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**ICANN Transcription**

**The Review of all Rights Protection Mechanisms (RPMs) Sub Team for Sunrise Data Review**

**Wednesday 20 February 2019 at 1800 UTC**

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MICHELLE DESMYTER: I'd like to welcome everyone. Good morning, good afternoon, good evening. Welcome to the RPM subteam for sunrise data review call on the 20th of February 2019. In the interest of time, there will be no roll call today. Attendance will be taken via the Adobe Connect room, so if you happen to be only on the audio bridge, would you please let yourself be known now? Hearing no names, I would like to remind all partisans also to please state your name before speaking for transcription purposes, and please keep your phones and microphones on mute when not speaking

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to avoid any background noise. With this, I'll hand the meeting back over to Julie Hedlund.

**JULIE HEDLUND:** Thank you very much, Michelle. So I will quickly run through the agenda here. First of all, we have the updates to statements of interest, then followed by the review of the INTA new gTLD impact study survey results with respect to the claims charter questions, and that's the preamble question, and then questions one through 12, and you'll see the links there for the questions. And then Any Other Business. May I ask if anyone has Any Other Business? Kathy, please.

**KATHY KLEIMAN:** Hi, Julie. Hi, everyone. I'll make the same announcement I made in the trademark claims subteam, which is it's really Any Other Business, but I'll just go ahead and say it, which is that the schedule for the meeting in Kobe is now posted, and our meetings, our four face-to-face sessions will be on the Sunday and Monday of the meeting. So I just wanted to let everyone know what's up. Thanks, Julie.

**JULIE HEDLUND:** Thank you very much, Kathy. That's quite helpful. Not seeing any other hands, and I do see that Greg Shatan has joined us, so I'm going to go ahead and turn things over to Greg Shatan to continue with agenda item two. Thank you.

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GREG SHATAN: Thanks very much. So we'll get this up in the screen here in a second, and we can go on. There we are. Do you want to start with one or preamble? I'm just wondering, [inaudible] better to start with question one since the preamble kind of is a wrap-up. So why don't we start with question one? How's that for a last-second curveball? George says preamble. Here's question one. So let us go to the new material.

There wasn't a lot of participation this week. On this one, on question one, we have only David McAuley who says there's nothing on nonexact match. Kathy, your hand's up. Please go ahead.

KATHY KLEIMAN: Sorry, Greg, old hand. I'll take it down. Thanks.

GREG SHATAN: Okay. And I did some review. I see George agrees also. My review came out the same way on question one at least. Question two then we should go off to. George, you have a hand up.

GEORGE KIRIKOS: Yeah. I did have an overarching comment, the same one I made in the earlier trademark claims call that's worth repeating, just like Susan made her overarching comment last week. I think we need to take into account that this is an unrepresentative and small sample with only 32 participants. The past statistical criticisms of this survey that were made at the time it was presented are worth bearing in mind.

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On page six, we had [inaudible] where only 39% of the people that responded or the companies that responded had between 5000 and 24,999 employees. [39%] had 29,000 or more employees. Also, 27% had between \$1 billion and \$5 billion revenue and 52% had \$5 billion or more in revenues. Also, 67% were based in North America and 21% in the EU. So that just demonstrates that it's very unrepresentative of a typical trademark holder. These are very large companies, and so we should keep that in mind when we're weighing the evidence accordingly. Thanks.

GREG SHATAN:

Thanks. We did have a discussion about the extent to which the concerns of larger and smaller trademark holders are the same or different. We don't have to have that same discussion again, but most of what we're here to do at this point really is to identify data points that can be used and as well have some discussion. Brian, welcome. Please go ahead.

BRIAN BECKHAM:

Yeah. Thanks, Greg, and I don't want to [beat] into this or belabor it, but I just want to say, George, this is the same comment that you've made going back, I think, since before the INTA survey was presented, and trying to frame it as kind of a justified intervention because of something another working group member [inaudible].

