ICANN Transcription
IGO-INGO Protections Policy Development Process (PDP) Working Group
Wednesday 4th September 2013 at 16:00 UTC

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Attendees:
Jim Bikoff – IPC/IOC
Avri Doria - NCSG
Elizabeth Finberg - RySG
Chuck Gomes – RySG
David Heasley – IPC/IOC
Judd Lauter – IOC/IOC
Sam Paltridge - OECD
Thomas Rickert – NCA –Working group chair
Greg Shatan – IPC
Claudia MacMaster Tamarit - ISO
Joanne Teng - WIPO
Stephane Hankins – Red Cross Red Crescent
Alan Greenberg – ALAC
Griffin Barnett – IPC/IOC

Apology: none

ICANN Staff:
Berry Cobb
Brian Peck
Nathalie Peregrine

Coordinator: Excuse me, I'd like to remind all participants this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Nathalie Peregrine: Thank you very much, (Kelly). Good morning, good afternoon, good evening, everybody. This is the IGO/INGO PDP Working Group call on the 4th of September, 2013.

On the call today we have Claudia MacMaster-Tamarit, Sam Paltridge, Chuck Gomes, Jim Bikoff, Katherine Gribbin, Judd Lauter, David Heasley, Griffin Barnett, Avri Doria, Thomas Rickert, Elizabeth Finberg, Greg Shatan and Jo Tang.

We have received no apology for today's call. And from staff we have Berry Cobb, Brian Peck and myself, Nathalie Peregrine.

I'd like to remind all participants to please state their name before speaking for transcription purposes. Thank you very much and over to you.

Thomas Rickert: Thank you very much, Nathalie. My name is Thomas Rickert. I'm chairing this working group and I thank everybody for joining today's call. Let's start with the first agenda item and that is for me to ask you whether you have any questions with respect to the agenda or any proposals to change the agenda?

And as I do think that there will be no such proposals or comments we can move to the regular question of whether there are any updates to statements of interest?

Hearing and reading none we can then move to the - or we would be ready to move to the second agenda item which is the status of the consensus call. But before we do so I would like to ask you a little favor and that is, you know, that's something that you will probably not hear me doing very often but I

would like you to unmute your microphones. So if you could, please, for this very occasion, unmute your microphone.

Because today is the last call where Brian Peck from ICANN staff is able to assist us and I would like to use the opportunity to go on the record by thanking Brian for his excellent services. And I have said earlier, and I will repeat now, that it has been fantastic working with him.

I always appreciated his experience, his professionalism, his expertise and his kindness and I'm sure that you will support me in, you know, giving a big hand to Brian. And this is why I needed you to unmute so that everybody can hear it.

Thank you so much. And I see that some of you even found the right emoticons in the Chat. I didn't know that they even existed. So that's great. Thank you so much, Brian.

And, you know, I'm not sure whether you want to say a few words since this is the - your last meeting with us. So you might not even have heard us applauding but I'm sure that he will...

Brian Peck: Thomas, I just...

((Crosstalk))

Brian Peck: ...and I put myself on mute so...

Thomas Rickert: Okay.

Brian Peck: I just wanted to quickly thank you very much for your very too kind and too gracious words. It's been a great honor and even more of a pleasure to work with you and your outstanding leadership and with the entire working group.

And, you know, I only hope - I wish you, you know, continued success in hopefully reaching a consensus on these very difficult and tough issues that you've all worked so hard for. I leave with mixed emotions. But just to say wish you all great individual success both with the group and with your own personal pursuits. And thank you, Thomas, very, very much. I really appreciate it.

Thomas Rickert: Thank you so much, Brian. And, you know, it's always nice to hear such kind words. And this is maybe something that you - that some of you envy me for as chair, but we will now get to a question where I'm sure nobody envies me for and that is my role in determining the consensus level inside a PDP working group.

And since, you know, the time has now come for us to do the consensus call and actually make a determination on the consensus level inside the working group we have chosen, in our preparations for this call, to actually share with you what the working group guidelines say about that.

And actually I'm - I guess we're quite privileged in this working group to have both Avri Doria as well as Chuck Gomes with us who have been previous GNSO Council chairs. And I always appreciate and look forward to receiving their advice so please make yourself heard if you would like to comment on what we are going to discuss in the next couple of minutes or whether you have alternative or hopefully better suggestions than I do.

Now what you see up on the screen in the Adobe is what you already saw many, many times, I'm sure. And that is the scope of different outcomes of consensus or the lack thereof. So you have full consensus which is also called unanimous consensus. And as the term says that means that nobody is opposing to that.

Then we do have consensus which is where only a small minority disagree but most of the group agree. Then we do have strong support but significant

opposition. That is a position where most of the group supports the recommendation; there are a significant number of those who do not support it.

And by this time I'm sure that some of you will really hate the fact that I'm reading out things to you and that I'm wasting your time but I'm accepting this risk on this special occasion because I think it's vital for us, as a group, at this stage, you know, having spent so much time and energy on working on draft recommendations that we do get it right. And I need your help with this.

And then we do have divergence, which is no consensus. That is a position where there isn't - where there isn't strong support for any particular position but many different points of view.

Sometimes this is due to irreconcilable differences of opinion and sometimes it is due to the fact that no one has a particularly strong or convincing viewpoint but the members of the group agree that it's worth listing the issue in the report nonetheless.

And then the minority views we discussed earlier - and some of you have even filed those - refer to a proposal where a small number of people support a recommendation. This can happen in response to consensus, strong support but significant opposition, and no consensus or it can happen in cases where there's neither support nor opposition to the - to a suggestion made by a small number of individuals.

Now I guess we're going to skip the next paragraph. And it's worthwhile looking at the proposal that is - or the recommendation that is made in the Working Group Guidelines, which, by the way, are an appendix to the bylaws of ICANN. And they sort of recommend an approach which is iterative.

So in the first step after the group has discussed an issue long enough for all issues to have been raised, understood and discussed the chair or co chairs make an evaluation of the designation and publish it for the group to review.

Second, after the group has discussed the chair's estimation of designation the chair or co chairs should reevaluate and publish and update an evaluation.

Third, Steps 1 and 2 should continue until the chair or co chairs make an evaluation that is accepted by the group. In the rare case the chair may decide to use - may decide that the use of (polls) is reasonable. Some of the reasons for this might be - and then it goes on. It also says later on that, you know, using (polls) should not become votes.

Now it is then the duty of the chair to, you know, to determine the consensus level. And I think that we have pretty much followed this approach. Those of you who followed the discussions from the very beginning may remember that I asked or that I sort of tested the waters with respect to the consensus level for recommendations that we had on the table.

