de Saint Géry: Thank you very much.

Margie Milam: Okay, is that clear?

Glen de Saint Géry: That's clear, yes.

Margie Milam: Okay thank you, Glen.

Glen de Saint Géry: Then we have seven votes against in the Contracted Party House. We have…

Maria Farrell: Glen, excuse me, it's Maria Farrell. I didn't vote.

Glen de Saint Géry: Sorry, Maria.

Maria Farrell: I also vote no.

Glen de Saint Géry: You also vote no. Thank you. And Wendy Seltzer, I have not got a vote. Wendy? Is Wendy on the line still? Yes she is. Wendy, are you on…

Wendy Seltzer: I vote no. No.

Glen de Saint Géry: You vote no.

Wendy Seltzer: I'm hearing…

Glen de Saint Géry: What is your vote, Wendy? No?

Jonathan Robinson: Wendy has voted no in the chat, Glen.

Glen de Saint Géry: Thank you. There are seven votes against in the Contracted Party House and there are seven votes in favor in the Non Contracted Party House, five votes against in the Non Contracted Party House and one person absent so that makes 53.8%. I do not think that the motion passes. Is that so, Margie?

Margie Milam: Yes.

Glen de Saint Géry: Thank you, Jonathan.

Jonathan Robinson: Thanks, Glen. Let's move on to Item 5 then to deal with the second level protections for certain IOC RCRC names that the drafting team has worked on. Jeff, if you could take us straight into the motion that would be great unless you want to make any initial opening remarks? And then we'll put it to discussion.

Jeff Neuman: Yeah, I mean, just before I make a remark I just had one in closing out that last one. I posted in the chat but for anyone listening to the recording I just decided to – (where) in the final report for the last item it talks about the tallies of votes. And on Page 95 and 96 of 126, which

I posted in the chat. So I just want to clarify the record on that one for anyone that's listening.

On the – so this is – yeah, this is the motion to recommend protections in the first round of new gTLDs for certain Red Cross Red Crescent and International Olympic Committee names. I've made the motion. No one has seconded yet. So should we wait for someone to second it or start the discussion, Jonathan?

Jonathan Robinson: Jeff, I'm sorry, I hadn't realized no one had seconded it. Please can I call for a second now?

Zahid Jamil: Jonathan, this is Zahid. I'll second.

Jonathan Robinson: Thank you, Zahid.

Jeff Neuman: Thank you, Zahid. Okay, "Whereas…" – I'll read the motion and then I'll take two minutes to just give a little background.

"Whereas the Board Resolution authorized the President and CEO to implement the new gTLD program which includes incorporation of text concerning protection for specific Red Cross and IOC names for the top level only during the initial application round, until the GNSO and GAC develop policy advice based on the global public interest."

"The IOC/RC Drafting Team established," and we need to insert the date, "…by the GNSO Council has considered a number of different options with respect to protections of both the IOC and Red Cross Red Crescent terms in response to the GAC proposal to provide permanent protection for such terms including at the second level in new gTLDs."

"The solution proposed by the IOC/RC Drafting Team, to initiate a PDP and to provide temporary reservation of the exact match IOC/RC names, was posted for public comment on 28 September 2012 and closed on 9 November 2012."

"The GNSO has now initiated a policy development process to evaluate possible protections for certain international organization names in all gTLDs, including, specifically, whether to recommend policies to protect IOC/RCRC names."

"And therefore, the IOC/RC Drafting Team recommends that the GNSO Council recommend to the Board that it adopt the second recommendation of the IOC/RC Drafting Team, providing for temporary reservation of the exact match of IOC/RC names prior to the delegation of the first round of new gTLDs."

"Now therefore be it resolved that the GNSO Council adopts the IOC/RC Drafting Team's recommendation to temporarily reserve the exact match of IOC and RCRC second level domain names listed in Section 2.2.1.2.3 of the Applicant Guidebook and per the GAC recommendation of 14 September 2011pending the outcome of the recently launched policy development process involving International Governmental and Non-governmental Organizations.

"That the GNSO Council thanks the members of the IOC/RC Drafting Team for their efforts…" Sorry, I have to scroll down here, "…in producing these recommendations, and hereby disbands the IOC/RC Drafting Team and that the Chair of the GNSO Council is authorized to forward these recommendations to the ICANN Board."

Just as a – just a comment – this is not – this was, as discussed in the last few meetings the drafting team spent a lot of time talking about these. It's not meant to imply that there should be any permanent protection. The drafting team – this had the support of the majority of the drafting team but not all of the drafting team.

The Non Commercial Stakeholder Group and Thomas Rickert did not support these recommendations but they were supported by the Registries that were on the group, that were – the Commercial Stakeholder Group members that were on the group, the International Olympic Committee, the Red Cross Red Crescent representatives. So it did have the support of all those.

The comments that were raised in the public comment period were all comments that were previously considered by the drafting team and therefore no changes were made by the drafting team to the recommendations.

It's a temporary reservation simply because it was more practical to reserve those names at this point pending the outcome of the PDP than at some point to pull back those names if it turns out that the PDP does determine there should be protections. We didn't want it to be too late to do something about those names.

So with that there are a number of members of the Council that were on that drafting team. And I'm not sure if anyone else wants to add to this.

Jonathan Robinson: Thanks, Jeff. That's clear; it's a temporary reservation. There has been some discussion on the list already. And I see Thomas would like to add to that discussion now.

Thomas Rickert: Thank you, Jonathan. I would just like to make one or two remarks because I've been on the drafting team. My hesitation was not regarding the PDP part of the recommendation but regarding the temporary reservation.

I have voiced these concerns during the discussions of the working group. And for those who haven't followed that too closely this temporary reservation is meant or shall be installed to prevent damage from these two organizations should the PDP come to the result that there should be protections.

Because if these domain names can be registered by third parties then, you know, they can hardly ever be taken back so damage will occur in the meantime and therefore they should be contained or give special treatment of whatever you might call it.

I had raised the point that such harm might also happy or occur to organizations that might be granted protections during the IGO-INGO PDP and that therefore, you know, one might consider not limiting this immediate – or this interim protection to the two organizations.

This point was turned down during – due to the narrow mandate of the working group. But I'd just like to say that while I think that in principle no special protections should be granted without PDP. If an exemption is being made I would have preferred to revert to the GAC and have the GAC add additional organizations at their discretion to the list of

temporarily reserved names and to be able to protect at a broader scale.

