

**ICANN
Transcription
Thick Whois PDP Working Group meeting
Tuesday 23 April 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 23 April 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-20130423-en.mp3>

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

Attendees:

Marc Anderson – RySG
Roy Balleste – NCUC
Amr Elsadr – NCSG
Alan Greenberg – ALAC
Frédéric Guillemaut- RrSG
Marie-Laure Lemineur – NPOC
Steve Metalitz - IPC
Mikey O'Connor – ISPCP
Susan Prosser – RrSG
Tim Ruiz - RrSG
Jill Titzer - RrSG
Jonathan Zuck – IPC

Apologies:

Carolyn Hoover – RySG
Don Blumenthal – RySG

ICANN staff:

Marika Konings
Lars Hoffmann
Glen de Saint Gery
Nathalie Peregrine
Julia Charvolen

Man: Okay, go ahead. We are now recording.

Julia Charvolen: Thank you. Good morning, good afternoon, good evening. Welcome to the SIC Whois working group call on Tuesday, 23rd of April 2013. On the call today we have (Mark Anderson), (unintelligible), (Ahmar Elsadge), Alan Greenberg, (unintelligible) (Guimo), (unintelligible), Steve Metalitz, Mikey O'Connor, Susan Prosser, Tim Ruiz, and (Jill Titsu). We have apologies from Don Blumenthal and Carolyn Hoover may arrive a little late.

From staff we have Marika Konings, Lars Hoffman, Berry Cobb, Nathalie Peregrine, and myself, Julia Charvolen.

May I remind all participants to please state their names before speaking for transcription purposes? Thank you very much. Now, over to you.

Mikey O'Connor: Thanks, Julia, and welcome all. This is Mikey. Just to take our standard pause to take a look at the agenda and also anybody who wants to update our statement of interest. Okay. We'll get (Marie) on the call - looks like she's having audio trouble.

The next agenda item is take-aways from Beijing and I have to apologize to the group. I was taking my usual copious notes in the outliner that I use. I was doing it on a computer that got sterilized on the way back into the United States and in the process of doing that I lost every document I created in Beijing, so there are no notes. So this -- I think -- is just a chance for us to somewhat informally recap what we covered at the meeting in Beijing. My - again, my apologies for that. Now, I'll get better at this transition back into the U.S. business in the future.

I think for me, anyway, one of the most interesting parts of that conversation was the conversation about the impact of the new RAA on the privacy and data protection discussion. And I was kind of hoping to see (Baulker) on the

call. I guess he may have had a long night because of the new RAA was just released for comment about 12 hours ago.

But I think one of the things that intrigued me a lot was the idea that the concept of an exemption where local data protection law conflicts with ICANN's contract, which is a concept that's been in the registry agreement for some time. It's now making its way into the registrar accreditation agreement as well. And I know that Marika and some of the other folks in the data protection group have been conversing about that. Marika, do you want to give us just a really quick update -- recognizing that this is all extremely preliminary -- on where all that stands?

Marika Konings: Hey, sure. This is Marika. So I did a quick scan earlier this morning of the agreement and I should probably preface that by saying I'm not a lawyer and I wasn't involved in the REA negotiation, so definitely don't consider myself an expert in this area.

But what I did find is a - two provisions or two parts that deal with this notion of, you know, exceptions or exemptions in places of conflict with local laws. The first one is in the data retention specification. So that specifically calls out a process or procedure that needs to be used if there is a determination -- either based on a (unintelligible) opinion from a nationally recognized law firm or a ruling or guidance from a governmental body or competent jurisdiction -- that basically determines that there is a - that the data collection and/or retention requirements of the specification violates applicable law. And then basically there was a procedure to follow.

I think there's basically discussion with ICANN. There would be a - I think even a public comment period involved and then a determination whether there should be any exemptions made.

And then there's also another provision, but that specifically deals with special amendments, which is this new process -- I think that has been

introduced here -- that would deal with ways of amending the agreement after it has become into force, which also provides for a procedure whereby -- if such a special amendment would be considered in contradiction to applicable laws or conflict with applicable laws -- that an extension could be discussed or pursued through specific mechanisms.

So those are the two provisions or places in the REA document I've found. But as I said, there may be others. And I don't know if anyone else has already had a chance to look at those and found any other indications of whether these are the two main ones that were made to that specific item.

