ICANN
Transcription
New gTLD Subsequent Procedures Working Group call
Monday, 04 June 2018 at 20:00 UTC

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Coordinator: Recordings have started.

(Michelle):   Fantastic. Thank you. Well, I would like to welcome everyone good morning, good afternoon and good evening to all. Welcome to the new gTLD Subsequent Procedures Working Group call on the 4th of June 2018. In the interest of time today there will be no roll call as we have quite a few participants online. Attendance will be taken via the Adobe Connect room. So if you happen to be only on the audio bridge today, would you please let yourself be known now? Thank you, hearing no names, I would like to remain all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I will have the meeting back over to Jeff Neuman. Please begin.

Jeff Neuman: Thank you (Michelle). Everyone, welcome back to Adobe Connect and to our meeting. The agenda is up on the right-hand side. As you scroll down you will see the agenda at the bottom there on the top right screen. We are going to finish Sub Point 7 whether we like it or not during this session. So I'm going to ask ICANN staff to keep us at no more than 20 minute for each of these

sections to hopefully keep us as best we can on time. And then we'll get into any other business. I know Jim Prendergast has raised a question. He's not on yet but he's raised a topic for…

(Anna Beth): New gTLDs?

Jeff Neuman: Sorry (Anna Beth) I think we can hear...

((Crosstalk))

(Anna Beth): (Unintelligible) E-T-H.

Jeff Neuman: All right if everyone can remember to just mute your lines that would be great. Okay so let me start with a call for any change to statements of interest? Does anybody have anything they would like to declare any changes? Okay not seeing any we'll get right away started. Just a reminder that the purpose of this call is to review sections of the initial report. Specifically we're in Section 1.7. We're not reviewing it in terms of whether we agree or disagree with the subject matter but rather does the subject matter reflect or accurately - does the subject matter accurately reflect the discussions that took place? And is there any clarity that is needed or any questions that we should be asking for public input? So with that introduction, why don't we I believe we left off at Section 1.7.4 if I am not mistaken which is strings similarity. So I believe ICANN staff has given us each control of the Adobe Connect so I'm assuming I'm not changing the page for everybody. And so I have it on page, starts on Page 24 of the Adobe connect but really starts on Page 25 for the most part. So okay sorry, if everyone could just please mute. The guidance that was given in 2012, I'm sorry for the 2012 round in 2007 2008 stated that the GNSO recommendation which was the string must not be confusingly similar to an existing top-level domain.

So also remember this is dealing with the string similarity reviews. This is not dealing with the string confusion objection which will be dealt with in a

subsequent week in Section 1.8 this is just the initial review that is done by an evaluator after an application is submitted. So what happens in the 2012 round? Well the Section 2.2.1.1.2 of the Applicant Guidebook – please people can mute their speakers. Can we find that? Thanks.

So Section 2.2.1.2 implemented the GNSO guideline but also said that if they were confusingly similar to or if they were similar to another application they would put it through the same contention set. So there were two things that were done during the initial evaluation phase. There was also a tool that was commissioned or development of an algorithmic tool for those of you that remember called sword, S-W-O-R-D which was supposed to provide help to perspective applicants to see whether they're proposed string would be confusingly similar to an existing string that was out there or whether it was confusingly similar to another string that we typed into this algorithm.

That – so what happened was so what are the preliminary recommendations? So the Work Track recommends a couple things, number one is that the discussion, we really seem to within Work Track 3 get a good amount of agreement from the Work Track members that we should prohibit plural and singular's of the same world within the same language or script in order to reduce the risk of consumer confusion. For example, the combination of .car and .cars would not be allowed in a future round.

The A Work Track also seemed to agree on the notion of expanding the scope of string similarity review to encompass singular and plurals of TLDs on a per language basis and using a dictionary to determine the singular and plural version of the string of a specific language. Applications for the singular or plural variations of each string will be placed in a contention set and so applications should not be automatically disqualified because of the single letter difference with an existing TLD, for example .new, N-E-W and .news should both be allowed in a future round because one is not the plural or singular of the other. And I think the Work Track if it wasn't unanimous, it was pretty close. At least the members in that discussion thought that the

SWORD tool was not very helpful and should not be used in subsequent rounds or application windows. Does anybody have any questions on that or comments on those recommendations?

Okay so it seems like this group seems to be very much in line with how Work Track 3 discussed this issue which is great. And other than, you know, looking at the recommendations themselves the – there's really no additional comments that are being sought under this section. So that doesn't mean that comments shouldn't be received. It just means that other than looking at the preliminary recommendations we didn't feel like we had to restate all of those is questions in order to give feedback, but obviously we're expecting feedback on all those recommendations.

Okay in line with the previous meetings we're not going to go through the deliberations in any sort of detail, but just a reminder to please read the deliberation section carefully, make sure that your views or any views that you know of are being expressed in this section. And it should be noted towards the end of Section F, so I'm on Page 27 right now, probably about mid to 3/4 of the way down the page there are some areas that Work Track 3 knows it needs to discuss which, you know, we're - we should actually draw attention to this. So I'm going to make my own editorial comment to ICANN staff and to Work Track 3 team leads to see if they agree. But I would love to see some sort of point there from the, what we seek feedback on. So perhaps these three items that are in section, at the end of Section F to see if there are comments from the public on either of these three issues to kind of give us a jumpstart when we talk when we do talk about these issues after we get comments back from the initial report. So not to put (Karen) or (Robin) on the spot but would you have any objection at putting a pointer in the questions to these additional issues that need to be discussed by the Work Track?

Okay (Robin) is say, "Yes let's specifically ask for those comments." Great, there's a question, I'm sorry comment in the - from (Rubens) in the discussion, or sorry in the chat that says do we know if the CCTRT will be

recommending a similar ban on singulars and plurals? I am not aware of that. I don't know if anyone else on the call is. We're still waiting for their final report.

I don't believe there was a recommendation one way or the other in the initial report that they released. I'm just waiting to see if anyone else has any other information. But we will, (Rubens) we will keep an eye on that to make sure that if there are any recommendations from the CCT review team that we incorporate them into our discussions.

Okay great so with that it seems like we can move on to Section 1.7.5 and I'm not meaning to rush people here so if you do have comments please raise your hand. Section 1.7.5 deals with the topic of internationalized domain names. And, you know, in 2007, 2008 a final report from the GNSO stated in Principle B that some new generic top-level domains should be internationalized domain names subject to the approval of IDNs being available in the root.

