

**ICANN
Transcription
Thick Whois PDP Working Group meeting
Tuesday 21 May 2013 at 14:00 UTC**

Note: The following is the output of transcribing from an audio recording of THICK WHOIS PDP Working Group call on the Tuesday 21 May 2013 at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-thick-whois-20130521-en.mp3>

On page: <http://gnso.icann.org/calendar/#may>

Attendees:

Marc Anderson – RySG
Iliya Bazlyankov - RrSG
Amr Elsadr - NCSG
Alan Greenberg – ALAC
Volker Greimann – RrSG
Carolyn Hoover - RySG
Steve Metalitz - IPC
Mikey O'Connor – ISPCP
Susan Prosser – RrSG
Tim Ruiz - RrSG
Jill Titzer – RrSG

Apologies:

Don Blumenthal – RySG
Marie-Laure Lemineur – NPOC
Avri Doria – NCSG
Frederic Guillemaut - RrSG

ICANN staff:

Marika Konings
Berry Cobb
Lars Hoffmann
Julia Charvolen

Coordinator: Excuse me, it's the operator and I just need to inform all participants that today's conference call is being recorded. If you have any objections you may disconnect at this time. And you may begin.

Julia Charvolen: Thank you. Good morning, good afternoon good evening. Welcome to the Thick Whois PDP call on Tuesday 21st of May.

On the call today we have Marc Anderson, Alan Greenberg, Volker Greimann, Steve Metalitz, Mikey O'Connor, Susan Prosser and Jill Titzer.

We have apologies from Marie Laure Lemineur, Don Blumenthal, Avri Doria and Frederic Guillemaut.

And from staff we have Marika Konings, Lars Hoffman, Berry Cobb and myself Julia Charvolen. May I remind all participants to please state their names before speaking for transcription purposes. Thank you very much and over to you.

Mikey O'Connor: Thanks Julia. This is Mikey and I'll just note that I just saw Carolyn Hoover pop into the Adobe room. And I think we've noted Alan's on the call already. Welcome as well to you Alan.

It's unfortunate but I've sort of trained everybody to show up a little bit late for these calls so I'm expecting some more people to come in. And so I'll fill just a few more minutes with the usual pause for changes to statement of interest and note that the agenda is quite short.

We're simply going to work our way through the draft of the initial report today and sort of follow our noses on that. I've got some ideas about that.

But I'll take a moment to just see if anybody would like to add anything to the agenda or tell us about a change to the statement of interest?

Steve Metalitz: Yes this is Steve Metalitz. I've changed my statement of interest. It's not really relevant particularly to this group but to reflect the fact that the lawsuit in which my law firm was involved against ICANN has been settled.

Mikey O'Connor: Oh it's been settled? Cool. I hope anyway.

Steve Metalitz: Yes.

Mikey O'Connor: Thanks for the update. Anybody else got any other updates that they want to share?

Okay well as you saw on the list I sort of went into editing mode in the middle of last week. And Marika and I have produced a first draft of the initial report which will be the document that I think we will use from now on as our vehicle for edits, changes, discussion, et cetera.

And my thought here is that - and I'm going - I'm sort of killing a little more time. I'm hoping a few more folks from the data protection group will join the call just to round out this discussion a bit.

But my thought is that on this call we will sort of take on great big issues that drive people crazy if there are any and then work our way through a couple of sections that I edited pretty severely and also work through a discussion of how to summarize the data protection and privacy section. Marika and I have provided a choice on that.

And then just sort of progressively worked down to finer and finer levels of detail with the hope that we can be done in a few weeks with this draft and push it along to ICANN to be released prior to the Durban meeting.

It would be nice to get it out a few weeks in front of the meeting since it'll get us out in front of the traffic jam on that.

So I'm done. I've used up all of my items that I want to fill. So I want to take a moment and just ask those of you that are on the call in general, you know, clearly a most general question is that this report recommends that we

proceed with the standard of Thick Whois for all registries in the new - in all gTLDs.

I just want to take a moment since that's the very highest level question to see if anybody disagrees with that because this would be a good time to surface those points and have that conversation.

So I'll take this moment. I'm going to have to come back to it because I don't feel like we've got quite enough people on the call especially from the NCSG to feel comfortable that we're really there.

But for those of you that are on the call is there anybody that wants to disagree with that conclusion?

I'm not seeing anybody in the chat and I'm not seeing any in queue so I'm going to move on to the next item sort of on my punch list anyway which is if we roll down to about Line 656 I'm going to leave control of the document in your hands so that if you want to roll up and down you can but it's 656. No, I'm sorry.

Marika Konings: Mikey this is Marika. I think the numbering between the Word version and the PDF version has changed because I think some of the...

Mikey O'Connor: Oh okay.

Marika Konings: ...(unintelligible). So that's my fault. I think...

