ICANN
Transcription
Rights Protection Mechanisms (RPMs) PDP Working Group
Wednesday, 20 June 2018 at 17:00 UTC
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AC Recording: https://participate.icann.org/p6k2t4ndox6/

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The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page http://gnso.icann.org/en/group-activities/calendar

Operator: Recordings have started.

Andrea Glandon: Thank you. Good morning, good afternoon and good evening and welcome to the Review of All Rights Protection Mechanisms RPMs in all gTLD PDP Working Group call held on Wednesday, the 20th of June, 2018 at 1700 UTC.

In the interest of time, there will be no roll call. Attendance will be taken via the AC room. If you're only on the audio bridge could you please let yourself be known now?

Petter Rindforth: Hi, Petter here. I think I'm still only on the audio bridge. I'm trying to connect through right now with Adobe so.

Jason Schaeffer: Jason Schaeffer here on the audio.

Susan Payne: Susan Payne, likewise.

Andrea Glandon: Thank you, Susan.

Jay Chapman: Likewise, Jay Chapman. Thank you.

Andrea Glandon: Thank you, Jay.

John McElwaine: This is John McElwaine. I'm doing the same thing, trying to install Adobe.

Andrea Glandon: Thank you, John.

Kathy Kleiman: And Kathy Kleiman too. Thank you.

Andrea Glandon: Thank you, Kathy. Hearing no other names…

Rebecca Tushnet: Rebecca Tushnet…

Andrea Glandon: …I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. Also I would like to…

Rebecca Tushnet: This is Rebecca Tushnet, did you get me? Thank you.

((Crosstalk))

Andrea Glandon: Yes, Rebecca Tushnet, thank you on the audio as well. With this I will turn it over to Brian Beckham. Please begin.

Brian Beckham: Thank you. And welcome, everyone. I'm very encouraged to hear all the people chiming in on audio only. It looks like we had a pretty sparse attendance from the Adobe screen but it looks like we have something of a – a critical mass so thanks for everyone for confirming that you're on the phone.

Just to start us off, does anyone have any comments on the draft agenda before we start? Okay, hearing none, any updates to statements of interest? Okay, hearing none. Item Number 2 and 3, we were hoping we could have very brief high level 30,000 foot overviews from the people that are responsible for the various sub teams before we head into the ICANN meeting in Panama where we'll go into a little bit more detail.

For the Data Sub Team I believe I heard Rebecca and Susan on the phone line. I don't know if there was someone who was leading that or that was sort of a shared leadership. I've been on a few calls myself over the past week or two and I know there's been a tremendous amount of good work going on on the Data Sub Team. So would anyone be able to provide a quick update for the people that are on the call in terms of the Data Sub Team work so far and what we can expect in the ICANN meeting in Panama?

Julie Hedlund: Brian, this is Julie Hedlund from staff. I'm looking for hands from others but generally staff helps to chair those calls. And unless someone else wants to chime in staff can go ahead and give that update.

Brian Beckham: Please, go ahead, Julie, and then we can obviously take additional inputs from people that are on the call.

Julie Hedlund: Thanks so much, Brian. So the Data – the TMCH Data Sub Team has had numerous calls to review the draft surveys that were designed by Analysis Group and this was based on the questions that the Data Sub Team had developed and had also – the working group had also signed off on quite some time ago and the Data Sub Team has now progressed through the Registrar, Registry, trademark and brand owner surveys and the registrant survey and now will, after this call, be reviewing the potential registrant survey.

And once the review is completed, Analysis Group will provide updated revised versions of those surveys which the Data Sub Team will review.

Those will then need to be beta tested and then the goal is to then get the surveys out, have Analysis Group send the surveys out so that we can start getting data back in the August timeframe.

Brian Beckham: Very good. Thank you, Julie. Anyone have any questions or anything to add to the update that Julie's given? Seeing none, we can move onto Item Number 3, which is the status of the other sub teams. For the Practitioner team, I think Jason, I heard you were on the phone and you were leading that.

And I understand from some emails in recent days that the results are in and they're kind of a preliminary overview of the responses has been put together and there are even some draft slides for presentation at the meeting in Panama. I wonder without kind of stealing any of the thunder from the presentation that will be made in Panama if you have just a few words to say for the folks that are on the call what we might expect?

Jason Schaeffer: Sure. Thank you, Brian. Yes, we actually are happy with the results. Our data set is in, as you mentioned. The practitioner survey was – went out to 38 practitioners and we received 14 responses. Now while on its face that may look like a fairly small data set, we did reveal that – or discover that of the 14 responses, many of the respondents handled 10 or more URS cases so probably represented a sample of about 100 URS cases out of the 800 plus URS filings. So as a whole the group feels that it was a good survey.

I want to thank, again, Petter and Scott, Rick, and George and Kathy for – and you and – in helping get these questions in working order and of course staff did a phenomenal job shepherding the survey out and getting the results. So we look forward to meeting everyone in Panama, sharing the results and discussing you know, what we can glean from the information.