But now that, you know, this – the working group has turned that proposal down I will not stand in the way of this recommendation because the need to make progress with this. I'd just like to go on the record with this additional explanation. Thank you.

Jonathan Robinson: Thank you, Thomas. That's both helpful and clear to understand your position and how you intend to progress with it. Volker, your hand is up and then Jeff.

Volker Greimann: Yes, first of all I would like to thank the drafting team and it's chair, Jeff Neuman, for their help working this controversial measure. I do share the doubts that have been voiced by various parties such as the NCSG and Thomas Rickert as well as many others that are reflected in the final GNSO issue report on this matter.

In as far as they currently propose an unconditional, albeit temporary reservation of those names, which would my view negatively impact otherwise legitimate rights of third parties to apply for the registrations of some of these terms to be – at least in the sunrise period thereby effective disenfranchising such third parties – third party right holders from their ability to participate in the relevant sunrise phases.

In my personal view it would be more elegant to allow applications for these names to be queued in the sunrise phase and warning the applicant that the domain name cannot be delegated at this time, maybe never.

This way if once or if the restrictions were lifted the domain names could have been delegated to the qualifying applicant; if the restriction had not been lifted then no delegation would have taken place.

On the other hand I do agree with the assessment of the drafting team regarding the problems arising from allowing the actual registration of domain names allowed (unintelligible) to these terms and a contrary outcome of related PDP.

Not allowing the registration of a domain name is certainly less problematic for third party right holders than requiring registries to withdraw already delegated domain names at a later stage.

I also agree with the assessment regarding the need of a PDP to determine if special protection is needed at all at the second level. This special blanket protection however is, in my view, a reversal of many years of practiced policy and as such needs to be considered in the policy development process.

I will support this motion but only because, in my view, this process should be handled as quickly as possible and without further delays. I would like to recommend that in the implementation of these recommendations the term "reserve" shall be interpreted lightly as only as not to allow the actual registration, i.e. allowing applications and queuing.

As the rejection of this motion would only cause further delay in the time needed to resolve this issue I will also vote in affirmative later on.

Jonathan Robinson: Thank you, Volker. Appreciate that clear and thorough and well thought out input. Jeff, you've taken your hand down. Alan, yours has appeared.

Alan Greenberg: Yeah, thank you. And in this case I'm speaking on my own behalf; not on behalf of ALAC. It dawns on me that the substance of Volker's suggestion, that is to allow participation of registration of other names even if they're not delegated, might provide some interesting information to the PDP working group that is to what extent are there other people or other organizations that would like to register these names that are being prohibited from doing so.

I'm no convinced there are any but there may – and I'm talking purely about the Red Cross IOC not about the larger IGO issue. So I personally tend to support the looser definition of reserved tool allow such participation but certainly not delegation or incorporation in the root zone of any second level domains that overlap – if only to get the information about to what extent are there such, you know, other organizations competing for these names that we may be interested in. Thank you.

Jonathan Robinson: Thanks, Alan. David, do you have something to add?

David Cake: Yes, just wanted to say, yeah, we've – it's no secret that the NCSG have never liked this. And we're going – we continue to be opposed and particular of the – the way in which the IOC and the Red Cross being thrown in together are – have always meant that this process has been (floored) from the start. And we continue to oppose it.

I don't think we need to go into too much detail other than to simply answer Alan's question about what are the organizations that might wish to consider this. And of course there are a number of organizations with legitimate trademarks on Olympic.

Jonathan Robinson: Okay so thanks for those well thought out contributions. And I think – what I would say is before we move – we close the discussion and move to the vote I'd encourage participation – there is an opportunity for a – clearly a second bite or an ongoing involvement in this issue on Item 6, which we'll come to next. And so I'd encourage anyone with an interest in this area to actively participate in the work of the PDP working group.

But or now let's try and keep things moving along and put this motion to the vote please.

Glen de Saint Géry: Shall I do a roll call vote for you, Jonathan?

Jonathan Robinson: Yes please, Glen.

Glen de Saint Géry: Jonathan Robinson.

Jonathan Robinson: Yes.

Glen de Saint Géry: Magaly Pazello.

Magaly Pazello: No.

Glen de Saint Géry: Joy Liddicoat on the Adobe Connect please. Joy, have you voted? I'll come back to you. Osvaldo Novoa?

Osvaldo Novoa: Yes.

Glen de Saint Géry: Maria Farrell.

Maria Farrell: No.

Glen de Saint Géry: John Berard – Zahid Jamil for John Berard please.

Zahid Jamil: Yes.

Glen de Saint Géry: Volker Greimann.

Volker Greimann: Yes.

Glen de Saint Géry: Thomas Rickert.

Marika Konings: This is Marika. Thomas just noted in the chat that he was just disconnected so he's trying to get back on the call.

Glen de Saint Géry: Okay thank you.

        Brian Winterfeldt.

Brian Peck: Abstain.

Glen de Saint Géry: Abstain.

        David Cake.

David Cake: No.

Glen de Saint Géry: Mason Cole.

Mason Cole: Yes.

Glen de Saint Géry: Petter Rindforth.

Petter Rindforth: Abstain.

Glen de Saint Géry: Jeff Neuman for Jeff Neuman.

Jeff Neuman: Yes.

Glen de Saint Géry: Wolf-Ulrich Knoben.

Wolf-Ulrich Knoben: Yes.

Glen de Saint Géry: Wendy Seltzer.

Jonathan Robinson: Glen, Wendy and Joy have both voted no in the…

Wendy Seltzer: No.

((Crosstalk))

Glen de Saint Géry: Thank you.

            Ching Chiao. Jeff Neuman for Ching Chiao please.

Jeff Neuman: Yes.

Glen de Saint Géry: Wolfgang Kleinwachter is absent. Zahid Jamil for yourself please.

Zahid Jamil: Yes.

Glen de Saint Géry: Lanre Ajayi.

Lanre Ajayi: Yes.

Glen de Saint Géry: Yoav Keren.

Yoav Keren: Yes.

Glen de Saint Géry: And Thomas, are you back on the call?

Thomas Rickert: Yes I'm back. It seems like I'm disconnected after one hour each time I'm participating. I vote yes.

Glen de Saint Géry: Thank you. And Joy Liddicoat has voted.