And actually there were members in the working group who said that it would be too soon for me to do so. And in that particular instance it was Avri who explained to the group, rightfully, that it is the duty of the chair to test the waters and to see what the atmosphere is, to see what the level of consensus is. I'm certainly now paraphrasing;. Avri was much more eloquent on that.

But this is just to refresh your memories on the fact that I have done these tests from time to time. We've done that orally in calls. We've done that on the mailing list and we've even asked for written responses from, you know, with the input template where we requested feedback from the various groups.

So basically what you see now in front of you as a document which has amalgamated the views that we've been presented with following the consensus call so far is something that I need to take as a basis for my analysis.

And this analysis is not just doing the math; it's not counting. It's not counting votes in the worst case of support versus no support and then, you know, saying whether there is unanimity or whether a majority of the group is actually in favor or against certain recommendations.

What I do is different. I have tested the waters, as I've said on various occasions. And I have also asked the group whether there is any objection or whether there are different views with respect to the assessment of consensus level inside the group. And on many occasions there was actually no opposition to that.

Now you will ask what the relevance of that may be for this particular - for this exercise. But it's quite important because unfortunately by far not all of you have provided us with written statements.

Nonetheless I guess that those who remain silent should not remain unheard because they made themselves heard; they have indicated support. They have not raised objections when I explicitly and repeatedly asked whether there were objections to the approaches that we took and to the assessment of consensus that I presented to the group.

So these voices should not remain unheard. And this is something that I have to take into account when presenting to you my assessment of consensus level. So please do me a favor and do not misinterpret my assessment as just taking the snapshot following the consensus call. But I'm looking at the bigger picture, if I may say so, and sort of amalgamate the views that have been presented to the group by you in a more holistic approach.

So I guess that the consensus call at least as we, you know, the result that we see now has some particularities. There is actually one response that has not been reflected in this document so far.

And that has - that is a supportive statement that was made by Poncelet. But we went back to Poncelet and asked him whether he made his statements in his personal capacity or representing NPOC.

So, you know, this will be added to the document as we move along. And I also do hope that more of you, even though the deadline expired, provide input that I can take into account.

Now I guess that, you know, unless you advise otherwise but if you took a quick look at the various responses that we got we have responses from individuals or at least one individual, maybe two if Poncelet also flags his comments as being made in personal capacity.

Then we do have feedback from representatives of groups inside, you know, groups inside ICANN so the Registries, for example, have responded. Then we had the IGOs who said that they are representing 40 or even 40 plus IGOs in the IGO Coalition.

And the question is how do you take all this into consideration? What do you make out of that? And my view is that certainly, you know, the size of - or the portion of the community needs to be reflected in the assessment of the consensus level.

So - and I'm particularly saying this because there was or there is, on the table, a document provided by the IGOs who said that since they are representing 40 IGOs the chair could never make an assessment resulting in consensus because they have these 40 or 40 plus organizations behind them.

And unless you advise otherwise I would not subscribe to this notion because others of you are also representing more companies, more organizations, multiple individuals. So we can't do this on a merely mathematic basis.

So I think there can be support - sorry, there can be consensus even if the IGOs representing the IGO Coalition, do oppose to a specific recommendation.

I'm saying this, and I'm going to invite Chuck, who has raised his hand, to comment in a moment. I'm flagging this because there is a particular burden on my shoulders now. And I said earlier that you're not going to envy me for my task. I'm sure that, you know, as we move along you will more and more subscribe to it.

If I do make mistakes and people object to my assessment this might not only lead to a longer or some extensions in time of the process that we're taking but it also makes the whole outcome and ultimately the result of our work maybe less trustworthy or less credible.

So I do not want to make any mistakes with this. And I do hope that you will support me in reaching the correct and adequate assessment of the consensus level.

And with this I'd like to turn it over to Chuck, please.

Chuck Gomes: Thanks, Thomas. The - I think your assessment is right on based on the Working Group Guidelines and the PDP process, etcetera. When we developed - and several of in this group were a part of that development either indirectly or directly - a big emphasis on the GNSO improvements was to move away from voting.

And to take a position that any one group, because they have a lot of members, to take that into consideration would be - would mean I think we'd

have to go to a voting thing. Obviously the Registrars, because they have hundreds of members, could overwhelm things. Some of the other stakeholder groups could do that as well.

Our goal is to try and reach a position that most can support. And so I think your assessment is right on target and consistent with the intention of the PDP process itself and more specifically the Working Group Guidelines that were produced and approved by the Council. Thanks.

Thomas Rickert: Thank you so much, Chuck. Any more comments on my introductory words or remarks? Okay now if you look at the document that has been circulated by Berry I guess there are two areas in which we actually observed quite some, you know, deviation from what my assessment level or, you know, there might be deviations from the assessment of the consensus level as I had presented it to you in earlier calls.

One of which is with respect to the IOC so merely looking at the listing of the responses to the consensus call makes it look like we do not have a consensus or at least, you know, it might be a borderline case.

And there is also another change or potential change with respect to the INGOs where in particular the Registries have altered their position in certain regards. So I have not entirely made up my mind as to what to make out of that.

But I wanted to flag those two areas and at the same time indicate that at least for the time being I do think that I will stick to the assessment of consensus level for the two other organizations as you saw it in the document that we discussed I guess it was two weeks back.

In evaluating the correctness of my assessment of the consensus level I will certainly take into account previous interventions that have been made and also the lack of opposition that we noted in the course of our deliberations.

To give you an example the ISPs in writing provided feedback earlier where they expressed support for the IOC. At the same time the Registrars and, you know, even though I guess no Registrar representative is on the call today, they have been represented by Mason Cole.

And, you know, I would need to, you know, to dig the archives a little bit but I think that the Registrars have not opposed to the assessment of consensus in earlier calls.

So there may as well be the outcome that even though it doesn't, you know, it might not look like consensus at first glance now that my assessment will still be - that there is consensus for the IOC.

So since we - since the deadline has expired only, you know, a couple of hours before we started this call, I will not go as far as - I will not go as far as making definitive statements now. But you should be prepared to see my assessment on the mailing list in a day or two for you to review.

Now do we have more comments or suggestions or, you know, remarks on what I said? Because I think it's imperative that we're on the same track here. And if you, for example, say that even with the other two organizations being RCRC and the IGOs you think that my assessment should be different from what you had in the recommendations document earlier then I should know.

Okay so you will have more opportunities during this call to respond to this. So don't think - please do not think that you lost the opportunity to speak up if you don't do in this very second. Please do make yourself heard at any time during this call and share your views on this with us.