We've heard it all before, so I would ask respectfully that we just consider it noted and move on to the task at hand. Sorry, everyone, for the interruption.

GREG SHATAN: Thanks, Brian. [I think] that actually was George's intent, to get it in once, not every time. But George has his hand up again. Please go ahead.

GEORGE KIRIKOS: Yeah. I [didn't] see Brian object when Susan made that comment last week in both subteam calls, so I don't see why he considers anything to be inappropriate at this time with me.

BRIAN BECKHAM: George, the reason is because you've been raising the same question about the legitimacy of the INTA report since it was presented. [inaudible] Lori Schulman presented it. It's not a new concern that you're raising, we've heard it I don't know how many times before. So if Susan's raising the same consideration once, that's a far different thing than you raising it for the umpteenth time. Thanks.

GREG SHATAN: Thanks. George, is that a new hand or an old hand?

GEORGE KIRIKOS: It's the same hand. I'd like to respond to that. Not everybody that was in the working group two years ago is aware of these concerns. The subteams might have different composition. But it does bear repeating, just like other people put asterisks next to their comments or, you know, [weighted] their comments, I'd like

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to [weight] my comments by the same concern that they did.  
Thank you.

GREG SHATAN:

Thanks. I'll just briefly note that the survey was sent out to all regular members of INTA, and also note that on the annual revenue chart, there was 9% that said they were not sure what their revenue was, so don't know what bucket they fall into. But in any case, let's get back to the substance of the survey itself, or rather, the responses and analysis.

So I think this brings us to question two. Here, things should be a little bit more interesting. David McAuley notes that [these answers somewhat,] both A and B, whether registry sunrise and premium name pricing unfairly limit the ability, if so, how extensive?

David cites slides 14, 48, 50, 58 and 59, and notes the first of the slides, at least 14, [inaudible] premium pricing affect most. Since we're gathering data and not reviewing it closely, there's no need to read too many of these slides, but it appears that [inaudible] members feel their domain name registrations have been affected by premium pricing [inaudible] observed evidence of discriminatory pricing, unfair business practices, and 73% say they evaluate it on a case-by-case basis. 67% are affected by it to some degree.

And then I would also add, I think slide 15 may fall in there as well if I'm not mistaken. And again, 50, 58 and 59 – actually, not 15, [inaudible]. 15 discussed the positive effects of UDRP – of

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sunrises, rather. And then 50, a lot of mentions of the [sucks] issue. I think that also kind of shows the timeframe in which this survey was conducted. Comments about charging premium prices for a house brand on the basis it was valuable despite the fact that it's not a descriptive term. Various discussions of the effect as well on those slides.

Does anybody have anything to add to this on number two? David, I think you're second. George, please go ahead.

GEORGE KIRIKOS:

Yeah. On this table, in the how did the [inaudible] assist column, it's kind of very broad. I encountered many of the same page references that David did with some differences. So I'll just point out what I found in this question.

Page 14, there was 67% were affected by the premium prices. That's also repeated on page 48. Page 48 also mentions dot-xxx and DotAsia which were actually prior rounds of new gTLDs, and also dot-HBO which is a dot-brand, so I don't think the people that filled out survey necessary were focused only on the latest round of new gTLDs.

Page 14 said that 55% observed evidence or example of discriminatory pricing or unfair business practices related to new TLDs. Page 50 had commentary on discriminatory pricing in sunrise, for example dot-sucks. Page 52, general comments. These were freeform responses to the survey. Somebody said some have much higher prices during the sunrise period, which is the only time you can guarantee being able to register the name.

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Page 58 also had concerns about dot-sucks, dot-love, and page 59 had freeform comment. “Sunrise periods have only a minor effect because many registries target brand owners with discriminatory pricing while at the same time, many offer the same domain name to non-brands at a much cheaper price.” And as Julie asks, I’ll add these to the spreadsheet later. But did want to give people the opportunity to shine by posting their comments first. Thanks.