Jonathan Robinson: Glen, before you tally I'd like to make a point at the end of this please.

Glen de Saint Géry: No. Have I missed anybody. I don't think so. Please, Jonathan, go ahead.

Jonathan Robinson: Thanks, Glen. I'd just like to make it clear to all councilors – and obviously in this case those that have abstained – to be aware that an abstention – it will be tallied as a no and to make absolutely clear that

that is the, you know, the intended or at least understood outcome of abstaining.

So just in case that impacts any of the councilors who have voted to abstain to make them aware of that and be clear on that for the purposes now and indeed for future in case anyone wasn't aware of that consequence. Thank you.

Jeff Neuman: Hey, Jonathan, this is Jeff Neuman. If I could just point of order – usually when we have abstentions there's a statement that's made by those that abstain as to the reason why.

Jonathan Robinson: Thank you, Jeff. That's a good point. Now I think I heard an abstention from Petter. Were there any other abstentions?

Glen de Saint Géry: There were two abstentions, Petter and Brian Winterfeldt.

Jonathan Robinson: Those are both IPC. Would either of you like to speak to – as to why the IPC has elected to abstain in this particular vote?

Brian Peck: This is Brian. I'll go first. The American Red Cross is actually my client which is stated in my statement of interest which is why I abstained. And I believe that Petter may not have wanted to abstain because it's not an IPC position or conflict. It's just a personal one for me.

Jonathan Robinson: Thank you, Brian, that's helpful. Petter, could you indicate as to whether you did intend to abstain and whether you'd like to change your vote or recognize the abstention.

Petter: Well, considering how you would take the abstention, I'd change it to a yes.

Jonathan Robinson: Thank you, Petter. I don't have any choice, just to be clear, that is the rules of the voting.

Petter: Yes.

Jonathan Robinson: Yes, thanks very much, Petter. So for the record, Petter has changed his vote from an abstention to a yes.

Glen de Saint Gery: Thank you. That has been noted. That is 100% in favor in the contracted party's house and in the non-contracted party's house, 46.2% in favor. That is six people voted in favor in the non-contracted party's house, five people voted against. There was one abstention and there was one person absent.

So the vote passes, I believe, Margie. Is that so? The motion passes.

Margie Milam: Glen, I'm sorry, can you repeat the percentage in the non-contracted party house?

Glen de Saint Gery: 46.2.

Margie Milam: In favor?

Glen de Saint Gery: In favor, yes.

Margie Milam: No, it does not pass. You need a simple majority in both houses. You have it in the contracted party house but you do not have it in the non-contracted party house.

Glen de Saint Gery: Thank you, Margie. Jonathan the motion does not...

Wolf Ulrich-Knoben: I have a question about (unintelligible) point of order and Margie. Is it presented to majority of the vote or the majority of the members just for clarification?

Margie Milam: It's a majority of the vote in each house. So as you know, there's different numbers in each house. And as Jonathan mentioned, the nominator - when you're taking into account the vote doesn't change when you have abstentions.

                  So that's - you know, doesn't - so that's why it's important for folks to participate if there is a vote.

Wolf Ulrich-Knoben: Now it was not related to the abstentions, just to the absent.

Margie Milam: Right, but the absence is treated as an abstention same as we discussed earlier on the earlier motion. And...

Wolf Ulrich-Knoben: Okay. Yes, thank you.

Margie Milam: If Wolfgang had abstained - knew he was going to abstain he could have sent a note in to the Council to Glen to correct that, so.

Wolf Ulrich-Knoben: Okay. Thank you.

Jonathan Robinson: All right, I think we probably have to move on from this then to the next item. So the motion is - Item 5, the temporary protection is not carried and we'll move on to Item 6 then. This is a working group charter for the PDP on protection of IGO-INGO names.

Lanre, this is a motion that you actually made so I wonder if you would be so good as to make the motion, please?

Glen de Saint Gery: Jonathan, sorry, this is Glen. I see that the motion has not been seconded or has it been in the meantime.

Thomas Rickert: I'm happy to second it, this is Thomas Rickert.

Jonathan Robinson: Thank you, Thomas.

Lanre Ajayi: Okay, this is Lanre Ajayi. Thank you very much. Motion to approve the charter for the IGO-INGO protection, it is the working group. We are asked on the 17th October 2012, the GNSO Council initiated a policy developmental process on the protection of certain IGO and INGO names.

(In our GPO this) and decided to create the PDP working group for the purposes of fulfilling the requirements of the PDP.

(Unintelligible) of volunteers a drafting was formed and its members have developed a charter for consideration by the GNSO Council. The GNSO Council (unintelligible) the charter (unintelligible) by the drafting team.

Now therefore (unintelligible) the GNSO Council approved the charter and appoint (unintelligible) for the IGO-INGO protection PDP working group.

The GNSO Council thought the work of IGO-INGO protection PDP working group initiated not later than 14 days after the approval of this motion. Until such a time (unintelligible) working group can select a chair and that chair can be confront by the GNSO Council. The GNSO Council (unintelligible) interim chair. Thank you.

((Crosstalk))

Lanre Ajayi: The URL listed here.

Jonathan Robinson: Sorry, Lanre, did I cut across you there? Did you want to finish something?

Lanre Ajayi: Yes, I was just trying to point out that the charter is on the link that is working on the (unintelligible).

Jonathan Robinson: Thanks. So I'd like to call for discussion on this, this clearly follows on - from the work that's been done - that was done on the drafting team that's proposed temporary protections and now is the charter on a full PDP. Can I have any comments or input on this? Thomas?

Thomas Rickert: Can you please bring up the charter on the Adobe? I should say that that was not the statement that I wanted to make. But there has been discussion on the - in the working group yesterday regarding one paragraph of the charter and I think it would just be fair to alert the Council to that discussion.

Although I should also say that there is - there has been no unanimity amongst the members of the working group in terms of support for that change. But the - there was some discussion surrounding it. I have to find it now.

If you look at the mission and scope section and then on Page 3, the last but one bullet point currently reads, determine whether the current special protections being provided to RCRC and the IOC names are at the top of that level of the initial round of new gTLDs should be made permanent or the RCRC and IOC names and all gTLDs.

And if not develop specific recommendations for appropriate special protections for these names. And the comment has been made that this thing suggests that regardless of the outcome of the PDP there should be protections because this says that, you know, there should be definitions of what protections there should be under the PDP.