Mikey O'Connor: That's all right.

Marika Konings: For the next version I'll make sure the PDF version is the one that's the determinative one when we maybe quote the line...

Mikey O'Connor: Yes.

Marika Konings: ...numbers because I think it sometimes changed depending on how you factor in track changes and deleted text.

Mikey O'Connor: Okay. So the corrected number is 791. I'm now at that section. And that's - I didn't know that. That's interesting to find out. I'll have to pay attention to that as well because...

Marika Konings: It may be a math issue possibly because I think that basically if you look at the PDF Version I think I've removed all the deleted text that's long or comments actually end of the document while I think in the board version actually keeps it there and that changes. I believe I think changed the line numbering.

I think normally the PDF version should be the determinative one because I think that's where it does stay the same, it doesn't change.

Mikey O'Connor: Yes I agree.

Marika Konings: So next time I'll be sure to include two versions and encourage people to refer to line numbering in the PDF version.

Mikey O'Connor: Yes well that's good to know. Anyway thanks Marika. The real number is 791. And basically what we did is provided you a choice.

And the choice is between the first one Option A is basically a conclusion that mirrors the pattern of the rest of the conclusions in Section 5 which is the big meaty section of this report.

And it is a little bit longer than most of them. Most of them simply say the working group finds that, you know, this is okay whatever it is that we're talking about.

The data protection and privacy one's a little more complicated than that. And so the Option A version's a little bit longer and I wanted to walk you through sort of what we did.

We sort of split this into two chunks and said okay in data protection all that conversation about data at rest, data in motion et cetera, our finding is pretty much the same as it is in all the other sections that the working group either doesn't find a difference or it defines that there is an improvement of some sort.

In this particular case in this section we didn't really find a difference that's unique to this issue.

And then we split off the privacy issue and yanked a piece out of the conclusion section of the privacy and data protection group and pasted it in there.

That's basically a recommendation that says look there are some knotty questions and those should be addressed during the implementation phase. So that's Option A. That's sort of how we arrived at it.

And then option B is I believe a straight copy of Alan's draft to the list although I can't - that went through a few revisions and I can't remember exactly which one was the final but it's at least got its origin in that document.

And so the choice for the group is which of either of these is suitable and are there any changes that should be made? And I see a queue is starting to build and so we'll go over there and start with Steve. Go ahead Steve.

Steve Metalitz: Thank you Steve Metalitz.

Mikey O'Connor: Oh Steve just a note before you continue your very faint today. I don't know if it's close to the microphone issue. It was hard to hear you the last time.

So if you're a bit further away than normal from the mic if you could swallow it that would be great.

Steve Metalitz: Okay I'll try to do that. Is this better?

Mikey O'Connor: Oh way better. Thank you.

Steve Metalitz: Okay two points here really. First I think the three lines about data protection probably could be in either Option A or Option B. I mean I don't think that's really where the difference exists.

But as far as the privacy statement I'm very much in support of Option B. And in fact I don't think Option A is an accurate reflection certainly of what was produced by the sub team.

If you look back - and I'm looking at the Word document here so my numbers will be different. But there's a paragraph beginning on Line 636 that says this subject is especially complex when it comes to drawing conclusions.

It flags that it's beyond the capacity of the working group to address conclusively and also may spill beyond the bounds of the scope of this working group in case of certain issues.

The text you have got there in Option A really comes after that. And but I flagged that earlier passage because, you know, I'm part of the group that feels that this is definitely outside the scope of the working group to reach a conclusion that says, you know, the General counsel needs to do further work on this before we move towards Thick Whois.

I think that's mixing apples and oranges. There are certainly issues relating to privacy in Whois that are going to be looked at by the general counsel as well

as a lot of other groups including the experts working group that's working right now and the PDP that's supposed to follow that.

So we will have plenty of time over the next decade I predict because I think all the steam has gone out of the Fast Track idea on the Whois Experts Group or virtually all of it but we're going to have plenty of time to debate those issues about Whois.

If we say we have to go through all that before we adopt a policy for Thick Whois, you know, our - we're never going to get there. It will be overtaken by all the other changes that are coming to Whois down the pike.

So that's why I feel that that is really out of scope. And I - from my perspective it was okay to include all that in the sub team report as long as we prefaced it by saying some people think it's outside the scope.

And I would not want to see it as a conclusion which you have in Option A. So I'm strongly in favor of Option B for the privacy discussion.

I think the first - I think the first three lines of Option A I think are fine if we want to break out data protection and privacy. But otherwise I would support Option B. Thank you.

Mikey O'Connor: Thanks Steve. And as a drafter I would take that Option A moving, you know, the data protection chunk and moving it into both options as a friendly amendment. I think that's a great catch. Alan go ahead.

