

GNSO Working Session in Los Angeles Saturday 27 October 2007

Attendance list:

Avri Doria Chair Nom Com, Jon Bing - Nom Com, Chuck Gomes Vice chair - Ry
Edmon Chung – Ry, Cary Karp – Ry, Norbert Klein – NCUC, Robin Gross – NCUC, Bilal Beiram –
CBUC, Mike Rodenbaugh CBUC, Tony Holmes - ISP
Kristina Rosette – IPC, Ute Decker – IPC, Ross Rader - RR

Liaison

Alan Greenberg - ALAC

Remote participation:

Mike Warnecke - Observer WHOIS wg, Steve Metalitz - Chair IPC

Observers:

Milton Mueller - NCUC
Shaundra Watson INTA
Paul Stahura - eNom
Neal Blair - CBUC
Palmer Hamilton - CBUC pm
Philip Corwin - Attorney
Desiree Milosovich
Ching Chiao - dot asia
Margie Milam - Mark monitor
Marilyn Cade - CBUC
Jeff Neuman - Ry
Matthieu Crédou - .bzh
Werner Staub - CORE
Elmar Knipp - Core
Dirk Krischenowski dot Berlin
Paul Lecouthe - CORENIC
Laurie Anderson - Godaddy
Lisa Villeneuve - Godaddy
Pam Bunn - Godaddy
Martha Johnston - Godaddy
Lynn Goodendorf - InterContinental Hotel Group - WHOIS
Stefano Trumpy - GAC
Artur Lindgren - NICTRADE Sweden
Henrik Erkkonen - NICTRADE Sweden
Claudio DiGangi - INTA International Trade Association
Chuck Warren -

<http://gns0.icann.org/meetings/agenda-27oct07.shtml>

Item 1

9 :00 - 10:30

IDN-ccTLD: GNSO response discussion

Discussion about ccNSO proposals

Discussion of GNSO response

<http://gns0.icann.org/drafts/ccns0-gac-issues-paper-idn-cctld-draft-gns0-comments-wg-12oct07.pdf>

>>AVRI DORIA: Good morning. Everybody sitting here? We're quiet. It's 9:10, which is a really good time to start a 9:00 meeting.

This is an open GNSO Council GNSO meeting. My name is Avri Doria. I'm chairing.

What I'd like to do when we start is have everyone go around and introduce themselves. I know that's sort of a little unfair because later people will come in and they'll have gotten in without having to introduce themselves, but it's still a useful thing, I think, to have done.

First, I'm going to go through the agenda, though, and let people know what is in store for us today.

We have a -- we're starting out this morning talking about the IDN ccTLD issue, specifically the GNSO response and a discussion about some of the ccNSO proposals that have come out lately, a discussion about our response in view of those, how we want to approach it. So as I say, this is a meeting for discussion, so we won't be voting on anything today, but we'd certainly like to discuss all the details of everything.

We have a coffee break.

Then we'll go into talking about the rights protection mechanism. There's been a working group working on that, and they'll sort of talk through the work they've done, and will talk about how everything proceeds with this. This is work relating to the new gTLD discussion.

There's a lunch break.

In break, with some of our previous meetings, it's -- it's actually a lunch break where people go away and have lunch. We're not having lunch brought in. That didn't really quite work right. People always had other things they wanted to do. How do you have an open meeting and a closed lunch without being mean to people?

And so it just -- it was just something that we just decided, "No, we'll have a lunch break," and a lunch break in the middle of a long day is not a bad thing.

In the afternoon, we're going to start off with a lot of WHOIS discussions. First, we're going to go through the WHOIS discussions about the constituency statements, community comments, getting comments, making sure we understand people's comments, going on from there.

We have another coffee break.

Then we have the second part of the WHOIS discussion, where we'll get a report on some of the studies that have been initiated, where they're at.

And we'll have also have a report from Steve Crocker, who will be coming in to talk about the SSAC report on the WHOIS spam study.