GREG SHATAN: Thanks, George. David?

DAVID MCAULEY: Greg, thanks. I just wanted to say a couple of things. One is I apologize to the group if sometimes I put down slides without a brief summary, and I should have put a brief summary. I was rushed when I did this, and I apologize for that.

The other thing I was going to say is when slides following 57, such as 58 and 59, when those are cited, there typically is, as George said, sort of freeform comments. There’s individual comments from some of the participants, so understand it in that light.

And then finally, Greg, with you being on the tablet, I would be happy to continue in chat saying when hands are up if you want me to. I don’t know if that’s useful or not. Thanks very much.



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GREG SHATAN:

Thanks, David. That would be useful. Maybe someday, Adobe will upgrade the tablet software so hands are up in their proper order. [Note to Adobe.] Anything further? I see no hands, so I think we can move to question three.

Premium name and reserve name challenges. [It's about] whether there should be a mechanism to challenge premium name or reserved name determination and also a release mechanism for the same, and what concerns these might raise.

So here we have from David McAuley felt that this helped but not directly on both points identified, slide 53 and 60. The survey shows concern over premium pricing for [slides,] noting question two [on perhaps] slide 60. So also, the question's noted above in two, slides noted above in two to be brought down here as well. Maybe staff can do that. And perhaps slide 60, reference to acceptable use policies to be relevant. And there's also commentary on page 53.

I also felt that page 58 was relevant, and I'll put that in after – [inaudible] said there was as quote. And this is, again, one of the anecdotal pieces. “We have identified a couple of registrars who are withholding/reserving our company trademark from registration. In one case, we were able to work with the registrar to “unlock” the domain and register it.” They probably meant there were registries that were withholding or reserving them, but that's what's noted there anecdotally. Kathy, your hand is up. Please go ahead.

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KATHY KLEIMAN: Yeah. Thanks, Greg. Not adding any data, but just noting that anything over slide 50 is anecdotes. These are individual commentary and not kind of formal survey results. So I know other people have mentioned that, [inaudible]. It may be useful if we're pulling out elements of data to note that when we do, kind of formal survey evaluation versus important commentary. Thank you.

GREG SHATAN: Fair enough. Thank you, Kathy. Anything else on question three, anybody find anything they didn't note or want to comment on what's noted here or what I noted? Seeing none, I will move on to question four.

[inaudible] following the chat. Looks like there is some digression going on, or at least I think it's a digression. If it's something we should all be discussing, just bring it up orally please.

So here for question four, [inaudible] David looked and didn't find anything or didn't look. I thought that, again, question 58 for the same reason, the same quote that I read, the anecdote about withholding/reserving company trademark from registration was also germane here. My favorite one of the Jackson Five.

Anybody else with anything on question four? George, your hand is up.

GEORGE KIRIKOS: Yeah. That comment on page 58 actually referred to registrars. So if we agree that the comment really should be read in terms of

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registries instead of registrars, then I think I agree with you then that that might be a relevant piece of data to that charter question. Thank you.

GREG SHATAN:

Thanks. I'm just reading it that way because I can't think of a way that registrars – or rather, a single registrar could withhold or reserve a name or a string from reservation. They could register it themselves perhaps, but that's a different discussion. So I'm assuming [there's an] inadvertency. Not everybody is fluent in all of the nomenclature in this area. Anything else for question four? If not, we can move to question 5A, the length of sunrise.

And here we have David noting slide 59, which I believe is one of the anecdotal ones, has commentary on this. Sunrise period and trademark claim periods are too short, yada yada. I don't mean to yada yada that, but ultimately, you will all read that. But I think that's at least the one comment that's on slide 59 on that topic.

Anybody else have a – I see no hands. Kristine, please go ahead.