Alan Greenberg: Yes I generally agree. It's a fine conclusion to say the general counsel's office and 1000 other working groups and the expert working group and the great computer that comes after us. We'll all need to look at privacy with respect to Whois and data protection with respect to is and a whole thousand other things with respect to Whois.

Our question is to what extent does it impact a meaningful definable ways thick versus thin? And if we can't address that is not part of our conclusions.

I mean if we can't identify what the rationale is, you know, so we flagged an important issue I'm afraid we're not the first ones to have done it, we won't be the last.

Mikey O'Connor: Yes I...

Alan Greenberg: (Unintelligible) focus on what the question was.

Mikey O'Connor: Okay. So what I'm hearing at least so far is to combine the first part of Option A and Option B and move the highlighted piece which on my screen is purple back where it came from which is up a couple of paragraphs.

You know, I don't...

Alan Greenberg: Yes.

Mikey O'Connor: ...think anybody's suggesting that we lose that paragraph. I...

((Crosstalk))

Alan Greenberg: This is Alan. I'll admit I have not had the time to go through this thoroughly. I actually took several days off. So I'm not sure that analysis is something I put my stamp of agreement on although it probably sounds rational. But I would be, you know, careful about making conclusions that are not one of the questions.

Mikey O'Connor: Right oh. Okay. Steve is that a new hand or an old one?

Steve Metalitz: Oh that's old. I'm sorry. I'll take it down.

Mikey O'Connor: Okay. Well okay so given this conversation that's where I'll go on this section. Now let me on the screen the line number I want to point you to is 707. It's several pages back.

In order to make room for my conclusions heading in that we were just looking at I changed the title of what the sub team called conclusions to be discussion.

And I wanted I just want to highlight that for you and see if that's an issue. I'm happy to change it back to conclusions. I was mostly doing that for stylistic reasons.

And I want to use that as sort of the launch pad to point out a couple of changes but most of the changes I made to the document were grammatical or stylistic.

But there were some substantive ones. And one of them is in the - not necessarily this section so much but in the privacy and data protection section.

Let me find an example. Up at 688 and I did this a couple times that this is a good example. The working, the sub team said it is beyond the ability of the workgroup to do an exhaustive review of applicable rules and contract provisions.

And for some reason as I was editing I liked the word capacity better than ability. I don't think that we lack the ability. I think we have lots of smart people that are able to do this.

Our problem is that we are limited in terms of the bandwidth that we have available. And I guess part of the reason that - another reason I like that idea of capacity better is that I didn't want somebody coming back and saying well if you weren't able to figure this out how valid is your conclusion?

So I just wanted to point to that and see what people's reactions were. I'm perfectly happy to change it back and I'm also perfectly happy to be told that I'm overly sensitive about that issue.

But I did want to draw your attention to that change because I like most of the stuff that I did to your work I think this does have some substance. Alan go ahead.

Alan Greenberg: The word - sorry the use of the word rules I think is in relation to possible national local rules two lines up correct?

Mikey O'Connor: You know, I was staying pretty much within the sentence. There's an earlier instance of this.

Alan Greenberg: There is two line sup in 686 on the screen anyway. A fake Whois environment would provide additional assurances where local rules limit information disclosures.

Mikey O'Connor: Yes.

Alan Greenberg: Okay in which case not only is it beyond our capacity it is beyond our scope to do a survey of all national - all local rules.

Mikey O'Connor: I would view that as a friendly amendment to my change to...

Alan Greenberg: Yes but I think it makes it even stronger if you're worried about someone saying oh, but you didn't do your work.

Mikey O'Connor: Yes okay so....

((Crosstalk))

Alan Greenberg: This workgroup is not expected to look at every local rulings in the world...

Mikey O'Connor: Yes okay.

Alan Greenberg: ...and see what the implications are.

Mikey O'Connor: All right. So that's a good catch. Any other thoughts about this notion that I've got? It's that kind of thing that I would ask people on the working group to really - I mean Steve has really grown through this document (unintelligible) but the rest of us need to go through this with a bit of a fine-toothed comb and just check my work because and I'm planning to go through it again so I'm not promising that this is my final set of edits.

You know, I did a lot of edits. And I want to go through it again and essentially taking another pass with the plane to see if this was really smooth.

All right well that's sort of it for privacy and data protection. Those are the two things I wanted to touch on with you.

The I think the overriding conclusion still stands that the working group does not feel that this is a showstopper issue and that it's overriding conclusion to recommend the transition to think Whois for all registries.

So I'm sort of doing I'm paying special attention to this one because this was one of the knottier issues that we went through and I want to make sure that we're comfortable. And for next week I will go through and make that change.

Now if we go back to Alan your draft I think is the sub team comfortable with that version of the draft or is there another version that should be substituted?

Alan Greenberg: Since I didn't look at it point me where it is and I'll look at it now.