As regards the RCRC and, Berry, I think you don't have to move to that part in the chart. But the RCRC also filed an additional document explaining their position. And there is one item in there that I would like to comment on but

where I would also like to get some working group members to respond to and comment on.

There is the allegation that the working group or that some of the asks of the RCRC have remained unaddressed by the working group. And I, as chair, do not think that this statement is accurate. I think the working group has very well heard and discussed the various requests made by the RCRC.

It is just that not all of the requests that were made did get sufficient traction inside the working group to be considered in the consensus call so they would rather qualify for minority positions. And I understand that the document that has been filed rejects the minority position.

But I would very much like to rectify if the other working group members agree or ask for rectification of the statement that the asks by the RCRC have remained unaddressed because I do not think that this particular statement is correct.

Is there anyone in the group that can confirm my assessment or that - or, you know, confirms the support - the statement made by the RCRC that we forgot to or, you know, unintentionally not dealt with all the questions? I saw Elizabeth supporting that we addressed everything and I see Chuck's hand up, please.

Chuck Gomes: Thanks, Thomas. I guess I think there's room for some doubt with regard to the issue of the additional organizational names whether we - it was addressed, you're right. Didn't seem to get a lot of (unintelligible) sufficient time or not on that I guess there's some room for doubt there. But I'll just leave it at that. I certainly will respect your decision on that but I thought I should at least make that comment that in terms of my (unintelligible)...

Thomas Rickert: Chuck, can you move closer to the microphone or speak up please because...

Chuck Gomes: I'm sorry.

Thomas Rickert: ...you're hard to hear.

Chuck Gomes: I apologize. I had moved my mic up above my head. You want me to repeat that?

Thomas Rickert: Yes, please do.

Chuck Gomes: I'm sorry. I apologize. Okay I think - I personally - and these are my personal thoughts - think there's a little bit of room for doubt with regard to the issue of the additional names that the Red Cross brought up.

                 I'm not totally convinced we spent enough time on that. I do agree with you that we didn't get a lot of traction on that issue and it's not fair to say we didn't cover it. But I think there is a little bit of room for doubt as to whether we spent enough time on that issue.

Thomas Rickert: Do you think that we should reopen the discussion or the question is not only addressed at you but also at the other working group members.

Chuck Gomes: Sure. I don't know. You know, I will respect not only your decision on this but the group's decision. If I'm the only one that has a little bit of doubt I don't think we should reopen it. If there is considerable doubt that we spent enough time on it then probably we should.

                 And maybe we can do that in a way that separates that issue from the rest of the thing so that everything else can keep moving which I think is important that they do. Okay?

Thomas Rickert: Yes. I agree that we need to keep things moving. You know, maybe - I should add to - add a little bit more information to explain why I think that these

issues have been addressed. The - Stéphane has rightfully made reference to earlier communications made by the RCRC both in writing - and on this instance I'm particularly referring to the written interventions and positions papers that they have submitted but also oral interventions that have been made.

And we have, for example, also discussed the issue of prefixes, infixes and suffixes in response to the RCRC's request for string similarity review at the second level. That was still in the days when we had this very, very big table with all the options on it.

So at least as far as I'm concerned but, you know, as chair sometimes you're busy moderating and you might not accurately follow the discussion. Or do you think that things have been covered where the group did not feel it had sufficient opportunity to respond...

((Crosstalk))

Alan Greenberg: Thomas, it's Alan. Can I get in when...

Thomas Rickert: Yes, please.

((Crosstalk))

Alan Greenberg: Now?

Thomas Rickert: Yeah, I think I've almost finished. I just wanted to clarify...

((Crosstalk))

Alan Greenberg: I can't see Adobe, I don't know if there's any other hands up.

Thomas Rickert: Alan, you know, let me just finish by saying that I do recollect a couple of occasions where we have addressed these questions so I think they have not remained unaddressed; whether they have been sufficiently addressed that's up for our discussion. So, please, Alan.

Alan Greenberg: Okay. In terms of the embedded in and things like that I think that was discussed early and that was discarded largely for (unimplementability) as opposed to we don't understand why they're asking.

In terms of 186 - 180-something names - my impression is if that had been introduced clearly in a way that all the working group members understood they may well have received far more traction than they did at the very end. And it's very much a matter of, certainly from At Large's point of view, you know, it's a bit too late to reopen the whole thing right now although I think the wording that we used were we were sympathetic with the request.

So to the extent that it might well have been treated differently if it had been introduced nine months ago in a clear way that everyone understood there's some validity that we haven't talked about it enough so...

Thomas Rickert: Okay, I mean, the possible solution to that might be moving the - what we call Scope 1 designations certainly minus the acronyms to Scope 1. But while I let you think about that let's move to Greg. And actually, Greg, I'm not entirely sure whether you had already raised your hand when I gave the floor to Alan so should I have neglected you please do accept my apologies.

Greg Shatan: Oh, no, no problem. And I'm always interested to hear what Alan has to say. Now I agree with what you said, Thomas, largely. I think that, you know, concerns me, you know, this is not merely a minority report but kind of an attempt to recast the work and the methodology of the working group almost, you know, if this were a court proceeding kind of trying to maintain grounds for an appeal.

And I think that it does not accurately reflect our work. I don't think these things are missing or unaddressed, I think they were addressed and did not, as you say, get sufficient traction to kind of make their way to the final. But that doesn't mean they weren't in the competition.

And I think it may, you know, behoove us perhaps on the last page of kind of the consolation bracket, if you will, although it's not even that; maybe it's just the discard pile, to reflect, you know, as it was reflected, you know, not receiving adequate support that the 189 name, you know, proposal did not receive adequate support.

I think it's important, you know, to reflect that we did give it consideration. Could we have spent more time on it? I'm sure we could have. On the other hand, you know, we've had weekly calls for two hours, which is an extremely heavy burden in the PDP working group world as far as I'm aware.

There were certainly - it certainly has been brought up before and, you know, opportunities were there to bring it up again and again. And I think we've aired it out. And I think the fact that it was not supported in this group is reflective of our work and not of our lack of work.

Finally, I'm concerned by a statement at the end of this piece by the Red Cross that says that - when it's talking about strings that contain or are confusingly similar to protected designations that - and I'm quoting from the second to last sentence of the last paragraph - it appears that this type of string containing protected terms is not covered by the current PDP process and thus alternative mechanisms within ICANN must be sought.

I would disagree with that statement as well. I think it certainly, you know, was covered. It was also rejected. The - you know, from a trademark lawyer's point of view I'm, you know, in favor of confusing similarity types of evaluations rather than exact match evaluations.