And if not there should be other special recommendations. And it was asked for - the deletion of the second half or last third of this bullet point.

This is just to sort of reflect the discussion that has been going on again. There have been objections to that change as well. So it's not a unanimous position of the working group, nonetheless I didn't want this to go unnoticed by the Council.

Jonathan Robinson: Thanks, Thomas. David?

David Cake: Yes, just wanted to say I think this is the (unintelligible) generally in favor of the motion, I think this is the right approach. This is very - my impressions over the last several meetings with a lot of intense discussions is that this is going to be really quite a very complicated issue.

This is going to be a very interesting one, especially if you're - you know, a lawyer with a bit of an academic (unintelligible), some really interesting arguments are going to come up. Support the motion, we're in favor.

Jonathan Robinson: Thank you. Alan?

Alan Greenberg: Thank you, with regard to the issue that Thomas raised, although in retrospect one could want better wording. The wording that's there now says in the absence of support - that the workgroup will come up with other recommendations regarding on the reservation.

I read that as one of the - as a recommendation they could make is no reservations. You know, so I'm taking that in the widest term and can certainly live with the wording as it is, although in retrospect it could have been clearer.

It's certainly the intent of many of the participants of the workgroup and at large is included that this be a de novo review of the protections and this work- the PDP working group be allowed to come out with recommendations, everything from no recommendations - no reservations to full reservations or whatever, thank you.

Jonathan Robinson: Thanks, Alan, that I think is the way I understand it. In any events, now I've got Thomas, David, and Alan all with your hands up but I assume that you have spoken and I think we should move to - yes, thank you. So I think we should move to vote on this motion then. Glen, if you could take the vote, please?

Glen de Saint Gery: I'll do that. Jonathan, (unintelligible)?

Man: Affirmative.

Glen de Saint Gery: Jeff Neuman for Jeff Neuman?

Jeff Neuman: Sorry, took a second to get off mute, yes.

Glen de Saint Gery: Jonathan Robinson?

Jonathan Robinson: Yes.

Glen de Saint Gery: David Cake?

David Cake: Yes.

Glen de Saint Gery: (Unintelligible).

Man: Yes.

Glen de Saint Gery: And Jeff Neuman voting (Chiao)?

Jeff Neuman: Yes.

Glen de Saint Gery: (Unintelligible) is absent. (Unintelligible)?

Man: Yes.

Glen de Saint Gery: (Unintelligible)?

Man: Yes.

Glen de Saint Gery: (Unintelligible)?

Man: Yes.

Glen de Saint Gery: Brian (Winterfeldt)?

Brian: Yes.

Glen de Saint Gery: Brian?

Brian: Yes.

Glen de Saint Gery: Thomas Rickert?

Thomas Rickert: Yes.

Glen de Saint Gery: Wendy Seltzer? Wendy, can you hear me?

Man: Glen, she wrote on the chat that it's a yes.

Glen de Saint Gery: Thank you, Joy Liddicoat? Will you please vote on the chat? (Unintelligible)?

Man: Yes.

Glen de Saint Gery: (Maria Farrell)?

(Maria Farrell):   Yes.

Glen de Saint Gery: Zahid Jamil?

Zahid Jamil: Yes.

Glen de Saint Gery: Joy Liddicoat I see has voted yes, thank you, Joy. Wolf-Ulrich
                 Knoben?

Wolf-Ulrich Knoben: Yes.

Glen de Saint Gery: Lanre Ajayi?

Lanre Ajayi: Yes.

Glen de Saint Gery: Magaly Pazello?

Magaly Pazello: Yes.

Glen de Saint Gery: The vote passes - yes, Wolfgang is absent. The vote - the vote -
                 the motion passes unanimously with one person absent, Wolfgang
                 Kleinwachter. So the rest - all the votes are positive.

Jonathan Robinson: Thank you, Glen. I think we now need to move on. Wolf - I - Wolf-
                 Ulrich, I know you have to leave the meeting relatively soon but I think

we've brought this up so you would have an opportunity to talk to Item 7, which is an update on the selection process for the accountability and transparency of your team.

So if you could give us an update, Wolf-Ulrich, and tell us a little bit more about that, thank you.

Wolf-Ulrich Knoben: Yes, thank you, Jonathan. So I will be brief and hope that the Council members are aware of what we are talking about.

As you may remember, so we have this - ICANN has this affirmation of commitments and several review teams in the first (unintelligible) and now was calling - I think today it began, it was reminder on the ICANN Web site for the membership of the accountability and transparency review team for the second round.

So it's especially important to us to participate since what I circulated earlier today is - the GAC is - has some priorities on it and one of the GAC priorities is related to the PDP.

So what's going on right now is the following. The 5 of December is set as the deadline for applications to that review team. And the GNSO Council - the GNSO has already approved for the first round of the gTLD a process. I do hope it's on the Adobe. I can't see the Adobe but I guess it's on there, it will be right now.

And this process has been approved for all the further review teams to be able - established in context of the affirmation of commitments.

So two things. At that time the GNSO Council had a request to fill up four seats on this review team, one for each stakeholder group.

And the stakeholder group should select their candidates from the candidates pool and then the Council has a certain procedure which is described to you on this paper to - at the end to put forward to the selectors of this review teams - their names.

So this is the one thing. So we have decided last time that we would like to have four nominees from the GNSO to put forward.

As it is - as last time, Olof Nordling pointed out, it's up to the selectors themselves to decide at the end how many people should join the gTLD. There is still uncertainty to us - uncertainty to us whether we could fill up until four seats is one point.

The other point is regarding the deadlines and the follow up process. If you look at the deadline of 5 of December and according to this process the Council should take a - no, after the deadline, so - which means the applications are coming in, the applications to - GNSO-related applications should be sent to the GNSO.

So within three weeks, 21 days, the stakeholder group should inform the Council about their selection or their nominations, which would mean in this case - specific case that is Christmas, 26 of December. So we have to take this into consideration.

And then the meeting - the Council meeting after this deadline should be taken to confirm four nominees and put it forward - send it to the

selectors. And that when I recall correctly, the next Council telecom conference shall be on 17 of January.

So we should take into consideration these three dates -- 5 of December application deadline; 26 of December, information of the - from the SGs (telecom) Council and 17 of January, a decision to be taken by the Council.