Mikey O'Connor: Thanks Marika. I'll throw this out to the rest of the group. I note that Tim and some of the other registrars are on. Do any of you registrar folks who are probably watching this a lot more closely than the rest of us have anything to add to that before I move on? Hate to put you on the spot like that, but that for me was sort of the major sustenance conversation that we had in Beijing and I just wanted to touch on that again.

Anything else that people who were either on the call or at the meeting in Beijing want to add to this before we push on to the next piece? This is - what's showing up on the screen, by the way -- and thanks Marika for that -- is a note that Marika has sent to the data protection sub-team that sort of encapsulates the two big pieces of the proposed RAA agreement. And I think that each of us has the ability to scroll independently, so you can sort of take a look at that. Marika, you may want to push that note along to the general list, too, just so people have that for their records.

But anyway, I thought the timing was really good. It was helpful that (Dan) could sort of give us a bit of a preview of what was coming and some of the other registrars could, too. And then to actually have the - at least the proposed draft come out, I think helped us move along.

Okay. Another agenda item - I'm going to move along to the next one, you know, we're sort of in the busy part of this working group. We've covered a lot of ground and we're starting to produce a lot of documents, and so this is a pretty packed agenda. If I move us too quickly through this agenda, please slow me down.

But what's on the screen now is a draft of the current state of the report from the privacy and data protection group. Don Blumenthal -- Whois the chair of that sub-group -- is unfortunately in - not able to be with us today. He's got a meeting out of the country. And so unless somebody else in the group would like to - I thought I would just briefly highlight where I think the group is at.

I did ask folks on that sub-team list this morning if anybody wanted to do this update and I'll take a minute and see if anybody would like to do this instead of me. Not being overwhelmed with hands being raised so let me just very quickly - Steve, go ahead. Steve Metalitz.

Steve Metalitz: Yeah, Steve Metalitz. Just to say that Don prepared an excellent draft and we had a good meeting last week, which we went over it and made some suggestions for changes and -- most of them small -- and what he circulated this morning is supposed to reflect that. But I certainly haven't had a chance to look at it, but - so I don't know whether it fully does. But I think in general there was a lot of support for his draft and after we've had a chance to go through it, you know, we can move it along to the next step.

Mikey O'Connor: What - I mean, it's not (unintelligible), but 12 hour old documents in front of the rest of the group. Sorry. That's the main point that I was going to make as well, Steve, thanks. And that is that the group seems to be making very good progress. I've been an observer on their list and I mostly just wanted to acknowledge all the hard work that the group is doing and also acknowledge that there does seem to be very good progress here and encourage any and all -- especially members of that sub-group -- to really bear down on this latest draft that Don has published because it does seem to be coming in

towards a final state and at that point the rest of us will want to be taking a look at it.

We're under a bit of a tight deadline to try and hit our goal of an initial report by the Durbin meeting. And so you'll find me to be something of a task master for the next few months as we try to drive towards that deadline. So many thanks to everybody on that team and we're really looking forward to a closely reviewed version of this and a chance to take a look at it soon.

Alright, the next piece of this agenda - well, I'll stop for a minute. Is there anything else that folks want to say about the current state of affairs in the privacy and data protection sub-group before we move along? I mostly was looking for a status update and I'm pretty confident that we've got a good one here, but I don't want to monopolize the conversation, either.

I see that (Ahmar) is typing. (Ahmar) is saying nothing to add, so good. Sounds like we're on track there.

The next piece of this agenda is to go through four fairly closely reviewed drafts and see if we can come down to a final on them. We've had these drafts in front of us for several weeks now, several weeks before Beijing and then the period that we were in Beijing. So I'm hoping that we can put these four to bed. I'm going to go through them very quickly and mostly give people the opportunity to take one last look at them. But we've been at these for a while and I would like to essentially put these in the consensus column if we can.

But this is the opportunity for folks to sort of throw up a hand and say, "Yikes, this is a big problem; I didn't realize that." So if people are uncomfortable, by all means, express your discomfort. But as I say, these have been pretty well-reviewed drafts and I note that the language has been tidied up pretty effectively in these. So we're going to go through these fairly quickly.

The first one -- and the one that's on your screen -- is the section that deals with authoritativeness. And one of the changes that's gone in is this notion that there is a little inconsistency with the UDIT treating registrar data as authoritative and the rest of us sort of thinking that the registry data is authoritative. And if you look at the very end, you'll see that we've got a preliminary recommendation at the end that says we're not quite sure what to do quite yet with that UDRP discussion, but that other than that - our conclusion is that it's not necessary for us to rule on this.