But that, you know, horse with the exception of the previously abused strings, in the TMCH has, you know, by and large stayed in the barn and starved to death.

So, you know, I think that, again, that is something that's been considered and to paint this process as if we somehow ignored or not had a mandate with regard to these issues is I think unfair to those of us who have put in hundreds of hours on this by now.

And, you know, to the collective, you know, will of the group, whatever it may be, you know, Red Cross is free to take whatever position it wants to and to bang whatever pots and pans and lobby and cajole and, you know, swing various, you know, influence groups. But I don't think that that's, you know, that within this group, you know, that this statement should stand. Thank you.

Thomas Rickert: Thanks very much, Greg. And there's a chat going on with respect to the Scope 1, Scope 2 strings. And I guess we should take this out of the Chat and maybe take it to the phone discussion in order to grasp it a little bit better.

I saw Elizabeth's hand up. Now it's lowered. Elizabeth, please do indicate if you want to speak and I will give you the floor immediately. And in the meantime, Berry, maybe you could take the opportunity and enlighten us with respect to the Scope 1, Scope 2 issue since not all of the working group participants might be in the Adobe.

Berry Cobb: Hi, Thomas. This is Berry with staff. I just wanted to basically respond to the comments that were being made in this regard and just to remind the working group that Scope 2 names were a part of this recommendation package for the RCRC.

And in that there does seem to be significant support for the Scope 2 names at least utilizing the clearinghouse and claims notice recognizing that that's not the full protection that the RCRC is wanting but that it is included in these

recommendations and that it is a part of what's being considered on the table now.

And I guess really the overall issue would be is if there was support in the working group that if these weren't considered enough then, you know, should there be consideration that a subsection of those Scope 2 names, maybe all of those fully qualified or the full names, not necessarily the acronyms, be migrated up into the Scope 1 considerations for types of protections.

But the point of what we've done the consensus call for didn't seem that there was support for those names getting Scope 1 style protection hence why we had the additional recommendations of Scope 2 going through the clearinghouse and claims.

Thomas Rickert: Thanks, Berry. Alan.

Alan Greenberg: Thank you. One thing Berry just said reminded me of something I was supposed to put in my email when I transmitted the - my and At Large positions.

To the extent that there are languages mentioned in the various scopes but are not yet defined because we've said for some things in two languages, At Large would very much appreciate if whenever we include languages we implicitly include variants if they are applicable.

Now in terms of the RCRC ones they already - when they've submitted their Chinese ones they already submitted variants. But given that the amount of fuss that's being raised over the trademark clearinghouse and other issues related to variants we should make sure that when we specify N languages, if one of those languages has variants, we implicitly include the variants in that.

And we wouldn't want to penalize an entry into the clearinghouse or any of the other protections that we're maybe talking about because there happen to be variants in a particular language. So I'd appreciate if that be noted as we go forward with the report.

Thomas Rickert: Thanks very much, Alan. Any further comments on this? I see no hands up. And I think we should proceed with our discussion. Let me just add as a final remark that maybe RCRC wishes to take a second look at the document, you know, not altering substance in terms of position, that's certainly not for me to suggest but maybe to consider the statements that were made with respect to the scope of the work that has been conducted by this working group.

Okay now, Greg, please.

Greg Shatan: I would just suggest briefly that, you know, depending upon, you know, whether the RCRC takes you up on your invitation that the majority report, if you will, you know, may need to respond to the - to these things that we've been discussing with regard to the minority report.

It hopefully won't be necessary but I think it would be to create an appropriate reflection of the points that we've just been considering. Thank you.

Thomas Rickert: Thanks, Greg. And I guess for the protection of the integrity of the process an analysis of our discussions and in particular the feedback that working group members, including yourself, made today would go into the report. But that's very helpful. Thank you so much.

I would like to give you sort of a final opportunity to comment on the results of the consensus call which we see in front of us in the Adobe. As I said I will share with you my assessment in a day or two. Please do invite those that have not responded so far to do so. I'm sure that we will be able to digest that even though the deadline has formally expired.

Now the difficult thing for us is to actually meet the deadlines, which have been very tight in the first place, you know, given the circumstances that we have in front of us.

And one of the outstanding issues is the review of the draft final report, which needs to be published. And I guess for, you know, to give you some more information on that I would like to hand over to Berry.

Berry Cobb: Thank you, Thomas. So I think first and foremost where we kind of get into the report itself that the working group may have recognized that the document that you see within the Adobe Connect room is, in essence, the backbone to the final report or certainly it will contain the recommendations that would be considered by the Council and the Board and the community certainly as we go through public comment and then take this back to the Council, etcetera.

So I haven't imported this portion of the recommendations into the draft final report that I have just yet. But what I would like to draw your attention to towards the end of this document is that I also included the outline that I put together for how these recommendations may impact incumbent gTLDs. Have to reduce this down a little bit.

But essentially as a result of our previous call I put together kind of a rough outline based on the discussion by the participants in that call. And then there was dialogue that occurred on the list from several participants that I've highlighted here in the comments for each of these.

I wasn't really sure exactly how we should modify any of the language here or if that there was agreement to do such so I would ask that working group members - to tie this part off so that I can input this into the final report. If we can get some more clarity about how we should modify mostly some of these principles of implementation that we'll discuss. And if need be we can go through those one by one here in a second to tie it off since we'll have time.

Short of that in preparation for the final report itself Thomas has mentioned that we'll provide kind of the next iteration. There'll actually be two iterations of the document you see before you.

The next iteration will include, again, Poncelet's input into these recommendations. And I have completely omitted those. And as Thomas mentioned, we're going to seek more clarity about the scope of his position on those recommendations.

And as I was also alerted I omitted a few IGO comments in relation to some of the other recommendations for (unintelligible) but I'll be sure to include that in there as well. And I'll get this sent out back to the list just shortly after our call today.

From there, as Thomas mentioned, we're going to make a next version of this document that instead of containing the various positions that were submitted would be the chair's formation of his perceived consensus level on the given recommendations for the working group to review.

I don't want to stop that from waiting until the draft final report in its entirety so as soon as he has those consensus levels assigned we'll send that out separately for the working group to review so that you can see what those consensus levels are and provide any feedback.

And then in parallel to that then I'll start to import these particular sections into the draft final report. I would have shared the draft today but right now it's a large mess of chicken scratch. I think given the amount of changes and wording from calling it initial to a draft final, rearrangement of the different tables from proposed recommendations to proposed final recommendations. There's lots of changes in there.

So I'll be sending you two of those; one will have the complete redline which if you want to spend the time and really understand the exact changes you'll have that there for reference but I will include a clean version of the first version of the draft final report for the working group to review.