Mikey O'Connor: New mouse on my computer which is doing really weird things. It's on Line 805 on the...

Alan Greenberg: Of this line 805...

Mikey O'Connor: ...screen version.

Alan Greenberg: Sorry. Say that again.

Mikey O'Connor: It's 805...

Alan Greenberg: Eight o five, sorry. I heard two people giving numbers at the same time and I - they merged.

Mikey O'Connor: Yes and it's 669 on the Word version that went out to the list. But I think 805 is a better target. And work off the one on the screen otherwise we'll get...

Alan Greenberg: Okay.

Mikey O'Connor: ...confused.

Alan Greenberg: Okay we're now talking about Option B is 805?

Mikey O'Connor: Yes that's the one. I want to check and...

Alan Greenberg: Well I thought you're talking about the section I worked on not...

Mikey O'Connor: No, no, no.

Alan Greenberg: ...(unintelligible).

Mikey O'Connor: I'm sorry this was I believe based on your draft...

Alan Greenberg: Okay.

Mikey O'Connor: ...of the summary. And I may be mistaken on that as well. Marika pulled this I think from...

Alan Greenberg: The last - the later version is the one that started off saying there are problems not there may be problems so this looks like the last draft.

Mikey O'Connor: Yes okay.

Alan Greenberg: Without holding it up in the light and comparing it I suspect it is the last draft.

Mikey O'Connor: Can those of you...

Alan Greenberg: Awful hard on an LCD display by the way.

Mikey O'Connor: Yes that is hard. Can - actually with the people who were on that...

Alan Greenberg: (Unintelligible) windows that have transparent displays that might not be. I hope mine doesn't.

Mikey O'Connor: Thank you.

((Crosstalk))

Marika Konings: This is Marika. I think this version's almost - is indeed the latest one and also includes the one sentence that I think that was added based on our conversation last time that basically says our (sole) working group participants who feel uneasy with the vast amounts of data that will need to be transferred across jurisdictional boundaries. But those have not transferred into concrete concerns. I think that was something that was added based on...

Mikey O'Connor: Yes.

Marika Konings: ...some of the feedback that was received last week. So this is as far as I know I think the latest one that was sent out on the mailing list.

Mikey O'Connor: So do we have a sense of the level consensus amongst the data amongst the sub team that the sub team is comfortable with this draft? I know I was just drilling on a sore tooth here but I really want to make sure we've got this right.

Alan Greenberg: Mikey other than those who had the final conclusion we shouldn't have a conclusion or a summary.

But to be honest I don't see how we can do our work without summarizing several pages into a yes no. That's our job.

Mikey O'Connor: Yes. All right so what I'm going to do then is I'm going to rewrite this section and say that we'll combine the piece from Option A that is not controversial and this piece from Option B and call it done.

Last call on this call we'll let the list beat it up a bit. But I thank you for putting up with my particular care over this issue. I think this is really important, seeing agreement in the Adobe room show up. Good.

Okay the other one that I had a lot of trouble with -- let me find it -- is the synchronization and migration section. And I may have wrecked it in the process of trying to make sense out of it. So whoever gets there first just sing out what the line number is. I have to rollback.

Steve Metalitz: I guess 905.

Mikey O'Connor: Thank you Steve, 905 yes. There it is. Okay so I admit to being and I'm perfectly willing to roll this whole section back to Marika's initial draft.

I got puzzled by our section where we said that it was a - well first of all I had trouble believing that it was possible - where's my comment? Hold on a minute, I have to find my little comment.

We go down to 959. I did a comment around the sentence that says in Thick registries inconsistencies between the registrar Whois and the registry Whois may arise as such modifications are not necessarily transmitted to the registrar.

Effectively registries and registrars could conceivably output completely different Whois data.

And Volker I'm going to put you on the spot. Oh and (Tim) is on the call too. Good deal, we've got folks who know what they're doing here.

Is this possible? How is it possible for in a Thick registry the registrar and the registry to get out of sync like that? I just wasn't sure that we had the right of this. And so I'm looking for help from smart people. Alan go ahead.

Alan Greenberg: You can have all sorts of problems. You can have just technical problems where things don't get updated properly. You can have a situation where multiple registrars claim to be the registrar of record for a domain and the registry points to one of them and not the other or perhaps points to a third one in some extreme case of, you know, there should - there are all sorts of reasons.

A number of registrars -- I think Volker is one of them -- and I'll let him speak have said that if a court orders a registry to change a registrar they do. That doesn't necessarily leave old registrar record, you know, updates their records immediately or at all. Thank you.

Mikey O'Connor: Before I go to Volker I'm just a little startled that the protocol allows it that the technical underpinnings allow...

Alan Greenberg: Well perhaps it doesn't but technology doesn't always work.