That SIC registries have functioned quite well without a former - a formal position on authoritativeness and we're going to leave that in place. We're not going to change it.

So if there's any discomfort with that point of view, this would be a good time to speak. Steve and then - oh, the queue's building nicely. Go ahead; Steve first.

Steve Metalitz: Yeah, Steve Metalitz. I'm not sure I have discomfort with the last paragraph, but I'd want to - I'm not sure what we're - quite sure what we're recommending, here. Just that we want the GNSO council to do something.

I did ask some people who are much more knowledgeable about the UDRP than I am about this question. And I don't think - my summary of their responses is that I'm not sure that this is a problem that we need to recommend be solved. But I have to go back and look. They went - they basically looked back at the UDRP cases and how discrepancies between, you know, or inaccuracies or problems in the registrar data had been handled.

So I'm not quite ready to sign off on this because I'd like to go back and share - kind of summarize what they told me and circulate that to the full group. Because these are folks that are much more knowledgeable than I am; some of them are active UDRP panelists. So I'd like to get their input on this.

Mikey O'Connor: I think that's fine, Steve. And I think one of the things we might want to do in terms of organizing the document is to pull this out of our recommendation and put it in a category of the document that's something like suggestions for future work or observations that came out of our analysis. I don't think it's a gating item for our recommendation in terms of SIC Whois. At least that's my initial guess.

Steve Metalitz: This is Steven. I would agree with that comment.

Mikey O'Connor: Thanks. Alan, go ahead.

Alan Greenberg: Yeah, thank you. I did raise this issue when it came up with the SIC -- not with SIC -- with the locking PDP, because that's populated by a number of dispute providers. And the comment that came back is, "Oh, that's interesting. We didn't know that." And it's sort of something to keep in mind. However, in general, when there is some question about who the registrant is, they tend to list everyone. And I would presume that would continue in the very few rare cases where there may be a discrepancy.

And so I think it's something we should note, but I don't think it's a reason, you know, not to go forward. The SIC Whois' have existed and there are UDRPs on them and the world has not come to an end. So it's something we shouldn't ignore because we have noted it, but I don't think we need to do a lot more than that. Thank you.

Mikey O'Connor: Thanks Alan. (Mark)?

(Mark Anderson): Hey, this is (Mark); how's it going? I'm not sure exactly the right place to bring this up but I'll throw it out here because I think authoritativeness is as close to the right place as - you know, for this. But if anybody's read the GAC advice that was issued during the Beijing meeting, there's a number of references to Whois in the GAC advice.

You know, and some of them are somewhat applicable to the stuff we're talking about and as we're bringing up. But one in particular here that I wanted to mention is under the GAC advice for safeguards applicable to all new DTLDs; they talk about Whois verification and checks. And they say that the registry operator will conduct checks on a statistically significant basis to identify registrations in SDTLD which are deliberately false or inaccurate or incomplete Whois data at least twice a year.

Alright? And certainly this would apply to all, you know, all new DTLDs, which are thick. And I think this has sort of direct bearing on the authoritative question in that, you know, who is authoritative for the data itself - the Whois data? And if the registry operators are expected to conduct checks, how can they, you know, how are they expected to conduct those checks when they don't have a direct relationship with the registrant. And the registrars have that relationship.

So, you know, again, I'm not, you know - this is something that's concerning to me and I'm not sure exactly how that applies, but I think this authoritative question is the right place to bring it up.

Mikey O'Connor: Thanks (Mark), that's an interesting one. I have an off the cuff reaction, which is that if the registry is SIC, then the registry does have that data. And thus they could. I think the interesting puzzler is what do you do in a situation where the SIM registry - where the registry would not have some of that data? And my initial guess on that is that framers of the GAC advice probably weren't aware of that when they wrote their advice and presumed that the registries were SIC, which they would be in new DTLDs.

But, you know, I...

(Mark Anderson): Yes, but my question is as a registry operator, how can you verify if the information is deliberately false, inaccurate, or incomplete? You know, and

this relates directly to the authoritativeness question, I think, is, you know, if you're , you know, you may be authoritative for the data, you know, as the registry operator, but how can you be authoritative for its accuracy? And that's my question and my concern.

Mikey O'Connor: Ah, okay. Well, we're building a bit of a queue and maybe some of those folks will address it. I think for now I'll just keep working through the queue. Tim, go ahead.