So when the – when this principle was passed just to give some context, it was prior to the ccTLD fast track and – could you isolate that please? Hold on. It's definitely not danceable and they probably can't hear me so, okay welcome back everyone. Hopefully we been able to isolate that line and sorry about that. People do need to remember to mute their lines. Even though we switch back to Adobe Connect they still have to mute their lines.

Okay. So as I was saying, the principle that – Principle B was to give some context came about at a time just prior to the ccTLD fast track, sorry the IDN fast track in which – so this was prior to any ccTLDs being delegated in the root. Obviously we knew come 2012 that there were a number of IDN ccTLDs that were in the root and so we knew that we had handled at least at a root level any issues dealing with the delegation of ideas.

So how was it implemented? There were exhaustive requirements in the Applicant Guidebook in Part 2, but just to kind of the brief, basically IDN TLDs of two or more Unicode characters were allowed provided that the guide, the IDN guidelines were met. And the Applicant Guidebook allowed applicants to identify rare, variant TLDs so they were not allowed to be delegated until a variant management solution was developed and implemented.

To this day I don't believe there has been a variant management solution implemented. Certainly there have been some solutions that have been developed and discussed but that will bring us to some of the recommendations. So I'm going to read the recommendations but really had it over to (Rubens) and (Cheryl) if there are any questions because some of the technical stuff is a little bit above my head.

So the principles that were - sorry the preliminary recommendations number one, is that there was general agreement that IDN should continue to be an integral part of the program going forward, so no surprise there. Second that there is general agreement that compliance with the root zone label generation rules and any future, so the two sets of rules that are out there and any future root zone label generation rules should be required for the generation of IDN TLDs and valid variant labels.

There's generally that one Unicode gTLDs may be allowed for script language combination -- and this is important -- where a character is in idea graph or ideogram and does not introduce confusion risks that rise above commonplace similarities. This is consistent with the SSAC and joint ccNSO GNSO IDN working group reports. And so in Section F we have a link to those reports.

The fourth recommendation is that there's general agreement that to the extent possible compliance with the 2008 IDNA which is also in RFC 5890 to 5895 or its successors and any applicable root zone label generation rules should be automated for future applicants and finally guidance that says a

general agreement that if an applicant is compliant with the 2008 guidelines for the - and the applicable label generation rules for the script it intends to support that pre-delegation testing should be unnecessary for the relevant scripts.

The Work Track discussed the issue of variance and is aware that the community will be tasked with establishing a harmonized framework for gTLDs and ccTLDs through the allocation of IDN variant TLDs of IDN top-level domains but there is general agreement on the following. IDN gTLDs deemed to be variants of already existing or already applied for TLDs will be allowed provided number one that they're with the same registry operator that's – or that they have the same registry operator and that the applicable root zone label generation rules are available at the time of the application submission. Does everyone understand those that have some knowledge of IDNs, have any issues or clarity that they need on those recommendations?

Some of them are pretty specific but most of them are very much in line with other PDPs that have taken place or other work from the community. So I don't believe and (Rubens) can correct me if there's anything that we're recommending here that is contrary to any other policy or implementation guideline provided by any other group in the – or in the ICANN community. Okay so Anne please.

Anne Aikman-Scalese : Yes thanks Jeff. It's Anne Aikman-Scalese for the transcript. I just had a question about the issue of whether it's only the registry that had originally applied in English I guess that would be able to own and operate the IDN. How does that interact with things like, you know, outreach to different continents in different languages? Is it creating something that's exclusive for that registry that where they may be other considerations in outreach for that particular IDN? Just a question, thank you.

Jeff Neuman: Yes thanks Anne and so just to be clear we are not saying in here that the one who's got the English version is the only one that can have the IDN

version. That's definitely not what we're saying. What we're saying here is that if you have (Ared) and IDN top level domain, so let's say you have a - an IDN in Chinese and you own one of the variants, so you own the simplified version or you're managing the simplified version of Chinese as your top-level domain, what we're saying is that the – oh my God I'm forgetting sorry, the language here the – or the traditional. So the traditional version of that TLD which would be considered a variant, so the Chinese traditional version could only go to the same operator that's operating the Chinese simplified version and only in accordance with agreed-upon rules of how to handle variants.

So what we're not saying Anne is that maybe we need to be more specific. We're not saying that if you own one language version of a TLD that you get all other languages of that version of the TLD. So okay, so that answers your question Anne. But I do think that if you misunderstood that others may so why don't we make a note to ourselves to clarify that so that we don't – we make sure we're not sending the wrong message? Okay (Jonathan) please?

(Jonathan):   Thanks Jeff and to some extent that was covered already but I guess the reason I retained my hand up was to confirm that I similarly misunderstood it. And my question would have been if they were bound together at application what happens at the point of potential transfer of one IDN or the non-IDN variant between registry operators? But I guess your explanation covers that that's not the case and so it is worth tightening up the text to make clear. Thanks.

Jeff Neuman: Okay thanks (Jonathan). We will definitely do that. We've taken that as an action item and (Rubens) please.

(Rubens):   Thanks yes, (Rubens) here. While variant TLD is well-defined term new IDN guidelines and IDN (unintelligible) so we might want to forward the definition from those (unintelligible) sources into the report to make sure that people understand what a variance is about which you explained correctly which is of

Chinese (unintelligible) traditional Chinese version. But that's some fact that we could incorporate into the report. Thanks.

Jeff Neuman: Yes, thanks (Rubens). It was a little bit muffled but I think I got the gist of it which is that we should probably go to the guidelines themselves and which has definitions of these terms and maybe kind of incorporate those to help the reader know what is a variant and so that they hopefully help them to not misinterpret. So (Rubens) did I get that correct?

Okay (Jonathan) is that a new hand or an old one? Old one, okay. So then if we scroll down the – there is something in Section D which says what are the options under consideration? So we talk about in a question Section E about bundling. And so then the options are, there a couple options of how things can be bundled. So we make a reference to that under the options for consideration. And so if we just skip down to Section E on the question that will give us better context for the options.

So question one on what we're seeking feedback on it refers to the that one, the allowance or proposed allowance of one character IDN gTLDs. And so it says for the recommendation regarding the one character IDN gTLDs can the more general ideograph for ideogram be made more precise and predictable by identifying the specific scripts where the recommendation would apply and then there's a reference to the script names in ISO 15924.