Brian Beckham: Very good, Jason. And I just wanted to share some things that we had discussed on our cochair and staff call particularly with respect to the

Document Sub Team but I think this is probably where all of the sub teams were headed, which is that we're obviously it's encouraging to see that that seem to be a substantial number of responses where they're representing almost 10% of the URS cases that have been filed. And so we'll be keen to see what suggestions come out of the survey results and how that can help shape some of our policy recommendations for possible improvements or modifications to the RPMs.

Did anyone have any questions for Jason or any thoughts on the practitioner survey? Okay, hearing none, the next sub team that we were looking to hear a similar update from was the Provider Sub Team, and I believe as with the Practitioner Sub Team, the responses are in, there is some initial data compilation and I believe Phil Corwin was heading up that sub team. Phil, do you have a few words to share with us?

Phil Corwin: Yes, Brian. We've gotten a majority of the survey results back, but not all particularly the Forum needs to review some cases and have some discussions with examiners to complete the survey. But we do expect that hoping to have that in before we meet with the providers next Thursday in Panama. And the results so far are useful and we'll be reviewing them and seeing where they might lead to agreement on areas where we should adjust some things in the URS. But we'll leave that to the working group. But we've got most of it back and we'll have the rest in hopefully by next week. And we'll be set up to begin discussing policy options in July and August.

Brian Beckham: Very good. Thanks, Phil. And I just wanted to note for the benefit of those on the call that the providers, I don't know if it was all or a few of the providers were able to join for the Thursday meeting in Panama so that will be useful to hear from them directly on any of the survey questions where there were questions open for discussion still.

For the Document Sub Team, we had a call last week where Berry walked us through sort of some of the initial results from looking at the 14 appeals and

looking at some further data analysis from Rebecca's helpful Excel sheet. And we had noted that there were a number of contingencies that the Document Sub Team early on identified where information from the providers and the practitioner surveys may inform further thoughts from the Document Sub Team and so obviously those are placeholders.

And there were one or two places where that sub team had identified possibly a need for further direction from the full working group or one or two instances where there would be some useful data to be gleaned from Rebecca's good research. I don't know – I think I heard John McElwaine was on the call. John, did you have anything to add? I know since J. Scott left, this particular sub team was in a little bit of a unclear position as to who was helping out.

We had John, you had I recall chipped in to lead a session in Puerto Rico. Berry's been very helpful to lead some of our phone calls and I had led one or two of the early ones after J. Scott left. So I've tried now to provide a very quick overview of where that Document Sub Team is. John, did you have anything to add?

John McElwaine: Hey, Brian. John McElwaine for the record. Not a whole lot to add. I would say that in you know, looking at our work so far it has been just trying to understand essentially the Excel spreadsheet and what documents and data could be collected.

And I think really our next step is going to be to try to see, you know, what if any trends we're seeing or if people will identify to us potential trends that we could then look into that via the information that we're collecting. So I think as you said, we really need to kind of get some focus as to what is this group going to do in terms of a deliverable. Thanks.

Brian Beckham: Perfect. Thanks, John. And this is Brian Beckham again for the record. And I believe Berry, you have your hand up.

Berry Cobb: Thank you, Brian. Berry Cobb for the record. Hopefully I won't sound too repetitive but just to provide a little bit more of a compressive overview. As Brian had mentioned, when the Document Sub Team had met with the plenary working group April, we had provided a summary of activities to that point which also included a summary of the 14 cases where an appeal was also filed, and that had some preliminary findings from that.

And then as Brian noted, we did meet last week where we reviewed through some additional data collection that had been accomplished by staff per the inventory of possible data sources from our table matrix of identifying those potential sources as it relates to the different topics outlined in there. So there was a lot of information to review, kind of probably too much or a little bit overwhelming for the group. And as John pointed out, we need to regroup to better understand some of the details of that data.

But essentially there are three sources that we're looking at. First is what we've worked on a while ago which is just collection of the URS case information from the providers, the secondary source, as mentioned is the coding spreadsheet that Rebecca and her team have provided, and then thirdly, we also took a fresh query of Whois against the domains that were a part of those URS cases. So taking all three of those sources together the first area that we had reviewed through was kind of a domain disposition snapshot, essentially trying to understand what the current state of the domain is as the result of a URS case filing.

The second area was taking a quick look at where there were multiple cases filed against the same domain name, it looks like there was about 19 of those. And then the third area, which was also on our inventory matrix, was to understand the case response analysis which was predominantly from Rebecca's coding spreadsheet. And we basically were able to collate how many cases had a response within 14 days or whether there was a response within the six-month period.

And then the fourth area which is around an analysis of those cases where the claim was denied which was also helpful from Rebecca's research or the coding spreadsheet, and that we were able to subdivide those 59 cases between those where a response was filed versus those where no response was filed but still the claim was denied.