And once we bring then all this together and get input in from the working group members and with approval from the working group and we'll get the public comment forms started for this document which, based on the previous outline of the work plan it's not likely that we'll make the 31st of October GNSO Council session given the fact that we have a 42-day public and reply comment period.

And that's all that I have to state for the moment. I see that Avri's hand is raised.

Avri Doria: Yeah, hi. Thanks. This is Avri speaking. I just wanted to make a comment about the possibility of Poncelet's comments becoming NPOC comments. If they do they would affect, most probably, the NCSG comments. The NCSG comments come out of the policy committee; NPOC has participated.

But I have just sent an email to the NCSG policy committee to try and determine whether Poncelet has full support of everything that was in there is the NPOC position. And if it is I don't think it'll change anything in the overall balance but I would probably have to change some of our things to indicate a full range even on those.

So I just wanted to bring that up. The first time it went by I decided to ignore it. But hearing it the second time I figured I'd better say something. Thanks.

Thomas Rickert: Thanks very much, Avri. And I guess I can already answer the question because an email from Poncelet reached me just few, few minute ago, 1849 my time which is like eight minutes ago. And he confirmed that the response was made in a personal capacity.

Avri, your hand is still up or up again? Okay, sorry. Thank you for this. And unless you have more questions with respect to the approach to finalizing the report I guess we should have a quick discussion about the principles of implementation.

And I thought that the hand that Berry raised was up because he wanted to maybe give us a little update on where the discussion stands. Berry.

Berry Cobb: This is Berry. That's precisely right. So what I propose that we spend the remainder of our time on is I'll read through each one of these bullets and I'll also just read out to you the comments that were submitted on each one of the bullets and see if there's any changes to the existing language so that we can try to finalize for this to get into the report.

So as you'll see - and if there's no objections then I'll proceed forward. So as you can see basically from the charter, again, we had to determine how incumbent registries should meet the new policy recommendations, if any.

There was a scope of - and assumptions that these were existing gTLDs only with the designation of pre-2012 that only second level proposed protection recommendations would apply. Obviously any top level protections wouldn't be within scope of existing gTLDs because they're already delegated.

That it also assumes that the present working group recommendation proposals are supported in general with a level of consensus or I think even taking a little bit further kind of assumes that these would be approved by the Council and the Board. So there is a little bit of assumption there at this point in terms of trying to document these considerations.

The next section were some general questions to consider. I'm not so sure that this little section is relevant to the final report. But I did include it in this

version just because it was kind of questions that we used to tee up the discussion when we talked about this last week.

So the last section is the principles of implementation. And this was really kind of my own language when I was taking down the notes of the MP3 because they didn't really seem like they were necessarily recommendations that needed to be approved or adopted by the Council or by the Board.

But certainly when the recommendations of protections are being implemented that these are kind of some guiding posts in terms of how these policies would affect incumbent gTLDs.

So starting with the first bullet there didn't seem to be any feedback on that but it basically states that any policies adopted for new gTLDs shall apply equally to existing gTLDs to the extent they are relevant. For example, second level IGO, INGO protections like the TMCH sunrise and claims would not apply to those existing gTLDs.

And if any working group member has questions or comments then please let me know. The second bullet is in reference to second level names matching a protected identifier that are not registered within an existing gTLD shall be immediately reserved from registration and efforts shall be maintained to recover existing registered names until compliance with the policy is achieved.

Now there were a few comments on that. And (unintelligible) separate document to read them off to you. So the first comment was from Alan - Alan Greenberg. And basically it was, in quotes, "An effort really belongs as an alternate approach in the next bullet covering what happens if the name is registered."

I believe that we have been using the term "protected" in a generic way that includes TMCH usage and URS/UDRP and not just blocked. But in this document it seems to mean blocked.

And, Chuck, I see your have your hand raised. Please go ahead.

Chuck Gomes: Yes, thanks, Berry. On - I wonder if on the second bullet there we ought to separate that into two. I don't feel real strongly about that but it might be easier to deal with them if we consider them as separate bullets.

Berry Cobb: And if I'm guessing that basically the first bullet would end immediately "reserve from registration," and then, "efforts shall be maintained," becomes a new bullet?

Chuck Gomes: I'm lost there. Let's see, so okay are you talking about the second bullet?

Berry Cobb: Yes.

Chuck Gomes: So the first part is, "Second level names matching a protected identifier that are not registered with an existing (unintelligible) shall be immediately reserved from registration." Yeah, yeah, you got it. For some reason I was missing the last part. Yes.

And, again, if people don't think so I'm okay with that too. I just think that they're going to kind of get into - I think the first one probably is pretty straightforward; the other one gets into some new complications. But again, I just throw that out for consideration.

Berry Cobb: Okay great. Thank you, Chuck. Alan, please.

Alan Greenberg: Thank you. Yes, I think that separation should be made on several counts. First of all as I pointed out the first half of the sentence is talking about

registrations for - is talking about registrations where the name is not currently registered.

The second part is talking about cases where it is already registered, which is exactly the preamble of the third bullet. So it logically fits there. On top of that at least some of us, although we accept the first half of the sentence as a given, the second half is not something that we would advocate. And it's going to make it a lot cleaner if we do separate it.

Berry Cobb: All right great. Thank you, Alan. So unfortunately you can't see my track changes right now but I have split the second bullet and now a new third bullet would be, "Efforts shall be maintained to recover existing registered names until compliance with the policy is achieved."

I think the...

Alan Greenberg: No.

Berry Cobb: Go ahead. Okay. All right so I had those two bullets split. And there may be support or no support for the third bullet standing out. If I recall correctly I think that that was some language that Avri had mentioned in the previous call.

And I can't recall the exact scope but I think it was something along the lines that if a registered name were to become available that it immediately becomes blocked or something along those lines. But, Avri, if I'm mistaken please correct me in terms of the reference to that comment.

Thomas Rickert: So, Elizabeth, you hand your hand raised as well. Please go ahead.

Elizabeth Finberg: Hi, Liz Finberg. I just wanted to follow up on Alan's initial comment as related by Berry. When we say protect are we talking about essentially that level of protection that means blocking?

Because otherwise I think without a - without sort of distinguishing, matching a protected identifier - because we are, I think, talking about options here whereas, you know, some would be blocked, put on a reserve name list some, you know, an alternative such as opening up a TMCH like process.

So I just want to - I guess I want to clarify or get the group's consensus on what that - what we mean when we say protected in this sentence.