KRISTINE DORRAIN:

Hi. Yeah, thanks. So apologies if this was already stated. This is my caveat, I was on vacation until midnight last night, so I'm catching up. I wanted to enter slide 51 into the record. I didn't see any citations to that yet, but maybe it fits. I think slide 51 does talk about – it says two thirds of the members feel UDRPs and the sunrise periods have mitigated risk. So I think we could enter 51 into the record as stating that it is serving its intended purpose at the number of days that it's currently operating. It maybe doesn't

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provide any more information, but it might answer that first part as far as yes and no go.

GREG SHATAN: Thanks, Kristine. We actually decided to save the preamble for last, so you can contribute that in real time since the preamble's kind of a wrap-up omnibus question. And I note that the trademark claims group had already adopted that change in rotation. But thanks, and welcome, and I admire your technical accuracy in saying you're on vacation until midnight. I usually view myself as being on vacation until I get out of the house and go to work the next day, or something different.

But anyway, anything else on this question 5A? If not, we can move on to question 5B, mandatory versus optional.

KATHY KLEIMAN: Greg, I raised my hand late on 5A.

GREG SHATAN: Okay. We haven't really started 5B, so let's go to your hand, Kathy.

KATHY KLEIMAN: Thanks. We don't have to go back to it, but Kristine said I think also on 15, because we're talking about kind of is it working the way it is, do we need to tweak it? Also the overarching – oh, thank you for someone popping it up. So, does the current 30-day minimum for a sunrise period serve its intended purpose? And so

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slide 15 says – I'm going to sum – two thirds feel the UDRP and required sunrise period, 64% [inaudible] required sunrise periods have helped mitigate risk to a major or moderate extent. So I think that's data that lends to kind of it's working. So that's what seems to be relevant here, and you're right, probably the preamble. Thank you.

GREG SHATAN: Thanks. Let's go back to 5B then. To B, or not to B? Is the reading material on the first page here, from the Analysis Group report, is that new material, staff?

ARIEL LIANG: So that's what George comment said in the meeting last week, so he put it in after the Google doc was reopened.

GREG SHATAN: Okay, but we went over it last week, so we don't need to do it again.

ARIEL LIANG: That's correct.

GREG SHATAN: So then in terms of new new material, we have David on page four saying, yes, and that this answers all of the subparts. Again, slide 15, 31 and 51 [inaudible] maybe comparatively felt that sunrise was more useful than claims, and provided some benefits.

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So we've seen those couple of slides already. 31 is a new entrant, so we're going to take a brief look at 31, see if there's anything notable. Nine and ten members have registered new TLD domains in the past two years in the sunrise, so 90% of those responding had registered in sunrise in the past two years. That's what 31 is statistically, and then 51 is a slide that [you've all] touched on how well rights protection mechanisms have helped mitigate risk. Again, two thirds feel that UDRP is mitigating risks [to a] major to moderate extent, major/moderate extent.

So that's that. Anybody else? Call for hands before we move on to number six. And the SDRP, let's go ahead. Here again, David McAuley, and thank you, David, for being this week's workhorse. Hopefully, we'll have broader participation. Perhaps the [ex-Presidents' Day holiday] on Monday caused a lower than normal turnout, at least among those celebrating or protesting on that day.

So David points to slide 52 with a possibly rating. INTA [inaudible] survey has a comment or two that [could apply.] As noted, URS and DRPs are burdensome procedures. Again, this is a commentary page, so these are anecdotal evidence, if you will. More comments here about the RPMs themselves, and not really about SDRP per se, but general [inaudible]. Anything on this one? Call for hands. Seeing none, we'll move on to lucky question seven.

I agree, Griffin, it's probably referring to that. But since SSDRP was somewhat undersubscribed, question seven, use of cancelled/revoked SMD files. This is a question I've always had some trouble with in terms of the framing of it. Can SMD files be

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used for sunrise period registrations after they have been [inaudible] or revoked? How prevalent is this as a problem?