And Question 2 which also refers back to the options should the policy of bundling second level domains across variant TLDs be unified for all future new gTLDs or can it be top-level domain specific? If it's unified and you want solutions should it be prescribed in the working group final report or should that be chosen by in the future when there's an implementation group that's implementing these recommendations? If it – if we allow it to be TLD specific meaning each TLD can decide for itself how to bundle could it be any policy that adequately protects registrants or would there need to be a kind of menu of choices on how to bundle?

And so currently there are different mechanisms to bundle variant second level domains including the mechanism that's done by PIR, Public Interest Registry with OMG and NGO. There's also some guidance from the Chinese domain name consortium and then there is - there are certain Latin language supporting ccTLDs such as .BR and – well not Latin but .ca which have their own kind of rules on how to bundle.

Third question, are there any known specific scripts that would require manual validation or (unintelligible) of a proposed IDN top-level domain? And finally for IDN variant TLDs how should the Work Track take into the board requested but yet to be developed IDN variant management framework? And (Rubens) corrected me that even dot, yes for .ca even though it's Canada we are still talking about Latin language supporting a ccTLD, sorry about that. Okay any questions on – are there any additional areas we should be putting out for public comment, any clarifications needed? Okay Christopher Wilkinson please?

Christopher Wilkinson: Hi Jeff, Christopher Wilkinson for the record. Good evening everybody. Just supportive comments for these questions under E. First of all under one yes, there should be specific scripts to which it applies because we're talking about those scripts where an ideogram or a character actually is a word of, I'm not a linguist beyond very few languages so I'm not going to say which scripts but there is a distinct difference between scripts where a character is a word and the character is a letter. And that needs to be covered by this point.

Unbundling, I think it's too early days. I think we don't have enough experience in practice or at least certainly not that's been drawn, drawn to the attention of the PDP to recommend definitively whether or not a particular solution is correct under Point 2. By the end of the day in this discussion and negotiations perhaps we will have but I don't think we have it now. Thank you.

Jeff Neuman: Okay thanks Christopher. Yes so these are – that's precisely why these items are out there for public comment because we are seeking comment on these four areas so that will help us discuss the issue and hopefully make a policy recommendation on each of these items. Okay again please make sure you read the deliberation section and make sure that everything is reflected from the discussions. This is all in Work Track 4 and also just attention that in - on Page 31 in G, Section G there is a reference to the other things going on in the community that have an impact on the - this - on internationalized domain names. So that includes the root zone label generation rules, the study on how to apply root zone label generation, the Unicode standard the IETF IDNA standards and ICANN's work on the IDN guidelines.

Okay great, moving on Section 1.6 I'm assuming these next three sections will have a little bit more (unintelligible). But we're talking about security and stability which is obviously a very large, potentially very large area. But for our purposes we limit this area to a few different principles and recommendations. So what was recommended or sorry, what was the relevant policy recommendation or implementation guidance that was given in 2007 2008, Principle D said that a set of technical criteria must be used for assessing new gTLD registry applicant to minimize the risk of harming the operational stability, security and global interoperability of the Internet. Recommendation 4 stated that strings must not cause any technical instability. Recommendation 7 applicants must be able to demonstrate their technical capability to run a registry operation for the purpose that the applicant sets out, and finally Recommendation 18, if an applicant offers an IDN service then ICANN's IDN guidelines must be followed.

So how is this implemented in the new round? There are number of different ways first the applied four string was evaluated in a DNS stability review which sought to determine whether the string might cause instability in the DNS. As an element of this review the applicant's IDN tables were evaluated if applicable and an evaluation panel performed this review. The applicant's

proposed registry services were also reviewed during the registry services review in order to determine whether they might cause a possible adverse impact on security and stability. Customary registry services were defined in the Applicant Guidebook, but if an applicant proposed to provide any of them in a unique matter or if proposed additional registry services then the preliminary determination would be made as to whether it needed further evaluation from what's called an RSTEP or a Registry Services Technical Evaluation Panel. And that evaluation panel performed the preliminary review. There's a footnote to that of the bottom. The – and then the final way it was implemented was - well not final, sorry, another way was the applicants technical capabilities and operational plans for TLDs were evaluated in the technical and operational review. There were the applicant was asked to provide responses to a number of questions and they could receive either a score of zero or one and in some cases they could get a two.

The applicant cannot receive a zero on any of these questions and so it had to get a minimum, not only did it have to get a one on every question but it also needed to get a minimum score overall in order to pass. And so that I believe that minimum score overall required at least getting a couple of twos on some questions.

Additionally prior to the delegation of a successful application applicants were required to go through pre-delegation testing. We discussed this a little bit further. Actually we already went over that in this group. That's section 1.10.1 of the report. And then one additional element on security and stability but was not related to the applicant reviews were the guidelines for root zone scaling based on an ICANN organization paper entitled delegation rates and analyst for new TLDs. This is prior to the 2012 round. ICANN predicted that it would only be able to process a maximum of 1000 delegations per year. This numbers served as the basis for analysis by a technical community that came back and determined that 1000 delegations per year would not pose a security and stability threat. It's important to note that the technical community did not seek to determine a specific maximum delegation rate on

the basis of security and stability based on this analysis ICANN committed to delegate no more than 1000 gTLDs per year.

And what are the recommendations? So Sections 1.7.5 in IDNs, 1.7.8 on the inclusions and 1.7.7 which asks about the reviews themselves contain a number of recommendations. And so rather than repeating all those recommendations in these, in this Section 1.7.6, we just draw the reader to that, to those other sections which do in some way relate to security and stability.

The Work Track also suggests that the application system should do all feasible algorithmic checking of top-level domains including root zone label generation who rules and ASCII string requirements to better ensure that only valid ASCII and IDN TLDs can be submitted. A proposed TLD might be algorithmically found to be valid, algorithmically found to be invalid or verifying its validity may not be possible using the algorithmic checking. Only in that last case when a proposed TLD doesn't fit all the conditions for automatic checking and manual review should occur to validate or invalidate the top level domain the Work Track also considers the topic of name collisions to be relevant to security and stability but that – but other than that doesn't make any other recommendations. Those are all in 1.7.8.