Mikey O'Connor: Well yes I know okay fine but I mean it just seems...

((Crosstalk))

Alan Greenberg: I'm not even sure if protocol has a command to say erase everything you have about it, you're not in the loop.

Mikey O'Connor: Well and now we get to somebody who knows what he's talking about.

Alan Greenberg: Okay that would be nice.

Mikey O'Connor: Take it away Volker. So he maybe - you may be muted. You're being uncharacteristically quiet about this. I'm going to let Volker's mute unwind for a second and see if he joins us.

He's toggling something. Tell you what Volker, he's still toggling.

Alan Greenberg: Why don't we let Marc...

Volker Greimann: I found it. Can you hear me now?

Man: Yes.

((Crosstalk))

Mikey O'Connor: Oh there we go. Now...

Volker Greimann: Can hear me now?

Mikey O'Connor: Yes. There is a little echo. You may need to turn down your...

Volker Greimann: (Unintelligible) microphone mute as well.

Mikey O'Connor: Just get really on top of the microphone on your computer and turn down the speakers and you'll be fine.

Volker Greimann: Better?

Mikey O'Connor: Much better, go for it.

Volker Greimann: Okay. We have a couple of cases where indeed as was explained earlier that where we had a registry not informing us that they had implemented a court order where the domain name was to be transferred to a different registrar.

So we displayed the domain name in our Whois because we simply did not know that the domain had been transferred by the registry.

There have been cases where registries send us an email but not an - and an API command or an EPP command or just a notification that our system can read of the changes they had made.

So that's the one issue, the one where we have experience and we have seen in synchronicity's between the data of the domain name in our Whois and they have one in another Whois.

So yes there is - there are situations where the registrar Whois can be out of sync with the registry data with registrar the domain name is with.

I'm not sure if that's the right way to do but at least VeriSign and a lot of other registries in the US they simply implement any court order they receive even though the court order should have probably gone to the registrar.

Mikey O'Connor: So...

((Crosstalk))

Mikey O'Connor: ...I have Marc and (unintelligible) Volker and is a member of the queue and I'm going to be interested in hearing his thoughts on this as well. But before I leave you Volker is it true that the EPT protocol allows and permits the registry to tell you these things that this is the case where the registry simply chooses not to?

Volker Greimann: Well they could always send us a poll message that we could read but in most cases this simply does not happen.

They send VeriSign at least sends us an email, sent us an email that based on a closed-door or not publicized court order they were not allowed to do tell us but they had to perform certain actions with regard to domain names XY and Z.

So we didn't even have a chance to correct our Whois because we didn't know what happened so we had to research it ourselves.

So these are the kinds of things that do happen and because the registry controls the database they can do pretty much whatever they like.

Mikey O'Connor: Interesting, okay. Well I probably need to take an action to rewrite my rewrite of this because I did not understand what actually happens. But thanks for that Volker. Marc you're next.

Marc Anderson: This is Marc. I don't really have anything new to add. I think it was already pretty well covered just, you know, the two scenarios is, you know, one there is any number of reasons why a registrar might not update the registry.

You know, so if a registrant changes their data, you know, that may get change with the registrar but never updated with the registry.

And I think Volker pretty well covered court orders, you know, in that, you know, we, you know, we act on all, you know, legitimate court orders that are received.

And, you know, as Volker pointed out, you know, in some cases those court orders even prevent us from disclosing the contents of, you know, the court order itself. So, you know, in some cases, you know, we can't even disclose what was updated.

So this was - those were the two main instances where I'm aware of, you know, mostly, you know, mostly the registry acts, you know, blindly based on the EPP commands received from the registrar.

So, you know, assuming everything is properly received from the registrar, you know, then everything's in sync. But in some cases, you know, there's any number of reasons why that wouldn't happen, you know, and then of course court orders which, you know, I think Volker pretty well covered.

Mikey O'Connor: Just to clarify my understanding of the EPP protocol however. It is possible for registries to send EPP commands to registrars or is EPP a one-way deal?

Well, you know, it's the registrar initiates the commands and, you know, there's responses to those commands. But, you know, is, and, you know, and I think in the spirit of what you're asking it's, you know, it's a one way. The registry cannot send the EPP commands to our registrar.

Oh okay. I definitely need to reread my rewrite. I was completely confused. Thank you. Alan go ahead.

Alan Greenberg: Yes two points. Number one, the kinds of problems we're talking about are not unique to Thick or Thin. I mean clearly...

Mikey O'Connor: Right.

Alan Greenberg: ...in a thin Whois there is only one source per registrar of the data but there may be multiple registrars who think they are the sponsor of a domain.

And if you don't go back to the (Rudy)'s time and ask the registry you may be well dealing with inaccurate information.

Mikey O'Connor: Right.