Tim Ruiz: Yeah, I think maybe with his question we're getting - (Mark's) question we're kind of getting into something where we're not really - not really a part of what we're tasked to do, which is in regards to accuracy, but good question.

At any rate, what my comment really was about was about the UDRT and just - I don't disagree with what, like, Alan and Steve had said, but I was going to point out that where this comment is being made is specifically in the paragraph about the SIM Whois environment.

So, you know, I'm not so sure it's an invalid comment, but maybe, you know, some rewording or whatever. I think the point is that, you know, SIC registries exist. UDRP manages to, you know, do its thing with existing SIC registries, so in a SIN environment, you know, this is a question, but what we're talking about here is, you know, the only SIN registries, you know, common net becoming SIC. And if they do, then I'd think UDRP would just deal with them in the same way that it deals with other SIC registries.

So I guess I'm just kind of agreeing with Alan and Steve in a way that maybe this just really isn't an issue that needs to be mentioned here unless we're just trying to point something out as, you know, a current issue or whatever that might exist with a SIN Whois environment. Because that's what this paragraph is specifically talking about.

Mikey O'Connor: Thanks, Tim. I think that's a useful clarification. And maybe we do need to slightly reword this to capture that emphasis. Because I think that's a correct emphasis. Thanks. Alan?

Alan Greenberg: Thank you. Two points. First of all, with regard to that issue of authoritativeness, remember, even in a SIN Whois, you can have conflicts. Whether Whois - whether UDRP is filed, the registrar's identified. That registrar may be wrong. If the UDRP provider's doing their job properly, they're going to go back to the registry to see who the registrar of record is. And it's not unheard of to have the registry pointing to registrar X, but registrar Y also having a Whois entry for the domain.

So, you know, these are conflicts that presumably a competent UDRP provider has to address anyway and I don't think we need to get - be worried about it.

With regard to the issue (Mark) raised, I think it's real out of scope, number one. Because - oh, this is just advice. It isn't even adopted and presumably it is only for new GTLDs at this point. So I think we really don't want to wander into that territory. Thank you.

I'll point out one last thing. If one would wander into the territory, it's very hard for the - it would make it very hard for the registered to determine that the data is accurate. It's not that hard, often, to determine its inaccurate. And in many cases that's all the verifications are going to be doing, at least at the first stage. Thank you.

Mikey O'Connor: Thanks Alan. Steve, I think you've got last word on this one.

Steve Metalitz: Yes, this is Steve Metalitz. I would agree with what Alan said on this point. I think (Mark's) raised a good point, but it's not in scope here. The question of whether or to what extent the registry has some responsibility to ensure or

audit the accuracy of the data is a separate question from whether the data is treated authoritatively - just considered as authoritative by third parties.

So I think we - the - that question - the authoritativeness question is relevant here, but not the question of verification. I mean, it's a legitimate point, but this is not the place, then.

Mikey O'Connor: Thanks, Steve. And I tend to agree. (Mark), I don't think you're getting much traction with that idea for all the reasons listed above by folks who've spoken to it. So unless you just absolutely throw your body on the tracks, I'm going to leave that one out of the - of this particular section.

(Mark Anderson): Yeah, I certainly understand and appreciate the hesitancy to include that, but, you know, I bring it up because, you know, if the registry operator is considered authoritative for the data that implies, you know, implies certain accuracy. You know, so, you know, I certainly - I have some concerns about that.

And I think, you know, we've mentioned it. I'm trying to skim through what we put in here. You know, have certainly raised this that, you know, the registrar still maintains the relationship with the registrant, right? And so I think it's important that that concept get included in the authoritativeness discussion.

You know, and I - you know, I recognize the point that, you know, the GAC advice is specific to new GTLDs, but certainly, you know, the question of accuracy of Whois data isn't a new question. This is something that's come up for existing new - existing TLDs before and it will continue to come up again. And, you know, it's something that's, you know, an important point when it comes to the authoritativeness of the data.

Mikey O'Connor: Yeah, I think that's right, but I don't think it's in scope for us to resolve that one. I think that's the main point there.

(Mark Anderson): Yeah, you know, I know that the charter doesn't say anything specifically about accuracy, but, you know, if the transition to - from a thin to a thick registry changes the onus or the ownership on who is responsible for the - making sure the data is accurate, then, you know, that has major implications for the transition of a registry from thin to thick.

And let me just, you know, ask one final - so for - do we have anybody on here who operates a thick registry that can speak to, you know, how they've been - do they do anything today to ensure the accuracy of the data and what, you know, what requests or questions have come up around ensuring the accuracy of the data.