For root zone scaling the Work Track generally supports reason the delegation limit but also agrees that ICANN should further develop root zone monitoring functionality and early warning systems as were recommended by the SSAC, the RSAC and the technical community. Okay, I know that was a lot. Are there any questions on the proposed recommendations? And again if it's on name collision, please wait till we get to 1.7.8 or if it's on evaluation questions please wait till we get to 1.7.7.

We are now on Page 32. I'm sorry I should have - probably have said that. Now on sorry 33, Page 33.

Okay while everyone's thinking about that we do pose only one question here because most of the other questions on security stability we have in the other sections and the question here is about the CDAR report. That's the continuous drive data-driven analysis of root stability report and the analysis on delegation rates so basically it says to what extent will discussions about those impact working group discussions on this topic? How about the inputs sought and received from the SSAC, RSAC and ICANN or discussed in Section F under the heading root zone scaling.

So basically this question is saying look, we've got a bunch of papers in that the working group has not really had a chance to thoroughly discuss or the Work Track has not really thoroughly discussed. But we do comment from the community on how those different reports should guide us in setting applicable policy. Any question on that? Okay please Christopher?

Christopher Wilkinson: Just a quick one Jeff, Christopher Wilkinson for the record. What worries me is the risk of concentration of seeing stability provisions in a small number of entities of - these are discussed on Page 13 in an earlier chapter which deals with (Avero) unrelated matters. I think there needs to be a logical and a pedagogic link between the chapter on (Avero) and the chapter on security and stability that we're discussing at present.

Both issues are quite complex but what worries me most is that we have had experience of this in the ccTLD area of name service but inadvertent of concentration of services on a few entities of places a large number of operators of subject to risks arising from notably the registry services provider or (Avero) provider of I think somewhere there should be a discussion about how ICANN monitors of where these backups to use a colloquial term reside and how ICANN is in securing that the entity's concerned are capable of supporting the volume of risks that they're undertaking. Thank you.

Jeff Neuman: Thanks Christopher. I'm going to ask if (Rubens) has any thoughts on that question or (Cheryl)? I'll wait for one of them to raise their hand. (Rubens) please.

(Rubens):   Thanks, yes (Rubens) here. What Christopher mentioned in – and reminded me of (unintelligible) designed for (unintelligible) which is biodiversity where in some IT structures people say no, we can have two vendors, you can have a single vendor for a (unintelligible). We need to have (unintelligible) composed of more vendors.

                 (Unintelligible) ICANN's not a clear mono-system that only we're relying on one provider of goods and services, one provider of registry services. But we actually don't have anything preventing that from happening. So what we could consider is whether that should be a factor in evaluating having more TLDs or evaluating a (unintelligible) this is provider change. But that's was long term thinking that most of the common issues that TLDs have experienced have more simple (unintelligible) modes than something related to large provider cracking down. But that's something that we'll be listening too. Thanks.

Jeff Neuman: Thanks (Rubens). And it also just kind of reminded me of maybe a possible question in the section that talks about EBRO which I know we were already went over. Perhaps I don't think - I can't remember let's put it this way, you ask a question of whether the EBRO process should be open for additional providers in order to encourage further diversity. Perhaps we should be asking that question because it's not something we've looked at before. So maybe we'll just take a note of an action item to add a question in the section that talks about EBRO as to whether the existing policy of having only a certain number of EBROs and no others is the right path or whether there should be additional diversity sought. I suppose we can put that in that section.

Okay one other thing I do want to draw everyone's attention to which we probably should also ask a question about now that I'm thinking about it is towards the end of the Section F there is a question on or there's a reference to emojis as potential possible domains. The Work Track really only briefly touched on this issue when it was brought up by the SSAC chair, by the then SSAC chair. The SSAC strongly (unintelligible) the registration of any domain name that includes an emoji in any of its labels. Currently new gTLD registry agreements and registrar accreditation agreements require adherence to the IDN guideline which does not allow the uses of emoji but, and no Work Track members at the time expressed any desire to change the status quo.

So really the Work Track members that talked about this issue didn't really feel like there was a need to go into whether emojis should be used as top level domains I'm wondering if anyone here believes that we should ask a question on it just to kind of cover our bases and see whether there's anyone in the community that has any thoughts on this issue?

Okay just looking, so (Rubens) says only emojis allowed in comments on emoji TLDs please. Yes if you're going to make a comment you must post an emoji. (Javier) says there's no harm in asking and (Christina) is going to post some comments about sections that we've already covered. So that's good. Yes and please by no means is this the only chance to make comments. Certainly some of you have already put comments in on some of these sections and certainly after this call feel free to put in any comments.

Christopher thinks that emojis should be left to only Skype and for what it's worth, the SSAC recommends against emojis as TLDs.

So I think we should probably just so we can say we've crossed off all of our or covered all of the issues, let's make that note saying the SSAC recommends against emojis as top-level domains. However, you know, we want to get, you know, getting still setting some reviews on these Pepsi domains.

Okay so it seems like nobody's really against that notion of at least asking the question. Great, moving on to 1.7.7 Page 35 as (Cheryl) has said so these next two sections are fairly lengthy ones. And I appreciate the fact that Anne and perhaps some others have send in some comments. So if we don't cover them during the call and you want to discuss them please do make sure to get in the queue and we're not intentionally tried to ignore those arguments. I know that I have not been able to thoroughly read through all of the comments yet so I'm asking for your help particularly if Anne and I know (Rubens) have sent comments back and forth on this in the next section so please do make sure you get in the queue.

Okay so for applicant reviews so this cover, this section covers the questions that are that are asked to assess the technical and operational financial abilities or capabilities of a registry operator as well as asking questions on a particular registry services that a registry intends on offering. Principal D stated that a set of technical criteria must be used for assessing a new registry gTLD registry applicant to minimize the risk of harming the operational stability and security and global interoperability of the Internet. Principle E is set of capability criteria for a new gTLD registry applicant must be used to provide an assurance that an applicant has the capabilities to meet its obligations under the terms of ICANN's registry agreement. Recommendation one, applicant must implement or sorry ICANN must implement a process that allows the introduction of new gTLD. They should respect the principles of fairness, transparency and nondiscrimination. All applicants for a new gTLD should therefore be evaluated against transparent and predictable criteria fully available for the applicants prior to the initiation of the process and therefore no subsequent additional selection criteria should be used in the selection process.