And here we have David who says, no, didn't find anything in here that was relevant. Any comments from anybody else who may have something even analogously of interest? I know the [word] search for SMD comes up empty. Or string search, I should say, SMD not really being a word.

George also found nothing. So let's move on to question eight, LRP, ALP, QLP [inaudible] for the acronym challenge. Limited registration periods approved, [launch programs and qualified launched programs.] I note in the chat that Mary Wong has remarked that revoked SMD files cannot be used. That seems good to know, and fair question or fair to note. Maxim, your hand is up. Please go ahead.

MAXIM ALZOBA:

I hope you hear me. Just a note for clarity. There is an assumption that TMCH was always on. It's not the case. There were periods where the service was not accessible. Just – thanks.

GREG SHATAN:

Thanks, Maxim. Anybody else? David here again on question eight found nothing, although – I think there were some things on – well, registry reserved names and the like, but that's different than the launch program. I did not get to this question in my [inaudible].

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So if anybody else has anything, now is the time. Seeing no hands, we can roll to question nine. I note some conversation in the chat about how SDRP could be more useful with proper enhancements and broader notoriety – maybe I’d use the word “awareness,” Griffin, but that’s a discussion for another time.

So this brings us to number nine, limitations to goods and services. “In light of the evidence gathered above, should the scope of sunrise registrations be limited to categories of goods and services for which the trademark is actually registered [inaudible]?”

And David McAuley answers no, but we also have contributions from Michael Karanicolas, says, “Somewhat,” and looks to page 30 of the survey and notes cost for proof of use filings are relatively low. More than half are less than USD 1000 over 2015 and 2016, suggesting that the imposition of additional requirements are not necessarily adding to a system which is already too burdensome.

There's a chart here that 54% said that the cost of proof of use filings was less than \$1000. 35% said \$1000 to \$4999, and 8% said \$5000 or more. I assume that’s the total spend and not what they were charged for each filing, but not entirely clear without looking at the question and at the underlying data. Anybody else have anything on question nine? Michael Karanicolas, your hand is up. Please go ahead.



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MICHAEL KARANICOLAS: Yeah. Just to clarify, because the comment in there is maybe not quite phrased as eloquently as I should have. Because I understand that the burden of adding in those categories to be a [inaudible] different issue, but I just broadly felt that the fact that current cost burdens for proof of registration is relatively low is potentially relevant to that conversation, even if it's not specifically demonstrative of what the costs of the additional requirements would be. So I just wanted to clarify that. Thanks.

GREG SHATAN: Thanks, Michael, for clarifying that. And it's certainly true that whenever anybody looks at any change, cost enters into the discussion. I spent this morning listening to the EPDP, and there were quite a number of discussions of how different the cost aspect of various changes, as well of course the benefits, etc. So fair enough.

I think we can move to question ten since I'm seeing no further hands. Use and proof of use, a rather open-ended assignment, not even [formed in a] question. "Explore use and types of use required by the TMCH when purchasing domains in the sunrise period."

David McAuley, while saying no, [inaudible] referred to slides 30 and 31 relating to process, I believe, although – I don't know, David, if you want to explain this a little more. I see slide 30 has that cost that we were discussing, and also just the number of proof of uses filed by different respondents, anywhere from zero to 21 or more. And then 31 is another – nine in ten members have

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registered new TLD domains in the sunrise, 34% one to ten, 21% 11 to 24, 21% 25 to 74, 14% 75 or more.

So there's some discussion. There's also other slides, I believe, that go to the issue of proof of use, but maybe not to the type. But if anybody has any other comments on this. I see two hands. David first. Please go ahead.

DAVID MCAULEY: Thanks, Greg. Just meant to say that the [word "prof"] was incorrect, it should have been "proof," and I just indicated those slides because it touched on the subject. Actually, 30. Slide 30 did. So that's my only comment. Thanks.

GREG SHATAN: Thanks, David. Kathy, please go ahead.