Now my - well, in detail it's described in this paper but what I would like to say here is I see the need or I would like to have a suggestion that on behalf of the Council there should be sent a letter to the - both selectors meaning it's Fadi and the GAC Chair, Heather Dryden, and pointing out in this letter on the one hand this - the named items coming from that process, meaning the deadlines and - plus the request for four slots, the request from the GNSO that we would like to fill four seats.

So this is my suggestion. What I would like to put here on the table and I would like to get - well, support on that. And I would be happy now to help to assist in drafting such a letter.

So just in brief, this description of that and if there are questions and anything we should start discussion about that. Thanks, Jonathan.

Jonathan Robinson: Thanks, Wolf. So if I understand correctly, you've proposed to write a letter requesting these four slots and that we endorse - proposed appointees from the different groups.

Has anyone got any comments on this proposal of Wolf's? And Wolf, can you confirm that you intend to lead or propose to lead the drafting of this letter?

Wolf-Ulrich Knoben: Okay, thanks. I do so, yes. Is there anybody else want to or should we just put a draft to the Council list and everybody could comment? I can do so.

Jonathan Robinson: You can either put a draft or the key points you would like to link. The choice is yours. (Unintelligible) the substantive points you wish to make in the letter or indeed a draft of the letter and we can take it from there.

Has anyone gotten any comments on this approach that Wolf is proposing? Is anyone concerned about it or vehemently anti? If not I suggest we take that as affirming Wolf's approach.

Seeing no comments to the contrary I know Brian wants to make a point but I understand it's not on this subject so I just want to close off this Item 7 before (unintelligible) Brian hand that. David?

David Cake: Yes, I just wanted to say that, my understanding is there will be four representatives of the GNSO on the review team.

Wolf-Ulrich Knoben: That is our intention, David. It is - because following the last time but as I heard from Olof, he was very careful pointing out that it's the last decision is going to be taken by Fadi and Heather.

So what I would like to have is that the - point out our request by writing this letter and telling them - and referring to the last time and

that's - and some rationale about that. Saying, okay, we would like to have four representatives again.

David Cake: Yes, my concern on this is that if we - if we hope to get four representatives and we give them exactly four nominees then of course we run the risk that they will find other - that the nominees might not meet their needs for other purpose - you know, may not end up on the team for other purposes.

So...

Wolf-Ulrich Knoben: Well, you understanding the following from the process. We have - I'm sorry, I just interrupt you.

So we have - on the one hand there are the requirements for the - the requirements for which the applicants have to (unintelligible) set out in the RFP, let me say so. And we have additional requirements with regard to the GNSO related aspects which are attached to this paper.

And this is - that should be taken into consideration when we and the SGs are going to nominate people. You are right, while it's - at the end it's up to Fadi and the others to accept this or not.

In addition, we could have - if we have more applicants from the (unintelligible) GNSO side, which we had last time as well, it could (forward). So we have also to take into consideration the question of balancing gender and geographical diversity. So this could lead us to put - until two - up to two candidates in reserve while on the list.

David Cake: Yes, my comment is essentially that -- and I mean there are other reasons to do with balancing appropriate skills and so on.

So my real comment here is really rather than give them sort of four candidates, sort of take them or leave them, we might be - of course, we don't necessarily know the diversity - the other - you know, SOs and ACs may not also abide by the diversity group in order - it may be best to help out by offering more than the minimum number of candidates is all I'm saying.

Essentially I'm saying I think we should take up your option for the - even in the absence of a pressing need to from within the GNSO.

Jonathan Robinson: Thanks, David.

David Cake: Other than that your statement looks great.

Wolf-Ulrich Knoben: Right.

David Cake: (Unintelligible) potentially we offer slightly more candidates there's more - we'll make Fadi and Heather's job a little easier.

Jonathan Robinson: (Unintelligible). Do you have something to add in - either in support of David's suggestion or in addition to? Anything that's been discussed? Zahid?

Zahid Jamil: I'm sorry. I didn't hear you clearly, sorry. Thank you, yes, Jonathan. I just wanted to sort of ask, you know, last time when we did this last time around there was some discussion back and forth and there was

some delays in our response because constituencies had also indicated that they wanted to be part of this.

Wolf would remember - recall this from the last process. And I was wondering, are we sort of - are we going to follow the same process as we did last time, give an opportunity to constituencies also to try and see whether they can actually come up with the (unintelligible) individuals who can go on to the accountability and transparency, you know, group, et cetera, and put these forward.

How did we want to do this because if we move away from the previous process we may have to go back to our (constituency) and explain why that has happened.

Wolf-Ulrich Knoben: Well, if I could answer to that. Well, we have agreed to this process right now. It was a lengthy discussion, no, and how to cover, you know, constituencies requirements. It has to be discussed within the different stakeholder groups on the which - or in which the constituencies are working with.

So I wouldn't like not to really start from scratch because it took us months to find this process. And at the end, they come to that time, well, he moved that process so there was a motion about that and it pointed out that it's support is to be used also for all other review teams in the future.

That's it, thanks.

David Cake: Thanks, Wolf.

Jonathan Robinson: Thanks, Wolf. So I think we - it sounds like there is support for your approach. I think we can take it online. You can start to draft at least the substantial points of the letter we're going to write.

And I think we should bear in mind certainly that the point on - that we may wish to consider some reserve candidates for whatever reason that the first choice candidate does provide some relevant level of diversity, wouldn't like them to be struck off and reduced, the participation. So perhaps you can bear that in mind.

Wolf-Ulrich Knoben: Yes, okay. Thank you very much. I'm sorry I have to leave right now as I pointed out, thank you very much.

Jonathan Robinson: Wolf, before you leave Brian has a particular point he'd like to make - like you to hear that. Brian, can we hear what you have to say, I hear something that you consider particularly important.

Brian Winterfeldt: Certainly, I wanted to seek clarification. I have stated in my statement of interest that I do represent the American Red Cross as a client. My firm's Steptoe and Johnson.

My previous understanding was that that required me to abstain from votes that engaged in the Red Cross. I wanted to seek clarification to make sure that my understanding is correct because obviously it was critical to the vote earlier that we had.

Jonathan Robinson: Is anyone from staff able to provide a clarification as to this issue?

Margie Milam: Jonathan, yes, it's Margie if I may. Yes, essentially having an interest in a motion does not require you to abstain. The rules are set up in the

operating rules and procedures so that you disclose that information and so that it's available to the rest of the Council to know that you have an interest.