Recommendation 7, applicants must be able to demonstrate their technical capability to run a registry for the purposes that applicant sets out and applicant must be able to demonstrate their financial and organizational

operational capability. Recommendation 9, there must be a clear and pre-published application process using objective and measurable criteria and Recommendation 18, if an applicant offers an IDN service then ICANN's IDN and guidelines must be followed. And then the Registry Services Evaluation Policy which has a link, or footnote to a link that's a consensus policy that governs the process, and processes and procedures to be followed when a registry proposes the introduction of a new registry service as that term is defined in the base registry agreement.

So how is this implemented? We talked a little bit about it. The first paragraph talks about the scoring. The second paragraph talks about the availability of ICANN to ask clarifying questions, especially where the maximum score was not achieved and providing opportunity for applicants to remediate or to cure their answers. Each applicant each application was evaluated in isolation. Even though applicants may have submitted multiple, even identical applications in addition even for different applicants, many share a common technical infrastructure such as the same registry service provider or has common financial organizational resources. But this was not taken into consideration. Each application was evaluated as it says here in isolation.

For technical and operational, those were Questions 24 through 44 in the Applicant Guidebook, they Questions 24 through 30 were made public or at least 30A was made public. They were published in a file in the new gTLD application status Micro Site Page. Question 30B through 44 were internal meaning that the responses were not publicly posted and but they were assessed as part of the application evaluation.

To be noted I guess, well that the financial questions in the applicant guidebook gathered information from the applicant regarding its plans for operations and financial planning that the evaluation panel could assess or at least attempt to assess whether the applicant demonstrated a financial capability to run a TLD.

Question 45 through 50 were related to financial capabilities and they were internal meaning they were not publicly posted. A registry services evaluation that served to evaluate each applicant's proposed registry services for any possible adverse impact to security stability of the DNS. And as you talked about clarifying questions could be asked of each application they were supposed to be consolidated and sent to the applicant for each - from each of the panels and then the applicant had an opportunity to clarify or supplement an application.

There were supplemental notes on the technical operation of financial questions. These were additional guidance published by ICANN to assist the applicants in completing their applications. While they did not directly address clarifying questions these notes included clarifications on evaluation criteria for some questions in the applications and could be used when responding to clarifying questions.

Supplemental notes were published online through ICANN's original CRM system but those links are long expired. And so ICANN did go through an exercise of consolidating these resources and they did send that to our working group or at least our Work Track 4 on April 17, 2018. But because it was so late in the process the Work Track has not yet had an opportunity to review those resources and so we were not able to take this into account for this report.

And then it lists conducted the particular evaluations. So there are a number of recommendations here and so we've grouped them up into some different categories. The questions with respect apply to all evaluations. In pursuit of transparency these – sorry, not questions. They're recommendations. The group recommends publishing any clarifying questions and (CQ) responses for public questions to the extent possible.

So if a question and its answer were made public much like Questions 18 or 14 through 30 then clarifying questions to those answers should also be

made public as well as the responses to the clarifying questions. For all evaluations the group recommends restricting the scoring to pass fail and not to have extra credit if you will for superior applications. And then as analysis of those clarifying questions, guidance to the applicant guidebook, knowledge articles supplemental notes, et cetera, from the 2012 round need to be stabilized with the goal of improving the clarity of all questions asked of applicants. And the answer is expected of evaluators such that the need for the issuance of a clarifying question is lessoned in the future.

So for the technical and operational evaluation questions the group recommends if an RSP preapproval program is established the first in the section a new technical evaluation will - shouldn't - will not be required for applicants that have either selected a preapproved registry services provider in its application submission or commits to only using a preapproved RSP during the transition to delegations phase.

Recommendation 2, consolidate the technical evaluation across applications as much as feasible even when not using a preapproved RSP. For example if there are multiple applications using the same non-already preapproved RSP, that RSP should only have to be evaluated once as opposed to being evaluated for each individual application it supports.

Three, for applicants that outsource technical or operational services to third parties applicants should specify which services are being performed by them and which are being performed by the third parties when answering the questions. So for example some entities may have one registry services provider but that – but they may have a separate entity providing DNS services and they may have yet another separate entity providing other services. So this recommendation is that each applicant should be very clear when it's responding to a question who it's responding on behalf of, like who's doing that work, who needs to be evaluated?

In addition the Work Track voted the following draft language for consideration. The first part is applicants must be able to demonstrate their technical and operational capabilities to run a registry operations for the purpose that applicant sets out either by submitting it to an evaluation at the application time or agreeing to use a previously approved infrastructure. And the technical and operational evaluation may be aggregated and/or consolidated to the maximum extent possible that generate process efficiencies including instances where multiple applications are submitted by the same applicant and multiple applications from different applicants share a common technical infrastructure. For financial evaluation I think this is where it gets semi-controversial and fairly complex as well. There are a whole host of recommendations or ideas for discussion.

So the first one is to the extent that it is determined that we still need to keep the notion of a continuing – or a continued operations instrument then the recommendation is to not have that as part of the financial evaluation but we should also show proof of your insurance at the time you're entering into a registry agreement. For this last process in 2012 you not only have to prove that you had an instrument, a continuing operations instrument at the time you apply but then you have to again show that at the time that you signed a contract, and in many cases that took several years or there was several years in-between that.

Number two, substitute the 2012 applicant guidebook evaluation of an applicant's proposed business models and financial strengths with the following. So it says that an applicant must identify whether the financials in this application apply to all of its applications, a subset of them or a single one and won't provide financial models or tools but it will define goals and publish lists of RFPs, organizations and consultants.

This directly comes from in case you're wondering the postmortem report that ICANN staff did on how difficult it was to assess the financial and business models the registry's proposed because they were based on in for the most

part speculation. Number C or letter C, 2C on Page 38, the goals of the financial evaluation are for the applicant to demonstrate financial wherewithal and to our show long term survivability of the registry. Therefore the evaluation should look at whether an applicant can withstand not achieving its revenue goals, exceeding expenses, funding shortfalls or inability to manage multiple TLDs in the case of registries that are dependent upon the sale of registrations.

However there should also be a recognition that there will be proposed applications that will not be reliant on the sale of third-party registrations and thus should not be subject to the same type of evaluation. In other words although the goals of financial evaluation are to determine the financial wherewithal of an applicant to sustain the maintenance of a TLD, the criteria different for different types of registries, should not be a one size fits all manner.