Mikey O'Connor: I'm looking down the list and I don't see.

Tim Ruiz: Say Mikey, I can - I don't operate a thick - this is Tim Ruiz. I don't operate a thick registry but I've got a comment about that. As a registrar, we certainly have like say .us for example. You know they have a certain restriction on certain terms that can't be used. You know the (U.S.)'s (SEC), seven dirty words, or whatever you want to say, so they certainly check the data or the domain names for that and they are able to let us know that this domain name can't be registered, or we've got a problem with it, or whatever.

You know they also require a certain amount of Nexus. In other words, if you are going to register a .us name, you have to have some sort of nexus in the U.S., so at least your name servers or whatever have to be in the U.S., so they check that kind of data. So to say that you know registries - if they don't have a relationship with a registrant can't check accuracy, I don't think that's a true statement.

I think other ccTLDs are really good examples for that as well, because they certainly can check you know quite a bit of the data for accuracy. And perhaps even in those cases where they can't definitively say this is right or wrong, they can certainly get a very good indication that something might be

wrong and then refer that to the registrars to dig into further if it requires actual communication with the registrant, which I assume it would at some point.

So I think the assumption that you have to be authoritative for the data in order to do accuracy checks probably isn't valid, and the discussions that I've been privy to up to this point don't involve just the registry or the registrar doing - getting involved in checking accuracy. It seems their validation - like both will at some point be involved in some degree in that validation and accuracy type check I think even as we are today really in a lot lighter sense, but to a much bigger degree probably down the road.

So anyway, that's just my comments there. But again, I think if we get into that discussion here, you know we are going to have to bring in a whole lot of things that is just really going to bog us down and completely get us off track with what our charter really is.

Mikey O'Connor: Thanks Tim. (Mark), I'm sort of back to the place where I was before. I just don't feel like you are getting much traction with this one. There is a paragraph in this draft that is just the paragraph above the conclusion that notes the difference between authoritative - you know it addresses the accuracy issue. And we've discussed this for quite a while in many different ways, and I am just - I am going to rule this one to be essentially an issue that's addressed by all thick registries and carry on. Sorry about that.

Mark Anderson: Understood.

Mikey O'Connor: Anything else on this one. I mean one of the preliminary ideas that has come up and maybe we should consider is to simply remove the UDRP discussion. Alan, you are the one that I think introduced it. I'm going to sort of put you on the spot. Would you view it as sort of a friendly amendment if we took that whole discussion out of this draft?

Alan Greenberg: Well as I said, I think in our final report, we should mention it somewhere just because it was noted. We shouldn't let it disappear, but I have no problem deleting it from this section.

Mikey O'Connor: Yeah, okay. So Marika, and Berry, and (Lars), if you could sort of figure out a way to extract that discussion from this recommendation and start building a separate section of the report where we capture these topics that we came across while we were doing our work that aren't directly part of our charter, but that we wanted to (pass along) to the community, I think that would be helpful.

Okay, I'm going to put that one on the approved pile and move us along to the next one, which is going up on the screen. I have to expand it on my screen so I can read it. This is the one about data escrow, and again, I don't want to go through the whole discussion again. The conclusion is again that this doesn't impede or bear directly really on the decision that we are being asked to make.

The registrars - I wish Volker were on. I'm sure he's just snowed under today. I think that where we wound up on this - and the reason I am relying on Volker. Well Tim, you are with us. I will let you be Volker's surrogate today, but you know, my sense was that while the working group was sort of sympathetic to the issue of the excessiveness of the number of copies of data, we viewed it as somewhat out of our scope, and thought that that was probably better addressed in RAA negotiations or other discussions.

Maybe Alan can remind me. Alan, go ahead.

Alan Greenberg: Yes, thank you. I haven't looked at the final RAA to see whether the escrow provisions have changed, but I am assuming they have not. And I would suggest that if the registrars did not sufficient traction to change it in the new RAA for all of the thick registries that will be coming on board, a recommendation from us is not going to have a lot of power.

Mikey O'Connor: Yes, that was sort of my thought as well, but that's a train that is running on a different set of tracks. And that what we were looking for was really whether there was an overwhelming issue that came out of our scope that we needed to address, and the conclusion we came to was no there was not.

So again, this is one that I preliminarily would like to put in the done pile, but let's have a chat about that. Frederick go ahead.