KATHY KLEIMAN: Yeah. Thanks, Greg. Kathy and – back to that slide on page 30, I found it interesting that 70% of the respondents to the survey, three quarters, have filed a proof of use, and some have filed many proof of uses. So I like that number 73%, so I thought that was interesting. Thank you.

GREG SHATAN: Thanks. Thank you, Kathy. I would add slide 11, which is the kind of summary analysis of the same data, so three and four. 73% members had at least one proof of use filed with an average of 13 filed. Reported costs related to proof of use filings vary greatly but

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average around \$1800. I personally, in advising clients, never saw the point in going into the TMCH and not filing a proof of use. Kind of like sitting in a restaurant just asking for water. But anyway, that's a personal observation.

Anything else on question ten? It would be interesting to compare. It wouldn't be hard to see how many have proof of use versus how many have – I think 90% have registrations and only 73% have proof of use, so I guess as number of people felt differently than I did about that.

Question 11, let's go to question 11. Non-English script/language participation. I tried to do an IDN search and was not able to use [inaudible] script to search the PDF. So here we have David did not find anything in answering these questions about whether or not non-English script and language users were able to participate in sunrise. So, anybody else have any comments on this or any nuggets?

Seeing none, we can move on to question 12, specialized TLDs. David here again said, no, found nothing in the survey. Should sunrise registrations have priority over other registrations under specialized gTLDs? And question of different rules such as for community or geo TLDs. So nothing found here, but let's turn back to the group and see if anybody might have found something and not yet noted it.

Seeing nothing, let's loop back around to the preamble. So as noted, the preamble asked the overarching questions, "Is sunrise serving its intended purpose? Is it having unintended effects? Is TMCH requiring appropriate forms of use? If not, how can this be

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corrected? Have abuses of a sunrise period been documented by trademark owners, registrants, registries, registrars?”

And here, not surprisingly, we did find some good stuff, or at least stuff. Just turning pages here, sorry. Here we are, page 11, David McAuley answered “somewhat,” with reference again to slides 15, 31, and 51. And we also have Michael Karanicolas also with a “somewhat.” [This would primarily be] the unintended effect question.

And look to slide nine, which is entitled “Registration activity is heavily defensive,” says, “Domain names registered by brand owners, new gTLDs are commonly parked and not creating any value other than by preventing unauthorized use by others.” I see that's in quotes, but I don't see that on page nine. Maybe I'm missing something. But in any case, let's see if anybody has a hand up. George, please go ahead.

GEORGE KIRIKOS:

In addition to the ones that were identified by David and Michael, on page 14, there was a stat with 55% observed evidence or examples of discriminatory pricing or unfair business practices related to new gTLDs. On page 15, which is summarized in the data from page 51, 64% have felt sunrise periods have helped mitigate risks to a major or moderate extent. Page 31 probably overlaps with David, nine in ten members have registered new TLD domains in the past two years in the sunrise period.

On page 52 – we're getting to the general comments here – “Sunrise periods always help protect trademark owners,” said one

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respondent. And another one said, “And sunrise periods have quickly become more a moneymaking product than a protective tool.” That’s more of a criticism. On page 58, there was a concern about the dot-sucks and the dot-love TLDs, and also about registrars withholding or reserving domains, but we should read that as registries, not registrars, as we discussed before.

And on page 59, there was another set of general comments saying, “The sunrise period allows trademark owners to purchase a domain incorporating a key trademark before anyone else can.” And another person said, “Sunrise periods have only a minor effect, because many registries target brand owners with discriminatory pricing, while at the same time, many offer the same domain name to non-brands at a much cheaper price.” That’s probably talking about dot-sucks. Thank you.

GREG SHATAN:

Thank you, George. And I see that Michael noted in the chat that his reference in the table is to the May 10th slide package, not to the first package. So Michael gets a gold star for going on to the second package of slides, and thanks for that. I don't know that anybody else did, so that’s good, and obviously something we’re going to have to cover before we move along.