Alan Greenberg: And I believe your statement is on the screen 940, 941 is inaccurate. It says under Thick Whois registrar...

Mikey O'Connor: Oh yes no, no you have - yes take all that purple text and just imagine...

Alan Greenberg: Okay no, no but I've heard this one before stated as a fact and I believe it is not. It says that registered - and a thin - Thick Whois registrar's display the registry information.

They may. There is nothing in the RAA I am told that compels them to go back to the registry. When you get information from a registrar you don't know whose database it's coming from.

If I'm incorrect I'd be delighted to be told. But I've asked a number of people including registrars and ICANN and they seem to feel there is no compulsion about which Whois registrar displays if they are asked for it on a Thicks environment.

Mikey O'Connor: Carolyn can I...

Alan Greenberg: And maybe a high chance that they do one or the other but that's not certainty.

Mikey O'Connor: Carolyn is - would it be all right, it looks like Volker and (Tim) have come in in response to Alan and would it be all right if I go to them and just check?

Carolyn Hoover: Yes if they're responding. I was going to comment on the issue that updating poll messages from the registry but...

Mikey O'Connor: Yes let's hold on that and drive this point of Alan's on Line 940 to ground. Volker and then Tim.

Volker Greimann: Yes Alan is correct here. In the cases of Thick registries registrar's pretty much able to take his own Whois data and display it when he's asked or take the registry Whois if he's asked.

So but in most cases the registrar isn't even asked because nobody ever gets to the registrar from the registry which is the normal way in the thin Whois.

You require the registry where which registrar then you check the registrar for the domain name and they just (have) as already not needed because you already get the full information at the registry level.

So for thick registries the number of queries we get I can probably count on one hand for one day.

Mikey O'Connor: Okay. That's very helpful. (Tim)?

Tim Ruiz: Yes I was going to say pretty much the same thing except for that last part about count them on one hand in one day.

But anyway the other thing I'll - the only thing I'll add is that what we don't want to forget about is that, you know, that there is an RAA between ICANN and registrars and there's a registry agreement between ICANN and the registries.

But there's a third agreement the sometimes it gets kind of forgotten about and that's the agreement between the registry and the registrar.

So ICANN, you know, will accredit a registrar and say yes you can do these particular gTLDs but we still can't do those until we actually sign an agreement with the registry the provides that gTLD.

So I can't tell you that there are any of those registry agreements that would require the registrar to display their Whois but that's a possibility.

And so as we look at all of this I just don't want to overlook that. And in some cases we might need to do some research or look into or whatever that other agreement that sometimes we all forget about.

Mikey O'Connor: Well I'm getting a lot of great education. Alan is this about this topic or is this a new topic? If it's new...

Alan Greenberg: I was just going to make an aside on what (Tim) just said.

Mikey O'Connor: Okay.

Alan Greenberg: It could come later or now if you wish?

Mikey O'Connor: Let's draw let's tie this topic off and then circle back to Carolyn.

Alan Greenberg: Okay. I was just going to point out that (Tim) is very right about that. The curious thing is although ICANN as has how is the RRA amended on its Web site it doesn't actually have the RRAs for those of you who need to go to the registry if you can find them.

And all of the ones I've ever found point to an unpublished document as a core part of their - of what they're requiring. That is the registry specification.

So (Tim) is right, not only do people forget about it but it's not even possible to find out what it says in a large - in a general sense at least for the common man.

Mikey O'Connor: Fascinating. Okay well I apologize. I trashed this section. I will go back through and rework it for next week. Carolyn you're very patient. Thank you.

Carolyn Hoover: Yes well first I'll mention to Alan that the .co-op RRA is actually available online so anybody could go look at that if they want to.

Alan Greenberg: Can I answer that?

Carolyn Hoover: To the other point I want - yes?

Alan Greenberg: Yes. I did manage to find most of the RRAs. The RRAs all the ones I found refer at least in relation to things to things like what Whois elements must be transferred refer to a registry specification or a name similar to that which in general is not online as far as I can tell. I didn't look at .co-op so I don't know about the (case here).

Carolyn Hoover: Okay. Okay well the main point, the original point I wanted to get back to was the one's that Volker had pointed at as well in the chat that poll messages can be sent from the registry.

For instance with co-op because of our eligibility requirements we actually do send out poll messages if we have revoked a domain or changed the status of domain based on verification for .co-op eligibility.

So that's again another example where we are expecting the registers to pick up those poll messages and adjust their statuses, et cetera, based on that information and they don't always do that.

And so, you know, we have to make sure that they have that polling set up properly. So just wanted to use that as another example of communication from the registry to the registrar.

Mikey O'Connor: So it's possible to do it's just that there aren't sort of standardized routine ways to do it across all the registries it sounds like.