Berry Cobb: Great. Thank you, Elizabeth. And perhaps maybe it should be modified. How about, "Second level names matching a protected identifier that is reserved within Specification 5 of the Registry Agreement and that is not registered within an existing gTLD shall be immediately reserved from registration." Does that make it more clear?

Elizabeth Finberg: It does. Thank you.

Alan Greenberg: Berry, it's Alan. Sorry, I'm not at my computer. Do we have to even say that? By making it a consensus policy that is implicitly the case.

Berry Cobb: Well, I guess there was confusion about the use of the word "protected..."

((Crosstalk))

Alan Greenberg: No, no, no. I understand that. What I'm saying is the whole sentence - if the protection we're talking about is it is specified as un - cannot be registered then we don't, you know, as Chuck has pointed out many times by making it a consensus policy it implicitly does apply. It doesn't hurt to say it again I guess but we're not adding anything.

Berry Cobb: So if I understand that correctly then it's a useless principle to be applied here because it is already a consensus policy therefore...

((Crosstalk))

Alan Greenberg: Yeah, it's covered under the first bullet.

Berry Cobb: Right. Anybody have any objections with removing the second bullet? Because I guess I kind of agree, it's being redundant.

Thomas Rickert: Berry, as a compromise we might clarify that the statement is made for clarification purposes. Elizabeth, you had your hand raised.

Elizabeth Finberg: I should lower it.

Berry Cobb: Alan, any objection with beginning...

Alan Greenberg: No.

Berry Cobb: ...that bullet for clarification?

Alan Greenberg: No. That's what it is.

((Crosstalk))

Berry Cobb: Okay so that takes us to kind of the new third bullet which is, "Effort shall be maintained to recover existing registered names until compliance with the policy is achieved." I think that that's definitely implied because it is a consensus policy. I'm just wondering is there more substance we need to put around this?

Alan Greenberg: Berry, it's Alan. Are we still listing things that were discussed or are we listing things that we are agreeing on?

Berry Cobb: Right now this was everything that was discussed. And I'm trying to merge us towards some sort of agreement so that we can get this loaded into the draft final report.

Again, I don't think that these are components that necessarily require us to have a consensus call unless the working group deems otherwise. But my intent is to get some sort of finalized language here to get into the final report.

Alan Greenberg: In that case my hand is up.

Thomas Rickert: Okay, fire away, Alan.

Alan Greenberg: Okay. By saying we are going to attempt to recover them through coercion, buying or threats or whatever it is is inventing a new classification of registrations. The current rules are if it is on the reserve list it cannot be registered. There is not attempt made to unregister a name that exists for whatever reason.

If we're saying these are now going to be in a new category we're inventing new methodologies, new way of treating registrations that we've never done before. Just want to make sure everyone understands that the existing ones that are in the reserve list many of them exist. There's no attempt to recover the.

They exist and if they were ever freed, actually deleted, then there's a problem that they can't be reregistered. But there is no attempt to get them deleted right now. And the best examples are ICANN, IANA and a whole bunch of other related ones. Thank you.

Thomas Rickert: Chuck.

Chuck Gomes: Yes, yeah, Alan's making an important distinction there. And I think that this bullet, if we agree to leave it in and support the principle that needs to be worded more precisely.

Because there's a big difference - and there has been - have been times in the past - I know we've had to do it in DotCom and DotNet where we - if a name was deleted we had to take it out of circulation but that's all, I mean, we didn't get into could it be transferred, can it be, you know, can there be coercion like Alan's talking about or whatever. So I think Alan is on to something that's important for us.

Thomas Rickert: Let me suggest to just delete the effort part of that - of that sentence, you know, until the very end. I mean, as we discuss this I guess we have various layers of complexity because does this indicate that registries that do have names currently registered that are in Specification 5 are in breach, you know, are noncompliant because that's what - that's how you could construe this.

And I guess that we do not want to create instances where - because that these legacy registrations registries actually would be in breach of policies which, in my view, they would never be. Alan.

Alan Greenberg: Yes, thank you. I mean, let me hypothesize leaving it in. At that point we have to define whose efforts and at what level are going to be used. Now if there is a redcross.net - I don't know if there is or not - and it is not owned by the Red Cross certainly the Red Cross has an interest in getting that back, unregistering it.

And they may be willing to pay large amounts of money or threaten law suits or use the UDRP or URS in an attempt to free up that name. That's out of ICANN's control.

If we're putting in there that we - we, ICANN, or we the Registries, have to put efforts into reclaiming them then we're going to have to be very specific and I would be careful because, you know, these are the kind of things that if someone is really using that name productively and not in violation of the organization we're trying to protect here there's potential lawsuits and things like that.

Thomas Rickert: Alan...

((Crosstalk))

Alan Greenberg: Even if we wanted to say it I'd shy away from it because it's an issue of complexity that we don't need.

Thomas Rickert: Thanks for this. And, Alan, as much as I like to hear your hypothetics or your views on the hypothetical scenarios I made a very practical suggestion and that is to just get rid of that part of the sentence so unless I hear otherwise I guess we should just delete it and avoid these complexities.

Alan Greenberg: Yeah, Thomas, I'm not disagreeing, I'm just...

Thomas Rickert: I know you aren't...

((Crosstalk))

Alan Greenberg: ...the case where whoever suggested it may bring it up again.

Thomas Rickert: Thanks, Alan.

Berry Cobb: Thank you. So moving right along then what you see as the third bullet, which I guess after that deletion is still the third bullet, is, "Where a second level registration within an existing gTLD matches a protected identifier the registration of said name, if registered prior to implementation of policy

protection, shall be handled like any existing registered name within the gTLD," in parentheses, renewals, transfers, for sale, change of registrant, etcetera.

Now there were a couple of - I think, Alan, you had responded back that this didn't capture the point you were making under the current registration agreements a name that is deemed not - be not renewed by the registrant but has been auto-renewed on an interim basis by the registry may be reassigned to a third party perhaps but not necessarily by auction, without the involvement of the original registrant.

And that registrant may or may not benefit financially from the transaction. The name is never actually deleted. This is the type of transaction that I was saying must not be allowed since it's functionally equivalent to a drop add without the registry being notified.

And, Alan, you had your hand raised.

Alan Greenberg: I'll explain it if anyone needs any further explanation. I tried to say it as clearly as I could. It is essentially a re-registration by a new owner for a new purpose bypassing the drop-add process due to contractual arrangements that are in virtually all registration agreements. And that, I believe, violates the intent of the earlier one saying if the name is deleted it should not be re-registered. And I think - I believe we need to cover it.

Berry Cobb: And so perhaps this would be two bullets that - if the second level - or where a second level name - where a second level registration would then existing gTLD matches that protected identifier - the registration of said name - or I'm sorry...