So we have Kathy. Please go ahead.

KATHY KLEIMAN:

Yeah. Thanks, Greg. So I never made it to the second packet, I'm glad someone did. But on the first packet, if you look at slide 23, it’s also talking about parked domain names, and so this we

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should probably add as well to the table. And it says that parking, not including redirected domains, the common practice, particularly so for new gTLDs, but is also widespread for legacy and ccTLDs.

And it looks like 70 – am I reading this right? 79% of the members who responded to – of the 33 members who responded to this survey, 79% [it looks like] have parked new gTLDs. So I thought I'd mention that. Thank you.

GREG SHATAN:

Thank you, Kathy. Maxim, go ahead, please.

MAXIM ALZOBA:

Two clarifications. When it was referenced to registries trying to sell something to someone, according to the registry agreement, registries are limited only to registrars with RAA 2013 agreement. They cannot sell it to someone, a brand or whatever.

And the second note about parking. Parking is something which happens on the registrar level, not on registry, because registries are prohibited from using wildcards, so for example you had domains [inaudible] in some TLD, then you delete it, and if domain is not registered or reserved and you try to refer to it, you should have not existing domain, because if a registry hypothetically creates records which gives any other answer to such request, you should report it immediately, because it's a direct violation of registry agreement, and thus parking cannot happen on registry level. Just for clarity. Thanks.

GREG SHATAN: Thanks, Maxim. I think in the survey and on the slide 23, parking is referring to registered domain names being parked by the registrant, by the registered name holder. Not a registrar practice, but rather just the practice of registering domain names and maybe for defensive purposes, but in any case, not using them, or it could be for investment purposes, whatever it may be. So I think that's what's referred to as parking here. But duly noted that registries can't engage in the same activities as registrars. And I think the reference to selling is more of a global kind of marketing reference. No need to get down in the weeds.

Anybody else have anything else on sunrise questions on the preamble question? I noted, again, slide 11 I thought was also germane here, as well as the slides that were already noted by others. So I think that takes us through the first packet. And I have – well, let's see, does anybody else who had any comment on preamble that wanted to refer to it? Kathy, I see your hand is up. Please go ahead.

KATHY KLEIMAN: Yeah. I'm not sure how we did this, but the comments Kristine and I made to 5A, or 5B, I forget, would seem to belong here as well, as you noted. Thanks.

GREG SHATAN: Yeah, I would view them as definitely fitting here, and I would ask that each of you in our bottom-up multi-stakeholder fact gathering

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or data gathering exercise, if you could put that in if possible, that would be great.

Any other comments on this before we move forward? We could look at the other two packets, but I think Michael was the only one who at least noted anything. Having looked through them, I think somebody noted in the chat that they didn't see much in those other two follow-up packages. So I would encourage those who looked and mentioned stuff that they found on this call but hadn't already put into this, myself included, to put their data, notes into the Google docs, and then I think – so we have 60 minutes, so we have about five minutes left, which I think brings us really to AOB at this point. So, does anybody have any OB?

Ariel and George. I think I saw Ariel's hand go up first. Ariel, please go ahead.

ARIEL LIANG:

Hi, Greg. I think George can probably go before me. Actually, maybe it's faster if I just do this now, is about the next week's – the homework due next Tuesday. As we mentioned in the trademark claims subteam, there are remaining three resources in the previous [inaudible] data spreadsheet.

So one is staff compiled documents about summary data on sunrise registrations, and then the other one is ICANN webpage registry operators [inaudible] for sunrise trademark and other specific approved [inaudible]. And then the third one is transcripts from data subteam's meeting with Jon Nevett from DONUTS at



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ICANN 61. So that's the remaining three sources for the previously collected data.

And in addition to that, we will also share the additional data submitted by the working group members, and so there are a total of 15 entries entered through the Google form, and we will also provide you Google documents that consolidate all these submitted data and then provide you a column for subteam members to comment on.