Then -- and this one was not in the previously released schedule, but we'll also have a discussion on inter-registrar transfer policy. We've had an issues report. We have a requirement for making a decision on a PDP on the table for that one too. One of the three decisions we have on PDPs to make in this meeting or shortly thereafter, so we'll spend an hour talking about that.

And by 7:00, we should be ready to break for the evening.

We have nothing planned for this evening. I'll just -- huh? Well, thank you very much.

On Sunday, just to go through our schedule while a few more people drift in, tomorrow morning we start -- we have a discussion on -- and all of our meetings are open, this time. We haven't planned any closed meetings.

GNSO reform discussion. The reform document came out, a draft of it came out from the working group. The board governance working group, working group on GNSO reform. I keep getting the name -- anyhow, Roberto Gaetano and some of the group members will be coming in to discuss the report, comments back and forth.

Again, a coffee break. I love coffee breaks.

Then between 11:00 and 12:00, Doug Brent will be coming in to have a discussion on the strategic plan with the GNSO.

We then go into a final prep for the meeting of the Monday workshop. Now, that's not a closed meeting, but it really is a meeting about details of preparing for that six-hour workshop that will be held on Monday, so if people want to stick around and listen, okay. It's -- I'm not declaring a closed meeting, but it's really for the panelists and the council to make sure that we know what we're doing for the Monday afternoon.

>>CHUCK GOMES: And staff.

>>AVRI DORIA: And staff. Sorry. And staff, especially.

Thank you, Chuck.

Then I've left a spot open between 2:00 and 3:00. We have another lunch break. Again, a real lunch break.

Then between 2:00 and 3:00, for any other business that sort of comes up, things that have been missed, it -- I don't know what's in that spot yet.

Then we have some preparation for the GAC meeting, and coffee break.

We go into the GNSO/GAC meeting, which is also open.

Monday, just want to point out the thing that's relevant is that we've got a -- the workshop on the -- the GNSO workshop on new gTLDs which goes from 1:00 until 7:00. It's a six-hour workshop. There will be two breaks during it. One thing I was asked to announce for GNSO members, staff and board, there will be a board dinner Monday evening at 8:00 in plaza, and we'll basically be talking about what comes out of that workshop but it will also be open for people to talk about what people talk about.

Tuesday is the constituency day. I won't go into that.

Wednesday we have our open council meeting. We're trying that slightly differently, based upon comments and recommendations we got last time where we'll try to go topically, where we report on what's happening. We have open discussion. Then we go into council discussion and a vote, if that's what we're doing. And that was sort of a recommendation we got at the last open meeting. I'm not sure how it will work. I'm not sure anyone is sure how it will work. We're going to try it and see if it works.

And if it doesn't work this way, that doesn't necessarily mean we'll go back to the old way. We may just look at how to tweak this so that it does work. But anyhow, we'll be going through the IGO, DRP, domain tasting, WHOIS, IDN, and then the registrar transfer policy update should actually be more of taking a vote on it, if that's what we've decided to do.

And then on Thursday, we have a meeting -- a discussion on input from the other meeting. Sort of a wrap-up and going on.

So that's a quick view of where we're going with the GNSO over the course of the week.

I'd like people to introduce themselves. I guess I'd start with Norbert down at that end and we'll go around the table. Please introduce yourself, say whether you're GNSO Council, what constituency, where you're from, and then I also want to get the people sitting around the edge. I don't know if we've got a microphone for around the edge. I sort of asked for one, but if not, just walk up to the table and grab a free microphone and speak your piece. And that will be the same thing for during the meeting, if someone wants to go. Norbert?

>>NORBERT KLEIN: My name is Norbert Kline. I am a GNSO Council member. I am sent here from the noncommercial user constituency. I work in Cambodia since 17 years, and that's it.

>>AVRI DORIA: Thank you, Norbert.