At best I think this is something that I tell you what, let me - I'm going to listen to this part of the transcript and rewrite this. And I thank you all for setting me straight. I was completely out to lunch on this one so okay.

Well those were the two big topics that were on my mind. And I appreciate you helping me with both of those. I - for the last quarter hour of the call I throw the conversation to you.

Are there things in this draft that you spotted as you reviewed it that you'd like to draw our attention to and correct. Steve go ahead.

Steve Metalitz: Yes thanks. This is Steve. One thing that I saw and that I wasn't - didn't look quite right to me but maybe I've been missing some of the conversation here.

There are a couple of references to the RAA eliminating the - or might eliminate the requirement for registrar data escrow.

On the version that I downloaded from the wiki pages on Line 407 I'm sure that number is not right here and it comes up a couple of times but, you know, if changes to the RAA eliminate the requirement for registrar data escrow.

And I went and looked at the last version of the RAA and there's a data escrow provision. And it just seems to, you know, it's Section 3.6 and I don't think it's changed in the recent drafts.

And it just says registrar, you know, has to submit the data to a reputable escrow agent mutually approved. I don't think it makes any distinction between thin and thick or talks about eliminating data escrow.

So I may be missing something here but and I'm sure the registrars on the call can set me straight. But it didn't - I didn't understand the references to possible changes to the RAA to eliminate the requirement for registrar data escrow.

Mikey O'Connor: Thanks Steve. It looks like we've got (Tim) and Volker coming in to answer the question. (Tim) go ahead.

Tim Ruiz: Yes. I think, you know, Steve is right. There is, you know, that's not taken out of there. It's not likely to be anytime soon.

I think where it came from was just in some of the conversations that we've had is a group there is, you know, there was that possibility even if it's in the RAA today that because it does provide for, you know, the RAA provides for amendments now.

So at some point, you know, there could be a request to amend that if as things progress here in the future it just doesn't seem to serve a purpose, you know, for registrars to continue escrowing data especially if all registries become thick.

All the thick registries are actually authoritative for the data. They're maintaining the database. They're also doing escrow in, you know, one or two places. Then it becomes sort of, you know, onerously redundant perhaps or registers might view it that way to continue escrowing somebody else's data themselves.

So I think that's kind of where it came from. Now, you know, true that's probably, you know, a slight possibility for some time in the future so if it

doesn't, you know, we don't deem it as worth continuing to mention here, you know, I wouldn't object to that but I think that's kind of where it came from.

Mikey O'Connor: Thanks (Tim) because I mean before I get to Volker clearly one way to do this is I could just go through and find those references and scrub them out.

And, you know, that was very helpful to get the sense of how important this is to you. Volker go ahead.

Volker Greimann: Yes (Tim) has already answered the question very well. Data escrow will not be affected by the new RAA. And in fact there is even a provision in the new RAA that refers to Whois privacy services, Whois where the private service is offered by the registrar or an affiliated entity of the registrar that the underlying data must be as good as well so the registrar data escrow is not going away.

And in some cases the escrow data may even be different from the data that the registry has in their Whois escrowing.

Mikey O'Connor: Okay. I think we're seeing a trend here. Steve back to - oh Steve was there but...

Steve Metalitz: Yes Marika put in the chat a line numbers so that's what I was going to raise.

Mikey O'Connor: Okay. Thanks Steve. All right well what I take out of this is let me go through the draft. I've got an action to go through the draft and find those references and rework the draft so that it makes sense if they're gone. They sort of in some cases I think that specific reference echoes up and down the text just a little bit so I'll hunt for that and let you know what I did.

Good one. Any others? Volker is that a new hand? Do you want to come in with another thought or is that an old one left over? That's left over okay.

Well we've got time for one more. We spent about seven minutes on that one. Any other - I thought that was a good catch too. It's a substantive point it's not just, you know, editing detail. That's the change. Steve go ahead.

Steve Metalitz: Yes. My only other question was going to the very beginning of the report and the preliminary recommendations are blank and the conclusions and next steps come in later.

I'm just wondering at what point are these - do these get filled in? I'm looking at Section 1.3 and 1.5?

Mikey O'Connor: Yes.

Steve Metalitz: Do - does this go - I assume it goes out with some kind of preliminary recommendation. And then maybe after we have comments we have the conclusions but I'm just not clear on what - when that gets plugged in?

Mikey O'Connor: I'd have to check with Marika. When we did this I think both of us felt well let's make sure that this thing flies before we go to all the trouble of posting all the summaries up there.

And so I think it's possible that we could for the next draft pound those in or as you say we could - I think it makes the report much easier to read if we have those up there in the initial draft.

So I'm presuming that that's where we're headed but I see Marika's got her hand up. Let her speak. Go ahead Marika.