Part D, if any of the following conditions are met an applicant should be allowed to self-certify that it has the financial means to support its proposed business model associated with a TLD. So if applicant is publicly traded, if it's officers are bound by law to represent financials accurately or if an applicant is a current registry operator not in default of any of its financial obligations and is not previously triggered a continued operations instrument then the view of members of the Work Track was that self-certification on their financial wherewithal should be enough. Applicants are required to provide – so the group is recommended or was thinking of recommending that an applicant should be required to provide a credible third-party certification on those goals if self-certification above is not used or achievable. So in other words if we don't want to recommend ICANN relying on a self-certification for financial strength then perhaps being or requiring an applicant to provide a credible third-party to submit some sort of certification that it has the financial wherewithal should be enough to rely on.

Then to provide further clarity on the proposed financial evaluation model the following are sample questions. And I'm not going to read all of these but these are just reworded questions. And then in addition the Work Track proposes -- I'm on Page 39 -- the following draft language, applicants must be able to demonstrate the financial and organizational operational capability in tandem for all currently own applied for TLDs that will become part of a single registry family.

Four, registry services evaluation. There's a number of recommendations, forgot how many there were. Basically, and I know there's been a lot of comments on this section so just quickly summarize that the – if a registry just wants to offer the basic registry services then it should not require registry services evaluation as part of the new gTLD application. So that would include things like EPP, DNS, publishing, IDN services if it wants to follow the guidelines, if it wants to offer certain registry services that are – have been accepted for every single TLD like this thing called (B Cappa).

Then since the content of registry operator agreement amend the templates for commonly requested registry services satisfies the criteria above then perhaps there should be just a reference to those to that section of the Web site rather than exhaustively enumerating what the list of okay registry services are. And so basically an applicant would just have to assert which of the preapproved services they're initially allowing in the registry agreement for that top level domain.

The RSEP, Registry Services Evaluation Process should only be used to assess services that are not already preapproved. Criteria used to evaluate those non-pre-approve registry services should be consistent with the criteria applied to existing registries that proposed new registry services. To the extent possible this may mean having the same personnel that currently review registry services to review using registries be the same personnel that review new gTLD registry services proposed by applicants. In other words there should be no harsher criteria on our registry, new gTLD registry that

proposes implementing something like bolt transfers than that which would already be applicable to already existing top-level domains that file an RSEP for that same service.

Criteria used to evaluate those non-preapproved registry services should be consistent with the criteria applied to existing registries that propose new services. Sorry, we already read that. That was number four. Number five, in order to not hinder innovation applications proposing non-preapproved services should not be required to pay a higher application fee unless it's deemed as possibly creating a security or stability risk requiring an RSEP.

In addition in order to encourage the proposal of innovative uses of TLDs, those proposing new non-approved registry services should not to the extent possible be unreasonably delayed in being evaluated. In addition the workshop proposes the following draft language. I'm not going to read that now, but it basically implements what we just talked about. So wow that was long, sorry to do that. Anne please you're up first.

Anne Aikman-Scalese: Yes thank you Jeff. A lot of my comments on the list relates specifically to the language that is said to be proposed by the Work Track and mostly about the first sentence. And the first sentence say applicants will be allowed but not required to specify additional registry services. And the points that (Rubens) and I have been arguing about on the list relate to what was discussed or not discussed in the Work Track. And I recall raising this question because when we looked at the three models during the discussions in Work Track 4 that were proposed I went back to the applicant guidebook to the questions and looked at Question 23 in relation to the proposed new gTLD registry services. And Question 23 is very, very specific to my mind as I read it about what I guess transparency is required at the point of application for a new gTLD.

And we've been reviewing here all of the requirements for technical and financial evaluation and it's specifically mentioned in Question 23 about, you

know, in terms of your proposed new services where, you know, do any of those proposed, you know, security and stability issues? And so I think there's a reason that Question 23 is phrased the way it's phrased. And it was very definitely, you know, discussed in the Work Track, this question of whether or not new services need to be disclosed if they are known at the time of the application. I want to try to keep this a little short, but I think that the procedural question here is again, it doesn't hurt to ask. I think there were pros and cons but it was very definitely discussed in the Work Track and documented on several occasions that there was a question about whether services that are known at the time of the application should or should not be disclosed given the current wording of Question 23.

No one disagrees with the idea that if you decide to propose a different service later you can go through the RSEP or RSTEP process for doing so. No one disagrees with the idea that there are a list of preapproved services and you can check the box or do whatever. But in fact there was a lot of discussion and not, you know, complete agreement on whether not the public should be able to see at the time of application these services that you're proposing to supply in order to have an open and transparent evaluation, clarifying questions, et cetera, et cetera. And I'll just stop there in terms of, you know, what's the harm in asking? Why are we avoiding asking? Thank you.

Okay (Rubens), I'm going to ask if you can respond to Anne. Thanks.

(Rubens):   Yes (Rubens) here. You could clarify something about the first phrase, that in these proposed registry services evaluation system additional registry services are only the services that are not preapproved by ICANN that so if applicant, once you say that applicant really required to specify additional registry services you would be obliging them to have an additional registry services to describe. So this is different from same with services that are known will be provided or not. And I was certain that new permutation questions that had I think in the list yesterday where I played out the policy

implementing as a sample registry services question and it has clear ask will you be providing the base services? Will you be providing these preapproved services, yes, no yes, no. And then do we provide any other services that are not one of those? So this is only mentioning additional registry services as that know preapproved service, and even the preapproved services they are not automatically assumed as allowed, the applicant will have to check in a box and hey I will provide IDN, language Chinese traditional blocking variance.

So no services predetermined for a TLD that the TLD will have all that services but the applicant will have to say, oh, these services, these are the service. That idea of not specifying one discussed but wasn't part of the convergence model that was proposed. The converged model had exactly that idea of specifying each of the services that will be (unintelligible) either by being a pre-approved service or an additional services.

And on the transparency part this new language is actually adding possibility that an applicant document service and that it will be (unintelligible) the evaluation. So I said hey, I will be proposing that service. But don't, if I weight my application with that because I want to have a TLD even if the service is not approved, but I will be providing that service.