Frederick Feldman: Hi, well I don't want to talk for Volker, but as a registrar, I mean we know to escrow the data and we think it is very useful to escrow data in a Thick Whols environment, because it should be the registry doing this. But for us, I mean it's all in place, it's all set up, and running, so there is no real issue with that. With (carrying on with) the escrow data, especially as it is free if you are a registrar using (unintelligible). It is paid for by ICANN, so yes, so there is no issue. It's not that we don't want to do it. I think it's very useful, but we can carry on with no issue.

Mikey O'Connor: Yeah, okay, well that might be good to capture.

Frederick Feldman: For Volker, it was useful because at some point, some registrars have been able to help a registry because of domain names.

Mikey O'Connor: So (there might be value in it), yes.

((Crosstalk))

Frederick Feldman: (That's the experience).

Mikey O'Connor: Okay, so that says that this draft could stand as written. Unless somebody else has got something, I'm going to push this along to the next one. I'm not seeing anybody in the queue, so let's go on to the next. The next one is the synchronization one. Let me expand it so I can read it. This is all about the inconsistency of data and our conclusion - we don't really have a conclusion

yet on this one. Marika has got her hand up. Maybe (the protocol is) to you, Marika. Go ahead.

Marika Konings: Yeah, this is Marika. In our conclusions as well as in the section (in blue), we talk about the removal of the registrar Port 43 requirement, and I think I've read the new RAA documents correctly, I think it already proposes that. That for thick registries, this requirement would no longer apply, so I am guess that this issue is kind of moot and that we maybe just refer to that. That that's already going to be the status quo you know provided the new RAA is adopted in its current form.

Mikey O'Connor: That's what is going on. I didn't have the whole document in front of me. There we go. Right and we have very late news on that. Again, as Marika has mentioned, the new RAA agreement is out and it removes that requirement, correct. So maybe what we should do is take this one - maybe we should acknowledge the latest draft of the RAA in this set of conclusions and revise it ever so slightly given that that seems to be the emerging trend. You know we have sort of a timing problem because the new RAA isn't final yet, but it certainly seems like it is going that way.

(Mark), go ahead.

Mark Anderson: This is (Mark). Quick question I guess on that. Does the new RAA remove the Port 43 requirement and the Web Whols requirement or both?

Mikey O'Connor: I'm going to take a guess. I believe it's only Port 43 and I think it's only for registrars, but Alan has got his hand up. Are you on that topic Alan?

Alan Greenberg: Yes, that's correct. The Web-based Whols is still required. Port 43 for thin registries is not required.

Mikey O'Connor: For thick registries.

Alan Greenberg: Sorry, for thick registries, it will no longer be required when a registrar is under the new RAA.

Mark Anderson: Right. Okay, got you. Thanks for the clarification. So that was a little (unintelligible) and I have a comment on the synchronization. I guess just for clarification, this is for synchronization and migration, right, or did we do migration separately?

Mikey O'Connor: I can't remember.

Mark Anderson: So my comments on the migration. I think one of the things we had talked about, but I don't see on here, is the need for some kind of notification to registrants in advance of the migration, and so I think this is intended to be synchronization and migration. If migration is separate, then I apologize for the wrong place, but I think it's important that we include registrant notification in there and I think this is probably the right place for both. That was my comment there.

Mikey O'Connor: I'm going to use my right to telephone smarter people than me and ask Marika, and (Lars), and Berry. Did we combine synchronization and migration or do we have migration yet to go? Marika, go ahead.

Marika Konings: This is Marika. We did have - I mean those two topics were combined in the sub teams, but I think the focus has been more on synchronization than migration as such. Although, you know if we are looking at the overall, I think it was discussed, but I don't think it has been called out specifically enough. So if there are any specific suggestions that (Mark) has, to bring that out in the draft and it would be most welcomed.

Mikey O'Connor: I am thinking that if this is supposed to cover synchronization and migration and that maybe this one needs to go back for another draft, because I agree with (Mark). There are migration issues that we should call out and at least

address in our report and this seems a bit light on that part of the discussion.
I will throw that out and let the queue sort of chew on it.

Alan, go ahead.

Alan Greenberg: Thank you. I guess I would like some clarity on what (Mark) is suggesting. That we require registrars to notify registrants before migration or that we alert them that they may choose to or I'm not quite sure what the recommendation - what he is suggesting right now. My recollection for .org is that there was not notification. That doesn't mean there shouldn't be this time, but I would like clarity on what's being discussed here.