>>BILAL BEIRAM: My name is Bilal Beiram, with the B.C. constituency. I'm with the Talal Abu-Ghazaleh organization. We're based in Amman, Jordyn.

>>AVRI DORIA: Thank you.

>>CHUCK GOMES: Please -- oops. Is that on? Please speak a little bit closer to the mic, so that you can be heard. Now, do we have anybody on line?

>>AVRI DORIA: I'll ask at the end.

>>CHUCK GOMES: Okay.

>>AVRI DORIA: I don't know if we have anybody on line. We'll ask. Do we have anyone on line?

>>GLEN de SAINT GERY: Not yet.

>>AVRI DORIA: Not yet.

>>CHUCK GOMES: Okay. But when they do, it's very hard for them to pick up conversations if people aren't speaking into the mic closely.

>>MIKE RODENBAUGH: Mike Rodenbaugh, councillor from the business constituency.

>>JON BING: Jon Bing. I'm a noncom member of the GNSO.

>>ALAN GREENBERG: Alan Greenberg. I'm the liaison to the GNSO from the ALAC.

>>MARGIE MILAM: Margie Milam with MarkMonitor, and I'm with the registrars constituency.

>>MARILYN CADE: My name is Marilyn Cade. I'm a member of the business constituency.

>>TONY HOLMES: Tony Holmes from the ISPCP.

>>BRUCE TONKIN: Bruce Tonkin from Melbourne IT, which is a member of the registrars constituency, and I'm also a member of the ICANN board.

>>OLOF NORDLING: Olof Nordling. ICANN staff.

>>DAN HALLORAN: Dan Halloran, ICANN staff.

>>KARLA VALENTE: Karla Valente, ICANN staff.

>>CARY KARP: Cary Karp. I represent the -- I'm one of the representatives of the gTLD registry constituency on the council.

>>AVRI DORIA: I'm Avri Doria. I am a NomCom appointee to the council, and its chair at the moment.

>>CHUCK GOMES: Chuck Gomes, from the gTLD registry constituency.

>>DENISE MICHEL: I'm Denise Michel. I'm ICANN's vice president for policy.

I'd also like to take this opportunity to announce that Liz Gasster, who has been working temporarily with the GNSO, has joined ICANN's staff permanently. She's our new senior policy councillor for the GNSO.

She'll introduce herself down here.

[Applause]

>>DENISE MICHEL: And Liz -- I now have moved from Brussels back to California. I'm based in California, and Liz is based in D.C. currently, and the rest of the GNSO staff is in Europe.

>>KRISTINA ROSETTE: Kristina Rosette, IPC representative to the council.

>>EDMON CHUNG: Edmon Chung, gTLD registry constituency.

>>CRAIG SCHWARTZ: Craig Schwartz, ICANN staff.

>>ROSS RADER: Good morning, everyone. I'm Ross Rader, registrar rep to the council from North America.

>>JEFF NEUMAN: I'm Jeff Neuman with NeuStar. I'm on the -- I'm in the gTLD registries constituency.

>>LIZ GASSTER: And I'm Liz Gasster, new ICANN staff. Thanks.

>>WERNER STAUB: I'm Werner Staub. I work with the secretariat of CORE in Geneva.

>>ELMAR KNIPP: Elmar Knipp, also from CORE, observer.

>>DIRK KRISCHENOWSKI: Dirk Krischenowski, dot Berlin, also observer.

>>AVRI DORIA: Okay. Yeah. Now for the people around the edge, please.

>>PAUL LECOULTIE: Paul Lecoulte, CORENIC --

>>AVRI DORIA: Yeah, I asked for one, but --

>>PAUL LECOULTIE: -- and member of the registrar constituency.

>>MARCUS FAURE: Marcus Faure, surprise, also with CORE, executive committee.

>>MATTHIEU CREDON: Mattheiu Credon, dot bzh project, observer.

>>STEVE DELBIANCO: Steve DelBianco with the business constituency and Netchoice.