So it's kind of one (change) for disclosure which is (unintelligible) for application we now have. We have three opportunities, application, contracting, after contracting. So applicants now have more opportunities to say which services they will be providing. So you're actually all your tracks of transparency, not departing from that. Thanks.

Jeff Neuman: Okay thanks (Rubens). And just to kind of clarify my understanding as well that when we say we would take out the question what we're not saying is that we're going to take out questions 24 through whatever which is the part of the (unintelligible) that describes how you're going to be implementing those services. So all we're saying I think is that if all you're going to be doing

is proposing the base registry services then you don't – then that Question 23 is not really needed. Of course (unintelligible) four through whatever is still in the applications, you have to describe how you're going to do it to show ICANN you have the technical capability. And just to get brief response in and then we'll see if anyone else has any questions. Thanks.

Anne Aikman-Scalese : Yes thanks Jeff. It's Anne for the record. I think that - and I'm not sure of each response that (Rubens) made because it's very muffled. It's very, very, very difficult to understand it. This first sentence in the proposed language, applicants will be allowed but not required to specialize - specify additional registry services, I did go back through the transcript in San Juan and there was some discussion at the time about, you know, sort of the trade-offs between, you know, we can go ahead and get launched based on basic services and then later we can come in with our proposed additional services. And I can certainly see why applicants might want to do it that way. What's – and then there are other trade-offs in terms of how the public views that information and whether they have any, you know, whether they're reviewing that stuff or not and we've talked about a lot of these trade-offs.

This language is confusing in the sense that it seems to say well even if you propose the additional registry services at the time you don't have to say so. And that's specifically the thing that needs, that we need public comment on because it says you're allowed but you're not required to specify if you plan, you know, if additional registry services. So it doesn't really mean by the way you can go ahead and run a common TLD and you don't have to specify any additional services. That's not what it really means. What it really means is you don't have to disclose those at the time.

So either we need to rewrite that sentence if that's not what we mean or else we, you know, this is very, very much discussed within the Work Track whether it was, you know, whether there were - it was a pro or a con to be able to as (Maxine) put it in the transcript from San Juan have your hidden

agenda or have your hidden services and, you know, versus disclosing them at the time of application if they are known. Thank you.

Jeff Neuman: Okay thanks (Rubens). (Christina) just posted something saying in the interest of moving forward maybe just to revise the report to say the Work Track is seeking comment on the May versus required issue. Christopher then Alan and I do want to get, make sure we get to the last so please.

Christopher Wilkinson: Hi, Christopher Wilkinson again. Very quickly first of all I'm not a member of the, either Work Track 1 or Work Track 2 so I'm not in a position to assess to what extent the document reflects the Work Tracks work. My main points however is that we need…

((Crosstalk))

Christopher Wilkinson: …in this section a stronger emphasis on new entrants of there's a strong undertone in these discussions that the main players are incompetent and existing registries or registrars who would make proposals for the new TLDs.

In the areas that I'm most interested in, notably IDN and geographic names I expect most of the new applications to be from registry operators, proposed registry operators that with due respect to ICANN and our community that we have generally never heard of. But I think we need to discuss ways of promoting new entrants and diversification, notably in the geographical area.

Regarding services, my main comment, this is my personal experience is that most of the excellent new services that I encounter become available at the second level. I'm not sure about the top level domain registry proposing lots of new services, particularly if those services may in any way restrict or infringe on the scope for innovation by the registrants at the second level. So I personally would put a weighting reserve on that part of the discussion. Thank you.

Jeff Neuman: Okay thanks, Christopher. Alan?

Alan Greenberg: Thank you very much, Alan Greenberg speaking. Anne is right, there was lots of discussion on this. And I will be honest I don't recall how we – what decisions we made. However Anne is reading something into this first sentence which I don't read at all. She seemed, I think she's reading saying applicants will be allowed to but not required to disclose additional services.

                 Well if you don't disclose them in my mind then they don't exist. You may choose to file an RSEP at some later point and you take your chances whether it's going to be approved at that point. If it's a special service which you need to be able to run your registry and therefore it is a mandatory – it's mandatory that you get it then you have to disclose it at the beginning. So she's reading in that you can require additional services but they're not made public. And I'm not reading that into that sentence at all. So either I'm misreading the sentence or she is, but regardless it should be clarified. Certainly the concept in my mind of you need additional services which you're somehow secretly relying on but you can't - won't tell anyone or they're not - or they're in their application but will not be made public I don't know, certainly that - anything like that I think is not what we're saying and if it is we need to be really, really clear in this sentence. Thank you.

Jeff Neuman: Thanks Alan. And I know Anne, your hand's up. Let me try to see if I understand Anne your concerns first. Let me try to restate it, and then if I do right, then just let me know if I'm completely wrong or off base let me know. I think what Anne is saying is that if a registry that intends to use a domain in a certain way meaning that they're going to introduce a new services the only chance that the public has to oppose an application for the TLD is at the very beginning where they can like file an objection or they can file public comments or the GAC could object.

And I think what Anne is saying is that if there is a certain purpose or a certain service that's integral to the TLD I think she's worried that those who would object or otherwise file comments on the TLD being granted in the first place would miss out on the opportunity even if it was later publicly disclosed in an RSEP. Anne is that semi-accurate of your concerns?

Anne Aikman-Scalese   L   Yes thanks Jeff. It's Anne. It's the fact that the public watches applications and the rest of the constituencies watch applications. And, you know, we – there's not the bandwidth to watch the RSEP and RSEP processes as closely as possible. And my only point is that this is a question and that I agree with what (Christina) proposed. In other words this question should be put out just because I think it's a change in policy. Question 23 clearly says you got to specify all the services you're going to provide and raise any security and stability issues. Question 23 right now would require this. And it's a change in policy. And so in part you've correctly stated it but it's more of a timing issue. I'm not reading in as Alan suggests.

I am suggesting that this language is not clear. So I think what the real point of what was disagreed in the Work Track is whether or not when you know the services at the time of application do you need to specify them so that's there's transparency and the public can evaluate them along with ICANN at the time, not in a later process. So agree with…

Jeff Neuman: Okay thanks Anne.

Anne Aikman-Scalese   …(Christina)'s suggestion to just say we disagree and put it out for public comment.

Jeff Neuman: Okay. If I can give (Rubens) one minute literally and Alan one minute so that leads to the questions of this section and then a minute on any other business because I know Jim had us a question. Thanks. (Rubens)?