Alan Greenberg: The one thing - if it's deleted is fine. The one that describes what I was trying to talk about I would not try to word on the fly. It really needs to be worded

taking legal advice into account because I certainly don't know the right words to assign to it. Everyone disappeared?

Thomas Rickert: At least I'm still there.

Alan Greenberg: Oh...

Berry Cobb: I'm sorry, I was on mute. Yes, I think that's a sound advice, Alan, that perhaps I can get ICANN Legal to review through some of these after this call to make sure that it is more worded appropriately in preparation for the next version of this.

Alan Greenberg: If they're having trouble understanding it I will be glad to point them to the terms in registration agreements that are relevant.

Berry Cobb: Great. Thank you. Chuck.

Chuck Gomes: Thanks. This is a little stickier but I want to raise up a problem of a form of front-running. Once - I mean, obviously it could have already happened in some of these cases.

But at some point in time once this becomes more visible that there's the possibility that some of these names are going to be reserved it will probably be - it will be months before the policy is ever approved so anybody who wanted to be nefarious about it could register the names before the policy goes into effect.

Now I don't know if - like I said this is a little sticky. But do we want to say at some point, you know, from the - and I haven't checked this with anybody else internally within VeriSign or registries or anything. But do we want to say at some point in time like the posting of the final report or something as a date going forward to avoid the front running that might occur? I don't know. It just dawned on me that that's a possibility.

Berry Cobb: Thank you, Chuck. Yeah, that's a very excellent point. And that's something that I'll definitely raise with the legal group here as well and see what their insight would be.

Thomas Rickert: So I hope that we're not going to see any working group members, except for Stéphane, going to the registrar of their choice and registering these names.

Alan Greenberg: Only our wives and husbands.

Thomas Rickert: But joking aside I'm sure, Berry, you will seek clarification with Legal so that we can adequately address that. Okay shall we briefly move to the remaining points?

Berry Cobb: Yeah, let's - we can just read over them. I actually have a meeting with the Legal group in about an hour and a half so I can actually share this current draft and our slightly modified draft with them and start to get feedback. And maybe it's better just to take what we have now with the comments and work with Legal and then I'll just get the next version out to the group and then we can respond to this next version.

                 But Bullet Number 4 basically is that the second level name that matches the protected identifier is deleted following the expiration - oh we've already covered this one. My bad.

                 I guess that's Bullet 4, where policy changes to recover protected identifiers of registered second level names within existing gTLD deviate from current policy indemnification implications should be considered.

                 And, Chuck, I believe you had responded back that it's a minor point but where policy changes - or you were just restating the sentence. Why is the word implication there? You stated that I think it should say that implication should be considered which I think is what I have...

Chuck Gomes: Indemnification should be considered.

Berry Cobb: Oh and just strike implication?

Chuck Gomes: Right. I think, that's the way I see it. This is Chuck.

Berry Cobb: All right great. Then the last bullet is - we didn't really get any comments on this but second level names matching a protected identifier that are also registered by a party other than the protected organization and bad faith use is suspected the protected organization may have access to RPMs like UDRP, pending a PDP to address policies and how these organizations may access them.

And so really it's kind of just making reference back to certainly the one recommendation that I could almost say we have full consensus on is an eventual PDP on this about URS and UDRP access. I'll take back full consensus but consensus.

Chuck, please.

Chuck Gomes: Yeah, I just wonder if we ought to preface this one just like we did the one earlier, number two, I think, that, you know, because this, I think, could end up being a policy. So I don't know whether that preface we put above - in other words it's not a - it may not be a principle, it may be a policy. But I'm not sure I'm seeing that right or not.

Thomas Rickert: Well definitely in the light of our earlier discussion I would flag this as for clarification as well because UDRP, as you know, is a consensus policy already so any change to that would naturally cover these registrations as well.

Berry Cobb: Okay great. I'll make that edit as well. And then the last sentence, which is basically a protected identifier is deemed ineligible for registration and for any organization seeking protection that desires to register the name if approved. An exception process will need to be defined.

Alan had responded back that it was probably not useful to restate this statement as, you know, based on the previous recommendations. And I think that I'd probably concur with that as long as there's no objections for removing that from the principles.

Thomas Rickert: Yeah. So let's remove it; I don't see any hands nor any feedback in the chat.

Berry Cobb: All right great. So that closes out review of this section. And up until I get everyone a next version and that's pretty much it for today.

Thomas Rickert: Great. Now we could theoretically review the work plan but I guess it only makes real sense when we actually do know when we get the final report out for public comment, right?

Berry Cobb: Yes. I will for sure by the end of the week send out a revision to that work plan based on when we send out all of these other sub documents. And then we can review for next week's version or next week's meeting.

Thomas Rickert: Good. Chuck, please.

Chuck Gomes: Thanks, Thomas. So is the plan - once you send out the - your assessment as chair of the level of agreement from the group is the plan to discuss any areas where anyone in the group thinks your call may have been inaccurate to, in our next call or just online? I understand there's a formal process for challenging that, I'm just trying to get clarity in terms of how we're going to approach that.

By the way, I'm not anticipating challenging any of your assessments but I think there might be a few cases where someone does and I'm just curious as what the plan of attack is on those.

Thomas Rickert: Yes. Thank you for that question, Chuck. And certainly I would agree that we should try to get everybody's agreement on the assessment of consensus level rather than having members of the working group challenge it formally.

That certainly does not say that all of you will be happy with the outcome of the consensus call but at least you should agree with my assessment. I guess the answer to your question is that we're going to do it as quickly as we can.

So I will discuss with staff whether we, you know, whether we can maybe ask you to provide feedback on the mailing list prior to the next call. But I would certainly try to give you as much time as possible so I would like to synchronize your feedback or the time that we give you for your feedback with the finalization of the draft final report. Does that make sense?

Chuck Gomes: Yeah. This is Chuck.

Berry Cobb: And, Thomas, this is Berry.

Thomas Rickert: Berry.

Chuck Gomes: Yes, I think it does, Thomas. And I think all of us need to keep in mind, too, that there's another key step in the PDP process of the public comment period and the - and then the GNSO Council action on the recommendation. So it's not as if we're at the end of the road here.

Thomas Rickert: No certainly not. And before I give Berry the floor let me add to this that Jonathan Robinson, our GNSO Council Chair, has indicated that he's willing to give me speaking time to update the Council on the latest developments

even though we will then still be in the public comment period. And we're doing that to give councilors sufficient time to discuss the items with their respective groups and lower the risk of having requests for deferral.