So that was initially presented. I think there is still some more work for the Document Sub Team to continue with to mature it before presentation with the plenary working group. And then lastly which hasn't been started that both John and Brian had mentioned is once we've tidied up the data collection and the analysis about it is to re-review our inventory and go back and ask the questions of what we had started out with and does the data actually help answer or address some of those questions that were identified with the end goal of packaging up a deliverable that can then be presented back to the full working group.

And finally for the Panama meeting, we'll provide a little bit more detail as to this status summary with some preliminary findings but again, note they are very much preliminary until the sub team can meet again. Thank you.

Brian Beckham: Thank you, Berry. And I just – this is Brian Beckham again for the record. Just to complement what Berry said, there were some preliminary recommendations forming out of the Document Sub Team.

We I think have our homework cut out for us to report back to the full working group hopefully by the end of July because of course we have to try to do our best to wrap up some portions of the URS work by the time the Trademark Clearinghouse survey data comes back.

So that's just a heads up for folks on the Document Sub Team that we will be meeting in our sub team over the course of July and we need to roll up our sleeves and analyze a little bit more of Rebecca's data to be prepared to

report back to the full working group with some proposed recommendations for consideration. Did anyone have any thoughts or comments on the Document Sub Team report?

Okay, seeing none, the next item on our agenda was a quick update on ICANN 62 sessions. We've sort of covered that in broad brush strokes just to run people through again the agenda, which you should have all received by email, we have three sessions planned for in person meetings in Panama.

We have on Wednesday, the 27th of June, from 10:30 to noon local time our first full meeting which is a presentation from the URS Practitioner Sub Team on the survey results. And we're hoping we can also have a brief update from the URS Document Sub Team and the TMCH Data Sub Team, obviously time permitting at that first Wednesday session.

The next session on Thursday the 28th from 9:00 to 10:15 local time was a discussion on some of the procedural issues that have been raised regarding how to best tackle the URS work, whether some of the portions of the URS work, for instance, some of the operational aspects are notifications being delivered to registries in the right language, to registries, registrars, in the right languages.

How are providers working with the registries and registrars in terms of the suspension pages, so some of the kind of more operational low hanging fruit that's already been identified and to see if it's not possible to make some preliminary recommendations on the URS in the first phase and then a discussion for us collectively as a working group to see if we agree to park some of the broader URS discussions for Phase 2, but obviously that's something that we'll need to discuss together as a group.

Then the final meeting on Thursday the 28th of June, that follows a coffee break from the first meeting, it's 10:30 to noon local time, and that's an update from the URS Provider Sub Team. And as I mentioned, the providers

have confirmed their attendance and the staff is working with the providers to see how they think the best use of time could be made during that final Thursday session.

I don't see any hands. I just want to mention for those of us that are on the call here and we'll send an email with notes from the call, but we know that this is A compressed ICANN meeting, we know there are a lot of demanding topics, there are going to be significant discussions around GDPR and a range of other issues and we know it's always difficult to juggle all of the different competing meeting sessions but we do want to try to encourage people as much as is possible to attend the meetings in person. It's a great benefit to see everyone and to try to work together and for those of you who can't make it to Panama to really encourage you to participate remotely.

Did anyone have any questions on the sessions planned for ICANN 62 in Panama? I don't see any questions in the Adobe and obviously there's still time to raise questions on the email list before we all head off to Panama. With that I want to ask if this was – this was an abbreviated full working group meeting and the reason we wanted to get everyone together is because we've been working a lot in sub teams in recent weeks and we thought it would be useful just to sort of convene everyone to remind everyone what's going on in the sub teams. I can say from my participation in a number of those a tremendous amount of work has been going on, a lot of good progress, a lot of good compromises and it seems that we're all kind of rowing in the same direction so it's been very encouraging to see a lot of the good hard work there.

And the reason we had an abbreviated meeting was that following this meeting, for those of you on the Data Sub Team, we had penciled in some time for you all to get together and continue the work that you guys are doing on the various surveys that are set to go out. So did anyone have any thoughts, comments, suggestions on any of the things we've discussed

today? Anything for consideration before we all head off to panama? Anything for the Data Sub Team who's going to meet in a few moments?

Okay, well seeing none, I want to thank everyone for joining the call today. And for those of you traveling to Panama, wish you safe travels and look forward to saying hello in person in Panama. Julie, shall I turn it over to you wrap up the call?

Julie Hedlund: Thanks so much, Brian. Yes, this is Julie Hedlund. And thank you, everyone for joining today. And we will look forward to seeing some of you in Panama or remotely from Panama. And just to note that staff will send out again the link to the Panama schedule for these sessions a little bit later today. Thanks o much. And yes, and as Mary is noting as well. And yes, and thank you, Kathy, local time is actually one hour behind, it's UTC -5. There is no daylight savings time in Panama City.

Thanks to all of you and I'll say for those who are doing the Data Sub Team call, that's actually a different Adobe Connect room so you'll need to leave this room and then go into the Data Adobe Connect room. So for those of you doing that we'll see you soon. Thank you, everyone. Bye-bye.

Brian Beckham: Thank you.

Man: Thanks.

<center>END</center>