(Rubens):   Thanks Jeff. I (unintelligible) suggestion on the three that Anne is not comfortable with, it will be too afraid that applicants will be allowed to specify services beyond the daily required services. But the daily required services were the only mandatory ones. So just don't say whether there will be additional registry services. Just say that the (unintelligible) to provide, if they (unintelligible) a question they are not to be able provide any other services they want to but they – we just say they can specify. (Unintelligible) language helps you in satisfying this issue. Thanks.

Jeff Neuman: Okay thanks (Rubens). And Alan one quick kind of follower before we get…

Alan Greenberg: Thank you.

Jeff Neuman: …to questions?

Alan Greenberg: Thank you. I can see the merit of what Anne is suggesting, that is if you are planning to use a special service you must disclose it. But short of having infallible lie detectors how do you, you know, what you're really asking is a tick box saying do you certify that there are no services you require which you are not specifying right now? I can live with – I think that would be a dandy thing. I'm not quite sure how you could verify it or penalize someone if they come up with a service the day after the domain is put in the root that they're now asking for that they promise, you know, to swear they didn't think of it earlier. But I'm not quite sure how one does that. But if we're asking for a certification that you don't have any other required services that you are not disclosing I can certainly live with that. I'm not quite sure how one implements it. Thank you.

Jeff Neuman: Okay thanks Alan. So we're going to take all this feedback back and see if we can reflect this discussion either in the text itself or certainly as a question. There are a bunch of questions here on this section asking about specifically about the financial evaluation. There's on which of the models that, you know, what we need to be evaluated and what doesn't need to be evaluated.

There's questions on the notion of multiple, you know, whether you need to evaluate one registry more than once or are there some occasions in which you do need to evaluate them more than once even if they propose the same thing.

There's a question on, you know, some of the working group have suggested that ICANN provide a list of persons or entities that could assist applicants in establishing a proposed business model. Should ICANN be allowed or even required to maintain such a list. The requirement to submit financial statements was one of the main reasons why applicants failed their 2012 applications. Although changes to financial evaluations are potentially being recommended the Work Track is not suggesting changes to the requirement to submit financial statements but are there any potential alternate ways in which an applicant, an applicant's financial stability can be measured without the submission of financial statements? And then there's some other questions on the RSEP, on the preapproved notion on Page 41.

So I know we did not get to the last section on the inclusion which is okay. There's – it's a fairly short section which we'll start off on on the next call but please do read the section, please do comment on email not only on the questions that we're asking and on the recommendations but especially on something like this section there we're just talking about which has a really long delivery section which goes through each of the items in fairly - in a lot of detail. So I think that certainly please make sure that that deliberation Section F does reflect the discussions that we've had.

I'm just trying to go through the chat. So I know I need to catch up on the chat that's in here. I don't want to miss anything. But I'm sure that ICANN staff and Work Track 4 leaders and (Cheryl) are keeping on top of it. So we will make sure that all of this is reflected.

I'd do want to get to there was one item of any other business, at least one brought up by Jim Prendergast but I'm not sure he's on the phone. He had

asked about a call that took place I- or a meeting I think between section Work Track leaders and the GAC. The only thing I can think of that he may be referring to was there was a call between the GNSO Council Leadership and the GAC about two weeks ago where the purpose was to introduce the GAC members to the PDP process, especially because there were a lot of new members of the GAC. And so the GNSO Council leadership or the staff that supports the GNSO Council had asked (Cheryl) and I to be on the call to do sort of a case study of the subsequent procedures PDP, how that group got formed, how, or why we decided to split it into Work Tracks including the fifth Work Track, what new things we're trying that other working groups may not have tried. But other than that it really wasn't any kind of substantive meeting on soliciting any feedback.

So as best as I could tell that's what Jim Prendergast was asking about. Jim are you on this call maybe, maybe just on audio? Okay I don't - although it sounded like someone wanted to say something. Okay (Michelle) saying he's not on the audio bridge. All right so I will figure out if that's what he was asking. On any other business I think you will shortly see a schedule from ICANN on the sessions at ICANN 62.

As far as I am aware we have for Work Tracks 1 through 4 we have a session at the very - I can't even see beginning anymore because they added an extra day I guess. So on Monday which is technically the first day of the meeting we have a session at it looks like 9:00 am to 10:15 then a break and a second session at 10:30 to noon so pretty much all morning on the first on Monday morning. And then for Work Tracks 1 through 4 we have a, towards the end of the meeting they're on the Thursday so day, the last day from 1:30 to 3:00 is our third face to face session. So please if you can be there, plan on being there the entire meeting.

There are also two Work Track 5 sessions that are being planned. The first one and someone's probably going to have to help me post it because I just totally blanked as to where they are. I know the last one is on the last day as

well so if someone could post that in to the session. So there are two session for Work Track 5 as well.

What we are going to try to do at least for Work Tracks 1 through 4 is to come up with areas that we know are fairly either controversial or ones in which we know will take some work to get to a final recommendation from this group if we are able to do so. So what we would like to focus on during those sessions is not so much the substance to re-go over all of the arguments we'll say let's talk about for example generic, closed generics. We're not going to have a discussion on the benefits of having closed generics or detriments of having closed generics, but more on what are some mechanisms that or tools that we can use in order to get to a place where we can be in a position to make a recommendation one way or the other or some sort of compromise. So we're going to try to break out into groups and hopefully figure out some ways in which we can get to a resolution especially on the areas that we know are fairly controversial or have well thought out sustainable positions that people have been taking.

(Steve) has posted a few sessions for Work Track 5. The first one's on Monday 3:15 to 4:45, second one is on Thursday 3:15 to 3:45. Please make sure that you attend those. And I know that there are some conflicts, try to work through those but we'll do the best we can. Any other last questions before we adjourn this call? Okay thank you everyone.

We will continue with name collisions which is actually a fairly short item on this one on the next call. And then you will see Section 1.8 come out shortly if not today or tomorrow - well not today, but certainly hopefully by tomorrow or Wednesday at the latest. So please be on the lookout for that section. Thanks everyone.

Woman: Thanks everyone. Bye for now.

(Michelle):   Thank you so much.

Woman: Thank you.

(Michelle):   The meeting has been adjourned. Operator please stop the recording and disconnect all remaining lines. Have a great day everyone.

END