I will also, you know, after this meeting or as soon as I know when we can initiate the public comment period I will check with Jonathan whether it's feasible to have an extraordinary GNSO Council meeting so that we can - so that we can catch up and make up for the time that we're now losing.

Berry.

Berry Cobb: Thank you, Thomas. Yes, this is Berry. To carry on to Chuck's question, in terms of the next version of this document that will contain the consensus level from the chair and where, again, working group members may disagree with that level assessment the interim step is definitely that a minority position report should be sent to the list stating why there is a disagreement with that level.

That of course will be embedded into the - into the final report. And then if there's still continued disagreement with that level of consensus then the more formal aspect kicks in.

So I just wanted to, again, state - and this is the reason why we were pushing for the minority position statements to be submitted at this level is to anticipating that there are going to be some and that the time that it takes to have them created and approved by your respective groups, etcetera.

So at any rate those groups that may anticipate that there is going to be a minority position about some of the proposed recommendations if you haven't already submitted one please do so as soon as possible, as soon as we send out the revised version of the consensus level.

And then lastly Thomas had mentioned about the extraordinary Council call. And the reason for that is we were on a very, very tight timeline to try to make the October 31 Council meeting. The issue with that is the final milestones that we must accomplish as a working group, most importantly being review of the public comments for any last changes to the final report. And as everyone knows that that's a 42-day period.

So it's very likely that we may miss the document - the motions deadline to make the 31st of October Council call. Thank you.

Thomas Rickert: Thanks, Berry. I see Chuck's hand up and then I'll get back to Avri's question in the Chat.

Chuck Gomes: Thanks, Thomas. I think it's very important that we distinguish between submitting a minority statement that is different than what the working group recommendation may be and disagreeing with the chair's call on the level of support.

Now the latter could result in something in your minority statement, that's true. But what I was getting at - I know there's a formal process for challenging the chair's call. But to the extent that we can discuss that on the list like Thomas suggested and maybe even briefly in our meeting next week hopefully we can minimize any problems on that.

And maybe there won't e any but I just think it's important that we look at it differently. It may involve a minority statement, it may not. But what I was talking was if someone disagree with Thomas's assessment of the level of consensus let's talk about that as much as we can before our meeting next week on the list and then if needed a little bit there. And we may head off and actually save ourselves some time and the Council time later on.

Thomas Rickert: Thanks, Chuck. And Avri, in response to your question I do hope to be able to provide you with my assessment tomorrow or the day after tomorrow. And I

hope that this will give you sufficient time to file the minority statement if need be before we have our next call.

And I guess, Berry correct me if I'm wrong, but I guess realistically we will not be able to publish the draft final report for public comment before next Wednesday, right?

Berry Cobb: I don't think that that's feasible. I was probably disillusioned to dream it to begin with.

Thomas Rickert: So, Avri, I guess your assumption is correct that the next call would be the deadline. Alan.

Alan Greenberg: That does imply that for some of us if the minority statement is to represent anything other than an individual we will not make that deadline.

Thomas Rickert: And what would be the earliest possibility for you to get it done?

Alan Greenberg: We're talking about time to draft the statement, circulate it, get comments and vote. Three weeks is probably about the least it could be done. I mean, if necessary we won't have the minority report in the draft final report; we'll put it in the final report. There's just no way of - ALAC and At Large could do it in that kind of timeframe, I don't know about the other groups.

Thomas Rickert: Well certainly we don't want to lose you or, you know, create too much difficulty for you. So - but nonetheless I'm conscious of time. Let's try to stick to my suggestion and sorry for mistaking your question as an assumption, Avri. So let's try for next Wednesday.

Alan Greenberg: Yeah, Thomas it's Alan. Just to be clear I wasn't suggesting you change your deadline to meet my or other people's requirements, I was just serving notice.

Thomas Rickert: Thanks. Okay so we've already covered the fifth item which is the next meeting so we already - I already said that it's going to be next Wednesday. It's going to be same time, same day next week. And I think we can close this call early or I thought so but now I see Stephane's hand up and please fire away, Stéphane.

Stéphane Hankins: Yeah, thank you very much. Good evening, all. No I just - could you just recollect the next steps then leading up to the - you will prepare your assessment by tomorrow and we will be in the position, if required, to prepare any so-called minority position by next week. That's the timeframe or did I understand correctly?

Thomas Rickert: Well the - I do hope to get my assessment out to you tomorrow or the day after tomorrow.

Stéphane Hankins: Right.

Thomas Rickert: And we should then discuss on the list whether working group members think that my assessment of the consensus level is correct. In parallel we will work on the finalization of the draft final report and that's going to be sent to you hopefully before the end of the week which gives you a little bit of time to review it.

And I guess our hope is to be able to - to, you know, have a final discussion on these items next Wednesday during our next call and then immediately move to publishing the draft final report for public comment.

Stéphane Hankins: We - just a short remark. I think it would be important that if I understood correctly there will be some form of statement of the minority positions. I think it is important that the report be published with that in whatever form whether it is an annex I'm not quite sure or a series of annexes. Thank you.

Thomas Rickert: Thanks, Stéphane. And we will certainly include the documents if and when they are provided to us. So certainly if you have minority positions or as we can now read in the Chat draft minority comments or positions that will be then elevated to minority positions, you know, striking out the word draft, then you can certainly do that.

Stéphane Hankins: Thank you.

Thomas Rickert: You're most welcome. Jo.

Jo Teng: Hi. Thank you for all of this. I just wanted to also ask for those who have submitted perhaps prematurely a minority statement should we see a need to update those in light of the draft report that gets circulated or - and also your assessment of the consensus. Would we be able to do that as well?

Thomas Rickert: Certainly. Certainly. So if you see the need to update the documents provided please do update them and send in an updated version, no problem.

Jo Teng: Wonderful. Thank you.

Thomas Rickert: You're most welcome. Do we have any further questions? Berry and Brian, have I forgotten any important aspects?

Brian Peck: No, I think you've covered it, Thomas, very well.

Thomas Rickert: Thanks, Brian. I see Stéphane's hand up again. Stéphane.

Stéphane Hankins: I apologize, it's a mistake. Sorry.

Thomas Rickert: Not to worry. And unless there are more comments from your side I think we can end this call early. Thanks for your participation. And also thanks for your willingness to help us make it possible for us to make up some time and

hopefully still meet the deadlines that we have laid down in the work plan. Thank you so much and bye-bye.

Jim Bikoff: Thank you.

Stéphane Hankins: Thank you. Bye.

Nathalie Peregrine: Thank you. Thank you, (Kelly), you may now stop the recording.

END