Mikey O'Connor: (Mark), before you do what I would do, which is to leap in and respond, I think what this is saying to me as sort of the process guy is that we need a little bit more discussion of the migration topic. I'm not sure that this is the call to do it, so I think what I would like to do is continue along my tracks of saying that this particular draft needs more work and not try and actually revise it right now.

Marika Konings: Mikey, can I ask something?

Mikey O'Connor: Sure, go ahead.

Marika Konings: Because I think actually the description of the topic may help, because I think we may be talking about migration in the larger or bigger picture scenario. Because the question itself for the sub team is what will be the impact on the registry and registrar WhoIs and (EPT) systems for those registries currently operating within (a registry) and also in the migration Thick WhoIs as well as ongoing operations.

So I think the (way the) question was phrased, it didn't really talk about you know registrant notification, which I think is one of the questions that comes from - be later down the track if there would be consensus or agreement to

recommend a transition. Indeed, what would need to be done to get migration? I think maybe we are mixing the two up here.

Mikey O'Connor: Yes, that's helping me a lot anyway and that changes my thoughts, so I will let Tim go first because he was in the queue and then I will circle back around. Tim, go ahead.

Tim Ruiz: Yeah, I guess that was what I was thinking more or less as well. And then I just wanted to you know comment too that we just want to be - not get bogged down in implementation details, so we want to stay - I don't know if you want to call it a higher level or whatever. We certainly want to stay within the policy realm.

I think you know if we do go that route of you know (common that becoming thick), there is a whole slew of implementation details I'm sure that are going to need to be - there will probably be another whole you know team put together just to deal with some of those things. But I don't think we need to get that bogged down here, so just a word of caution in that regard.

Mikey O'Connor: Yeah, I agree with that as well Tim. (Mark), I think there are two places where that topic that you have just raised gets addressed. I think first, we do get a chance if we conclude that a transition to thick is warranted. Then we get to speak to implementation topics in our work. This is probably not the place to do it, because this was a much more technical focus, this particular topic.

And Marika, I think that it would be useful to put a section at the front, but maybe expand the very first paragraph, the issue description just a little bit to capture that notion, but then move the topic that (Mark) has raised into the topics to consider during our implementation discussion, which is coming up. And also, pay close attention to Tim's words, which are correct, which is that the implementation of this is going to be quite (tasty) and we don't need to plan that implementation, we merely need to advise on it.

Marika, go ahead.

Marika Konings: Yeah, this is Marika. If I could put a stake in the ground here because we did have very lengthy discussions (in the beginning), and you know it's an ongoing debate on the policy versus the implementation.

And I do - and this is my personal opinion. I do believe that if there is any guidance this working group wants to provide eventually and of course this is looking ahead and people may want to start thinking about it, like how to go about that implementation discussion. You know if there is any kind of framework or structure that should be used.

You know we have implementation review teams, but they are loosely defined, so I would like to maybe challenge the working group on that point once we get to that discussion. to already try to think of you know how much detail or how much information or guidance should be put as part of this working group's debate and what - you know should we move maybe to a later stage to really make sure that we don't get into situations that we saw occurring in previous policy discussions where some felt it wasn't enough detail and to include it in the report.

It would help the implementation and it resulted in more lengthy implementation discussions or people felt certain things were policy decisions versus implementation ones.

I think most of you know the debate, so it's just something for you to start thinking about. And as we progress, hopefully someone comes up with a really good idea or suggestion on how to manage and balance those two different items.

Mikey O'Connor: That's neat. That will be an interesting part of our work. Alan.

Alan Greenberg: Thank you. I rarely disagree with Marika, but I think this time, to a large extent I do. I think we need to highlight in the report any implementation issues that

we are aware of, and certainly when we get to (Don)'s paper, you know the overall word will be do it carefully, do it with thought.

But the actual implementation of this is going to be very, very technical and will require people who are you know the technical experts for registrars and registries. And although there may be one or two people on this group who meet that qualification, I don't think this is the group that can really talk about the implementation in any detail other than to add caveats that came up as we have gone through the process. Thank you.

Mikey O'Connor: I'm not actually detecting a whole lot of disagreement between you and Marika there.

Alan Greenberg: No, I'm not, but what I am saying is that the focus should be on noting issues and not really planning the implementation.

Mikey O'Connor: Yes, absolutely. I don't think that Marika would subscribe to that either. Anyway, okay, so we've cleared out the queue and I think we've cleared it out in such a way that the only action that I heard come out of this was to slightly clarify the issue description paragraph to make clear the boundaries of this particular section.