Marika Konings: Yes this is Marika. That's what we typically do. Basically we first want to have the, you know, the body of the report that we have agreement there or at least have a good sense of where things are going because otherwise we just need to keep rewriting the executive summary.

And it's getting especially for the section on recommendations we typically just, you know, really copy and paste what is exactly in the section that deals with recommendations. But that's normally the key element or the main element where we would look for input on.

And that line which is currently in section or Chapter 7. So I think as soon as we have a sense that, you know, people are happy with the language as it is there, you know, that's something that we can then start translating into an executive summary.

But it's not often we, you know, for those really key sections we try to take it as much of the original language in those chapters. I think we're also (unintelligible) that maybe some people only read the executive summaries or really want to make sure that we're right accurate in what we've - what we're recommending and what we're looking for input on as well.

Mikey O'Connor: You know, I think for purposes of conversation let's do that for the next draft of this Marika because I think that as people read that draft that may pop their eyes opened and they'll go what? Oh my goodness and then, you know, we might get some more substantive discussions in the group next week.

Do you have any terrible feelings against that idea? Go ahead.

Marika Konings: Yes this is Marika. I - well what actually maybe as (first of) maybe ask by when people think they'll have had a chance to read through the full report. Because I'm just worried that, you know, we can spend time on getting the executive summary right but if then in the next meeting we're going to rewrite whole sections that means we have to redo that work as well in the executive summary.

So I would rather do the other way around of asking the group first by when do you think you'll have a chance to, you know, review the bulk of the report which everybody think is, you know, sections maybe I think Sections 5 and 7.

And then based on the feedback we receive there we have an indication of whether, you know, we'll still see major overhaul or major additions and, you know, determine then at that time whether, you know, it's the right time to actually do the executive summary and then really try to have the holistic picture there.

Mikey O'Connor: Okay. So why don't we do this? Why don't we do - oh Alan go ahead. Sorry didn't...

Alan Greenberg: I've got to strongly support Marika. Instead of having blank maybe we need some boilerplate they're saying, you know, this will be filled in once their firm C-section X had pointing to where the recommendations are right now so people don't think they're blank. But...

Mikey O'Connor: Yes.

Alan Greenberg: ...otherwise to add a bit of humor towards the end of this call otherwise we're going to have synchronization problems between the two versions and we're going to have a meta-discussion on our Whois synchronization.

And the last thing we need to do is have two different recommendations which are subtly different. So...

Mikey O'Connor: Okay uncle, I give up. But I like your idea of pointing to the relevant sections. I think that's good because the recommendations are buried in those sections.

Alan Greenberg: They are indeed. And that would be a fine thing to do. But...

Mikey O'Connor: Yes.

Alan Greenberg: ...let's not create our own problems. We have enough real work to do.

Mikey O'Connor: I get that. Steve I think you get last word on today's call.

Steve Metalitz: Yes thanks. I'm fine with that suggestion. And I guess my question is when do you - because since there's going to be some rewriting of some of these sections that we discussed today for some changes where do you think that would be available?

And I think if we can get that in the next couple of days we should aim to - for everybody to review this prior to next Tuesday and try to see if we can wrap it up then if that's realistic?

Mikey O'Connor: That's my goal Steve. You know, I've gotten so deeply into this document that I'm planning to do the next draft.

And, you know, my goal is to have it out either close of business tomorrow or maybe - close of business Thursday is what worked for me the last time and certainly by then I should be able to get another one out as well.

So I agree. And then if we can have people really take a hard look for next week's call I think we're getting very close to wrapping this one up. Alan go ahead.

Alan Greenberg: Yes I know we're...

((Crosstalk))

Alan Greenberg: ...on a tight timeline. But I find on these kind of documents when you've read them too many times you start - things become invisible.

Mikey O'Connor: Yes.

Alan Greenberg: And they do benefit from putting them away for a week and then going back to them. So if we...

Mikey O'Connor: Well yes. And flipping off all the change stuff...

Alan Greenberg: Yes.

Mikey O'Connor: ...and reading it, you know, back and forth. I think all of that is true. But at the same time, you know, this is - this document hasn't been moving a whole lot for several weeks now. And so I'm going to put a little pressure on people because I think there's also an advantage to getting this out ahead of the rush for Durban. And if we can do that sooner that's good.

Alan Greenberg: Well I - and that wasn't an argument for the rest of us who haven't read it or read it recently or read it at all not to read it.

I'm just saying for people who've been heavily into it putting it away for a few days or a week, you know, you often benefit from that if we have the luxury of time.

Mikey O'Connor: Yes. Well we certainly do at this point. Okay folks it's the top of the hour. I appreciate all the help as always and we'll see you in a week. We're I think getting pretty close. Thanks a million.

Man: Thanks.

Man: Thanks Mikey.

Woman: Thank you.

Woman: Bye.

Volker Greimann: Bye.

END