But as an other vote, there's always - it's often the situation that counselor would have an interest in a particular issue. So there's no requirement that you abstain simply because it's your clients or your company has a financial interest in the matter.

Jonathan Robinson: **Thanks, Margie. This is an extraordinary situation and one that I don't relish having to deal with on my first meeting as chair. But what I think what I'm understanding you to say, Brian, is having heard this** this may change the way in which you would have voted on the motion.

Brian Winterfeldt: Absolutely. I would have voted yes, which would not only be my own vote but also the vote that the IPC would like to make as well.

Jonathan Robinson: Well, it's an extraordinary situation. I see that I have a comment from Joy, who clearly doesn't feel happy with the prospect of reopening the motion. The difficulty I have is that we're still within the meeting in which we've discussed this. The circumstances are clearly something unusual or extraordinary but, you know, I wonder if there is any precedent to doing this. Is anyone able to give me any indicational steer as to the precedence for doing something like this in the past?

Zahid Jamil: Jonathan, this is Zahid.

Jonathan Robinson: Yes, Zahid.

Zahid Jamil: I can't off the top of my head recall any precedence of this sort of nature, but I do recall the fact that we do allow people to, even after the call vote, we do allow individuals to clarify as we did for just while the vote's being done to move from abstension to actually yes vote something we did on this call. And I think it's absolutely clear that on this call this is happened, so it's not as if we've gone to separate meeting or gotten off the call. I think it's fair that the vote should be counted if there was a confusion or a lack of information that Brian may have had at that point.

Jonathan Robinson: I think the only reasonable way to do this is to reopen the vote entirely on the motion and make sure that this hasn't impacted anyone else's vote or position, because it's not, I think, simply allow a change. I mean, I understand the motivation for it but the only way I can see it is to reopen the vote completely on the motion and call for a full fresh vote on the motion.

I hear you on the chat Joy that you disagree, but, you know, there are points counted to that and it's an unenviable position, but nevertheless, I think I'm minded to agree that we are still in the meeting, there's been a point of clarification and as I say, I think we should permit all counselors to recast their vote in the context that we now understand.

So I suggest that we move back to that motion before others leave the call and call for a vote on Motion 5, this (temporary) protection of IOC (RC) name.

Thomas Rickert: Jonathan, this is Thomas. I think both Ulrich and Wendy have left.

Jonathan Robinson: Can you confirm that Wolf Ulrich, are you still on the call and Wendy are you still on the call?

Woman: This is (unintelligible)

Woman: Ulrich disconnected Jonathan.

Jonathan Robinson: Marika?

Marika Konings: Yes, I was going to say the same. And I don't see Wendy connected either.

Glen de Saint Gery: No. Actually, Wendy is connected but I think that she is not on the call anymore. I will check with the operator.

Jonathan Robinson: Well, I don't think we have - I don't think it's reasonable to, in my opinion, to recast the vote. We simply can't do it if others have left the call. So, I mean, Zahid, you make the point that we should be able to - that the vote should be able to be recast and...

Zahid Jamil: Yes, I mean, Jonathan what I was saying was wasn't there something else earlier -- and I'm sorry, I can't remember exactly which one -- where an abstension was changed to a yes vote just now? Half an hour ago, 20 minutes ago?

Jonathan Robinson: Well that was Petter's vote. He abstained and I wanted to make it clear before we closed the vote on the motion that people understood the consequence and I think I made that very clear, you know, during...

Zahid Jamil: Yes.

Jonathan Robinson: ...that before we closed and counted the vote, I wanted to make it clear to counselors that they understood the consequences of abstaining. So I think we're in a very, very difficult position now because we did close the vote and counselors have left. I...

Glen de Saint Gery: Just to confirm Jonathan that Wendy and Wolf Ulrich have disconnected.

Jonathan Robinson: Yes, I'm just waiting for a couple of comments to come up in the chat then. Yes, Jeff that's a fair point. Right, can I have some - I see a couple of people have got their hands up. Brian is your - Margie, let me hear from you first then, because you may have a point of order on this. But if I can hear from you first, then we'll go to the counselors.

Margie Milam: Yes, this is Margie. Yes, the other thing I wanted to point out is, you know, this is something that the rules don't really cover. Perhaps the motion gets, you know, resubmitted for the next meeting if, you know, it's unable to, you know, be addressed in this meeting. So that's something to consider as well. Again, there's no, you know, there's nothing - I don't recall dealing with this specific incident in the past.

Jonathan Robinson: Yes. Thank you Margie. David, I mean, let me just try and cut this conversation short. Given the circumstances, given where we are now, I find it very difficult to either reopen the vote and allow a change to the vote that's just been closed, especially since counselors have left the call. I agree with Jeff that in leaving with the call, counselors should ideally designate a proxy, but given where we are, I think we have little choice but to accept the vote as it stands and if, in the final event that

the motion is remade for the next council meeting, we'll consider it on its own merit there. So I think that's the poison that we have to take.

David, do you have anything to add that - anything that contradicts?

David Cake: No, essentially I just wanted to say in my opinion that this is - it (amounts) to reconsideration of previous business and there should be a - and usually that's a reasonably difficult thing to do. That's it really.

Jonathan Robinson: I accept that, thanks. Margie, do you have something to add?

Margie Milam: No sorry, I forgot to turn down my hand.

Jonathan Robinson: All right, so I think that that presented us all with a particularly difficult situation and, you know, I think we'll have to leave it at that and proceed with the rest of the business of the meeting.

Right, we're on to the issue of Item 8. And we're running a little short of time, so I'm going to have to look at this agenda and think about what we can work - I think we'll have a very brief update on the Consumer Trust on the - so Berry, if you could keep it very short and just to the point, so we can make sure we get through the other key items on the agenda, please.

Thomas Rickert: Jonathan? This is Thomas.

Jonathan Robinson: Thomas, yes.

Thomas Rickert: Sorry for interrupting, but I'm not clear as to where we are now. Are you considering the vote that has been cast as null and void, and it's going to be repeated? I just need clarification.

Jonathan Robinson: I think we have no choice but to accept the vote as was cast. I find it - I mean, I don't know what basis we could consider it null and void. Brian's indicated that he may well have voted differently had he fully understood the consequences or understood the context of what he was and wasn't able to do, but that doesn't - he did cast it at the time and given that other counselors have left, I think we have to accept the vote as it stands. So yes, that's my view.