So as we mentioned also in the trademark claims subteam, the process of reviewing this is slightly different from the previously collected data. The reason is because the submitters, they already mentioned what sunrise charter questions this data applies to and how the data assisting answering these questions. So for the subteam members, it's to basically check and see whether you agree, disagree or have additional comment on their input.

So we'll provide that Google document as well. Thank you.

GREG SHATAN: Thank you, Ariel. I see George has a hand up. Please go ahead.

GEORGE KIRIKOS: Yeah. As I've noted in the chat room, I did find about 50 other sources of data, many of which relate to sunrise, and so I think that they should be considered even though they weren't submitted via the Google form. These important pieces of data and they balance the – they show trademark interest as well as registrant interest. So regardless of the procedure that was

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announced, the issues [of extreme workload] should be considered. Also the fact that there was no opportunity to argue the section 3.7 appeal with regards to this. So I think we need to consider these documents as well. Thank you.

GREG SHATAN: Thanks, George. It's my understanding that everything in this category had to be submitted via the tool. So my understanding is that whatever Ariel's sending around is their universe. I see there's also comments in the chat [inaudible] deadline for individual proposals was tomorrow, but I think this has been extended – we're checking – to end of March.

Kathy, I see your hand is up. Please go ahead.

KATHY KLEIMAN: Yeah. A question about the – I'm going to call it the additional additional data, so the data that was submitted through the Google form and that we had to put the URL and list the charter question that you think it's relevant to. Will staff be putting those documents into these tables, or is that kind of the subteam's responsibility? Thanks.

GREG SHATAN: I see Ariel's hand is up, so I'll turn to her on that.

ARIEL LIANG: Thanks, Kathy and Greg. To answer Kathy's question, we will provide a Google document that transfer the contents from the

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spreadsheet that's basically [aggregating the] information submitted through the Google form to this Google document so you don't need to [inaudible] different places.

And then in the Google document, we'll have a column for people to write their comments in redline. So it's the same kind of [inaudible] like what we did for the previously collected data and Analysis Group survey. So basically, we will provide additional tables for the subteam members to provide comment.

GREG SHATAN: Thank you, Ariel. Kathy, is that an –

KATHY KLEIMAN: Can I follow up, Greg?

GREG SHATAN: Yeah, please.

KATHY KLEIMAN: Okay. And I'm clearly asking as an individual trying to navigate. So this table, the tables that we're looking at now for the sunrise charter question are for the remaining three documents that we haven't looked at, the ones on the same sheet – this is a question for Ariel – as the INTA survey that we were looking at today, the Analysis Group report that we looked at last week. So that's where – there are three more documents. Question mark.

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So those would go on these sheets, and then we're going to have an entirely new set of sheets for kind of the additional additional data? That's interesting. Thanks.

ARIEL LIANG:

So, what Kathy said about the previously collected data, that's correct. So the [remaining three] resources, whatever comments you have, please put on the Google doc for the previously collected data, and that's what we actually titled the document.

And then for additional submitted data, the sunrise subteam will have only one Google doc, because the submitted information already pointed out what the charter question applies to [inaudible] the need to create separate Google docs for all these individual questions. So we'll just have one Google document, and subteam members can take a look at it and provide their comments in one place. So basically just one more Google doc for the additional data submitted, and that's how we can get information organized. I hope that will be clear to the subteams when they review it.

GREG SHATAN:

Thanks, Ariel. I think that will be good for our working method when we have all of the resources kind of all together. We'll have to think about how that's going to be packaged going forward, but certainly for the next stage.

So I see no more hands, and with that, we are at 2:01, so I will call this meeting adjourned, and we're on again next week under the benevolent eye of David McAuley. Thank you, and goodbye. This call is now over.

JULIE HEDLUND: Thanks, everyone. Thank you, Greg, for the chairing. Have a great day. Bye.

**[END OF TRANSCRIPTION]**