And we may also want to change the title. If the working group is really synchronization and migration, we might want to put that back in the title. But other than that, I think that we have disposed of this section and can put it on the approved pile, and I just want to check for (unintelligible) over that idea.

Okay, it's five minutes to the hour. Let's just look at this last one and see what kind of condition it's in and see if we can put it to bed. If we can, great, but if we can't, that's fine. We will pick it up the next time.

Marika, go ahead.

Marika Konings: Yeah, this is Marika. I do actually believe that we didn't have much time to discuss this one yet, because I think in the last meeting we spent more time on revising the other one. So I think this may be one where you know indeed people could be encouraged to have a closer look and to highlight any issues maybe on the mailing list so we can possibly have a revised version if needed in time for the next meeting.

Mikey O'Connor: Okay, so let's very quickly all of us take a - this nice short draft. Let's just take a minute. I'm going to count off a minute on the clock to actually read this as individuals and then we will spend just a few minutes in the queue for initial ideas and then wrap up.

Okay, (Mark) is in the queue. Anybody else want to jump in? This is the time to do it. Take it away (Mark).

Mark Anderson: This is (Mark). A quick clarification. The second paragraph says the two largest registries are exempt to all other registries or thick. Correct me if I'm wrong, but I believe that (jobs) is also not a thick registry. So correct me if I'm wrong, but I believe there are three registries there that are not thick.

Mikey O'Connor: Yes, that's right. That's a drafting error. We should take that one out. Good catch (Mark). (Steve), go ahead.

(Steve): Yeah, I was just going to type in the chat, but unfortunately, I don't seem to be able to type in the chat. So I was just going to say that I agree with this draft.

Mikey O'Connor: All right, anybody else see anything that leaps out at them on this one? I think you know given the lateness of the hour, we will maybe circulate this one maybe one more time to the list and try and dispose of it fairly quickly at the top of the next call. I'm a little reluctant to go through something sort of for the first time in two minutes. That seems a bit short, so we will - Marika, if it's

okay with you, I'm certainly not seeing much in the way of revision. There is Tim. I'm going to shut up. Tim, go ahead.

Tim Ruiz: Yeah, you know I don't really know how it would - if anything needs to change, I just want to point out that you know the way it sounds. All of the registries are thick except for these two, so (unintelligible). But really, what we are talking about here - I mean there is one registry that's thin that has more registrations than all of the other registries practically put together or you know pretty significantly more.

So I mean the impact you know is going to be quite different than when we did org for example. You know there are hundreds of millions of domain names involved. So I don't know if anything needs to change here, but I think we need to keep that in mind maybe as we refine things that you know this is a significantly double-digit large percentage of the existing registrations that something significant is going to happen.

And so it's not you know just a simple well we are just kind of leveling the playing field. With this registry now, we don't want to forget the immenseness of the transition we are talking about.

Mikey O'Connor: Yeah, I think that's right. I would commend all of us to sort of take a look at this draft. Marika, if you could recirculate it and encourage people to take a hard look at it and maybe throw in Tim's comment that you know there are sort of a large proportion of the domain names registered in one of these thing registries, it might not be a bad idea.

Marika, go ahead.

Marika Konings: Yeah, this is Marika. I am already looking ahead as well at the next agenda item and I know we are running out of time. I don't know if it would be helpful if I would already try to write that up in a similar way as I've done for this one, which is mainly based on the comments and submissions received and

(conserve) them as a basis for discussion for the next call. I don't know if that's helpful or if people first prefer to have a discussion and then I will try to write that up. It's up to you.

Mikey O'Connor: I'm quite keen on those drafts that you've prepared. So unless anybody has a big problem with that, I think that one of the nice things about summarizing a basing a draft on the comments is that we tend to pick up a bit more of the nuance that way, and so I'm going to go ahead and say please do, Marika. And if you could circulate that as well, I think that would give us a good start on the conversation.

Okay, I see it's the top of the hour. I thank you all for joining us. I think we are making pretty good progress here and we are going to have to keep doing that to hit our dates. Avri is just joining. I bet there is a time zone problem here. Anyway, we will see you all in a week and thanks a million. (Julia), I think you can stop the recording at this point.

Man: Thanks Mikey.

Man: Thanks.

Woman: Bye.

Woman: Bye.

Man: Bye-bye.

Man: Thanks.

END