Thomas Rickert: I was not suggesting that it should be considered null and void, I was just unclear as to where we stand now. So we leave...

Jonathan Robinson: Yes.

Thomas Rickert: ...this meeting having the vote as it was cast.

Jonathan Robinson: Yes.

Thomas Rickert: And leave it to reconsideration for Brian, for example, to get that (tackled)?

Jonathan Robinson: If the motion is remade, we consider it under those circumstances. Other than that, we're left with the motion voted on as it was in this meeting.

Thomas Rickert: I'm not sure I understand. Jonathan, I really sympathize with the difficulties now and I'm really sorry for you to have been forced to

manage it. I'm just still not clear as to what the next step, if any, would be. So if nobody takes any action, the vote will stand as it was cast?

Jonathan Robinson: Correct.

Thomas Rickert: And we will only reopen - I think the alternative would be that Brian ask for reconsideration of the decision, due to the fact that you have not accepted his request to change his vote, right?

Jonathan Robinson: You mean reconsideration of the vote or of my decision?

Thomas Rickert: That's what I'm trying to get my head around, because I'm not clear as to what the state is now. Is it sort of twisting in the wind.

Jonathan Robinson: I mean again his point is right, I don't have a process for reconsideration. We don't have a process for reconsideration. We're left with a motion that was made, a motion that was, to all intents and purposes, properly voted on -- albeit with what we now understand to be a form of misunderstanding on the part of one of the counselors -- but we're left with that motion having been voted and I think the only option is, as Brian said, if it can be reintroduced at a future meeting. There's nothing, as I understand it, to stop the motion from being reintroduced or made again at a future meeting. It's just that I don't think there's anything we can do at this meeting.

Thomas Rickert: No, it's okay. I was not suggesting one or the other -- I was just seeking clarification on the status. Thank you so much.

Jonathan Robinson: Thanks Thomas. All right, so moving on then, Berry, if you're on the line, if you could give us a brief update on the Consumer Trust issue.

Berry Cobb: Yes I am, thank you Jonathan. The council is aware of during the Toronto session there was a motion submitted for the consumer metrics advice by John Berard and that was later withdrawn, giving us new reservations about some of the metrics and the scope of gTLD types that they were attempting to measure within Consumer Trust and Consumer Choice.

Since then, the Working Group has reconvened briefly for a very long three hour session to update a few of the metrics. Within that timeframe, we have tried to submit the advice letter back to the council, but there is some continued issues with some of the metrics, so we're working on completing that work. The Working Group is meeting next week and will continue to meet for the next several sessions with the expectation to ready the final advice letter for submission to the GNSO council, as well as the motion for the December session.

So that's basically the only update that I had for right now. If anybody has any questions I'll be glad to answer them. Thank you.

Jonathan Robinson: Thanks Berry. So we anticipate that additional work will be done in the interim and that this is likely to come to the council at the next meeting.

Berry Cobb: Yes there is, thank you.

Jonathan Robinson: So, I don't see any hands raised and so I'm going to move us rapidly on to Item 9 then, which is the URS. You'll recall that Olof and (Mike Handstoff) updated us on this issue in Toronto and advocated that we form some form of a drafting team or group to deal with policy

issues in and around the URS. The council view at the time was that there was an open process in RFI for a provider and that there was no work that the council should or needed to do in the interim. But we have since -- and I want to remind you -- heard from Olof who believe that there may well be some consistent acroos all respondents to the RFI and a potential policy change is required.

So I think I'd just like to take this opportunity to draw counselors attention to Olof's letter which I circulated to the council or Marika circulated to the council on the 6th of November. Please have a look at that in particular if you have indicated an interest in participating in this area and we may well want further confirmation from Olof once the RFI process close on the 20th of November, if indeed. Thank you for that letter now is up in the Adobe and it's really the key sentence for me is about where the - is probably the last paragraph, is to where the proposed adjustment by providers would constitute policy changes or merely interpretation.

So, please, if those of you who have volunteered to potentially participate in the group dealing with it, if you could keep current with it because this is one of those items while not absolutely in the critical path, it is ultimately in the critical path of the gTLD program, so it has both an urgency and an importance.

So I think that's probably all I will say on that. Does anyone else have anything to add? Yes.

Jeff Neuman: Yes, I mean, I want to just make the point on the record that just because we have people standing by, ready just in case something comes up, I want to make it clear that we are not necessarily by this

action supporting the fact that there is a need to have changes to policy. So, I want that very clear, that we're on standby, we're waiting to see if something happens, but we really want to see the RFI responses and we should not assume that there will be changes at all -- we should just be kind of on standby.

Jonathan Robinson: Thanks Jeff and that is my understanding as well and it's just being on standby to keep current as it evolves.

I should say that I wrote some notes to the council and just for the record, I wrote a note saying that I thought that I may be involved. At this stage, I can see no basis on which I'll be involved with any submission to the RFI. So, you know, that perspective will potentially conflict. That no longer exists.

Moving on to the next item then, which is Item 10, Margie had some input, I believe some form of update from the board meeting. If you recall, we prepared a letter to the board covering our input and although we weren't able to form consensus input on the...

Man: Yes, come in.

Jonathan Robinson: Excuse me? Was there someone wanting to speak?

Glen de Saint Gery: I think he's been disconnected.

Jonathan Robinson: All right. So just you'll recall that we had to - in order to contribute to the board's deliberations on this, I was forced to respond fairly quickly and rapidly send the letter with the composite of our input on this, rather than the consensus. And that was done and the board has

subsequently met and Margie has an update for us from their 8th of November meeting. Go ahead Margie.

Margie Milam: Yes Jonathan, hi it's Margie. I also want to invite David Olive to provide an overview of what happened at the board meeting last week, since a lot of this affects the GNSO council. We're going to make this update - David will make some remarks and then I'll follow up to identify how it affects the council.

David Olive: Thank you Margie. This is David Olive for the record. As you know, the review team we work was encouraging a fundamental reexamination of our approach to gTLD registration data, as well as renewed efforts and new efforts on who is enforcement. Last Thursday the board met to review the review team's recommendations and took the opportunity to launch a new effort to tackle this gTLD registration data challenge and launch a new approach in its two directory services. In parallel of course, the board affirmed ICANN's commitment to fully enforce existing gTLD policy and contractual obligations.

They think this is very important. They take those recommendations of the review team very seriously and want to make sure that this is important for consideration and its part of a path that is essential for ICANN's responsibility to act in the public interest. Specifically, the board tasked the CEO to launch some new efforts and Margie can talk a little bit more about that, but I just wanted to highlight the seriousness and importance of these recommendations and how the board has taken that very, very seriously. Margie.

Margie Milam: Yes, so essentially, what the board came up with -- and you'll see this in the materials that get published next week - they're currently

finessing the rationale for the resolution. But essentially, the board has asked the CEO to convene an expert working group. And this expert working group would be asked to create material to launch a GNSO process. Specifically the group is being asked to produce something within 90 days and ideally, a strawman model would come out of this effort for managing gTLD registration data.

And as a second part of that, in the resolution you'll see a call for an issue report on the board side that would ask for this work to be done in GNSO on an expedited basis. So the board is essentially calling for an expedited GNSO policy development process. And the idea is that the work from the expert group (would) inform the issue report and the PDP to follow. The board is also asking that registrars, registries and staff address the working group output in contractual negotiation and in the registry contract as important. So this is a very broad approach to WhoIs.

And then as the work is done by this expert group, they imagine that there will be other issues to address in the PDP and that's a PDP that is being called on, would look for a consensus policy that has the purpose of collecting and maintaining and gaining access to registration data and also address the privacy access and accuracy issues. So data protection, also an element that the PDP would address. And the board expects that the work will take into account some of the previous work by the GNSO council by the SVAC.

You'll see that this resolution really takes into account the SVAC recommendation that work be done specifically on the purpose of WhoIs, as well as a lot of the guidance that's been received by the

GAC and the at large community. And then it'll give you more information on some of the other aspects of the resolution.

Jonathan Robinson: Thanks Margie. You know, my thoughts on this is this is significant info. It's new information. It's something for the council to absorb and digest. And we're up against it, as far as time for a variety of reasons in this meetings. So I realize that the council is going to want to have substantial discussion on this. We don't have the info in writing yet. We very much appreciate the update. So I just ask counselors to confirm the discussion will just be kept with how much we go into this without having properly seen the materials. But (Nathan), I hear you have a point -- or have you withdrawn based on the remark I just made?

(Nathan): I withdraw on the basis of the remark you just made, but I do look forward to much more info on this because it sounds like a very comprehensive yet very confusing approach involving PDPs and contract negotiations and, as Jeff just said, an expert group to set up an expert group for a PDP. I'm having a very difficult time following this and I'm very much looking forward to clarification.

Jonathan Robinson: It's clearly too much to digest in the - and really, what I hope counselors will appreciate is that staff has taking us into their confidence, giving us an update, giving us an opportunity to hear things, you know, the sort of breaking news aspect of it. But certainly, it looks like we'll need to do some more on this. Jeff.

Jeff Neuman: Yes, I was just going to ask -- and I put it in the chat -- if we can, rather than just getting the document at some point in the next week, if we can ask the ICANN staff to set up an immediate webinar in the next

couple weeks, obviously after some of the - or at least the November holidays.

Maybe in the first week of December, if ICANN could have a webinar going through this in detail, because just having this on paper and even the finessing of the - the fact that a board resolution has to be finessed for a couple of weeks, the rationale is, to me, just sounds like trouble. So if we could have a webinar for the first week of December that goes through this, have some board members present, that they could explain it to us in their own words -- that would be fantastic.

Jonathan Robinson: Great, Jeff, that's a very practical suggestion and staff may wish to respond now or to take that back and see if they can follow up on the...

Margie Milam: Yes, this is Margie. I think a webinar's a good idea. I'll take it back and see if we can set that up and get members of the board that are, you know, that essentially address these issues -- I don't know about that aspect of it but certainly, getting more information sounds like the right approach and it's a very complex issue. So we'll take it upon ourselves to try to schedule that after the holidays.

Jonathan Robinson: Thanks very Margie. Now, we have a couple more items and we're heading up to five minutes before the hour now and I'm conscious that it's important for a variety of reasons to try and finish on time.

The two items are - well, the three items that remain - I had spoken with Rob Hoggarth about Item 12 and he is aware that we may have need to sacrifice this item. We will bring it up on the next agenda. It will come back to the council to update us on the Structure Improvements

Committee work in this area. And so, I would like to push that to the next council meeting.

(Events) and registration has been something that's been on our agenda, which is Item 11, for some time, that we never completely closed off. There was a request made for us to either start briefing paper and the new gTLD request for us to consider it.

I don't believe that we've adequately closed it off, but I am aware this is a topic over the next couple of days in the meetings in LA and given that this is one element of the topic that will be discussed, it seems appropriate to see what the outcome, if any, from LA is in this area before we reconsider it. So, I don't think we should take it off the agenda by any means, but there are literally current developments going on here.

So, are there any comments on of either those items in that (unintelligible)? I mean, it's really the moving of both items to the next meeting. And is there any comment or question over that, before we do move onto Item 30? Thank you. We've clearly taken a bit of time on some of the other issues that perhaps weren't completely expected.

We are missing a liaison to the ccNSO in the - since Rafik has left the board, I'd very much like to call for a volunteer. If no one volunteers on the call now, we'll put something else on the list. Is anyone willing or able to volunteer for this role? Well I've seen no hands at the moment. We will put that out to the list. Is there anything else that anyone would like to volunteer under any other business before we wrap things up as we come up to the hour? Thomas Rickert.

Thomas Rickert: Thank you Jonathan. This is just to let you know that following up some of the discussion on the mailing list that (Jennifer) will be the rep on the (side C) and I would be the alternative. So we have found resolution in the meantime on this.

Jonathan Robinson: Thanks Thomas, that's helpful to know that. And then we will seek a volunteer for the ccNSO rep on the list. All right, thanks very much everyone. I appreciate that you've worked hard with me to keep this on time and comprehensive. We've clearly got new items on the table. We've had a challenging issue to navigate on the vote. I appreciate your time and effort on this and we'll be in touch soon. Thanks very much everyone.

Man: So long.

Woman: Bye-bye.

Man: Thank you.

((Crosstalk))

Man: Thank you Jonathan, thank you everyone.

Man: Thank you, have a good day and have a good night's sleep for those who got up early.

END