>>LAURIE ANDERSON: Laurie Anderson, GoDaddy.com.

>>LISA VILLENEUVE: Lisa Villeneuve. I'm with Go Daddy.

>>PAM BUNN: Pam Bunn, GoDaddy.com.

>>AVRI DORIA: Thank you. Yes. Maria?

>>MARIA FARRELL: I'm Maria Farrell with the ICANN staff.

>>MARILYN VERNON: Marilyn Vernon, ICANN staff.

>>SUE JONKLAAS: Sue Jonklaas, ICANN staff.

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>>LYNN GOODENDORF: I'm Lynn Goodendorf with InterContinental Hotels Group and I participated recently in the WHOIS working group.

>>SUSAN CRAWFORD: I'm Susan Crawford. Nominating committee. Member of the ICANN board.

>>CLAUDIO DIGANGI: Claudio DiGangi with the International Trademark Association and the intellectual property constituency.

>>HENRIK ERKKONEN: I'm Henrik Erkkonen with Nictrade, a Swedish registrar.

>>ARTUR LINDGREN: Artur Lindgren, Nictrade, Swedish registrar.

>>AVRI DORIA: Okay. Thank you. And welcome, all.

Okay. Now, we'll go into the first item on the agenda, which was a discussion of the IDN ccTLD, our response.

Chuck will basically lead this -- this discussion. Did you want me to put --

[Speaker is off microphone]

>>CHUCK GOMES: No, that's okay. Now, let me let people know, first of all -- no, I didn't, but I'll handle it another way.

There's a printed copy, not red-lined version like I have here, of the draft comments that we're going to go over in this session, so if you didn't pick one up at the table, the title of it is "GNSO Comments in Response to the ccNSO/GAC Issues Report on IDN Issues," and several months ago the council decided to form a small group that would develop some draft comments in response to the ccNSO/GAC issues paper on IDN TLDs. As most of you recall, the ICANN board in its meeting in San Juan in June asked that quite a few different ICANN organizations submit comments by this meeting here, the annual meeting, and so that's what this is all about. The GNSO providing comments to that issues paper from the GAC and the ccNSO.

The members of that group were Tin Tan Wee from the NCUC, Bilal Beiram from the BC, Mark McFadden from the ISPs, Sophia Bekele as a NomCom rep, Yoav Keren -- is Yoav here? I didn't think I saw him, so -- and he is from the registrars. And we had excellent staff support from Olof Nordling. Did I -- I don't think I left anybody out. Hopefully I got everybody on that.

The -- just to lay the groundwork a little bit, there -- if you look at the document, there are four key references that are there that I'll call your attention to. Obviously, the issues report from the ccNSO and the GAC.

No. 2 is the board resolutions in regard to this topic.

No. 3, the outcomes report of the GNSO IDN working group. That's a very important one, because we make reference to that throughout the draft comments.

And then also the GNSO reserved names working group final report, and again, we do make references several times to those comments, so we pulled from work that was already done in drafting these comments.

Now, my plan of attack on this, if no one objects, will be to mainly focus on the executive summary, and then if there -- and we'll take one item at a time in the executive summary and see if there are any comments, questions, et cetera.

If we need to go further into the document on any of those topics, we can do that.

Now, the basic document is divided into two parts.

Section A basically addresses the questions from the issues report related to whether or not there should be an interim approach to IDN ccTLDs, and to be very brief on that, I think most of you are aware of the fact that it has been proposed in the ccNSO that so as to get some IDN ccTLDs going more quickly while additional work is being done that possibly each which would that's interested could be given one IDN ccTLD in the nearer term.

And later in the agenda this morning, we'll talk about a couple documents that Avri distributed in that regard. The ccNSO hasn't made any final decisions on that. They're working on that. So Section A just talks about that, and we'll look at that briefly.

Most of the document actually goes item by item through the issues raised by the ccNSO and the GAC, and provides draft comments -- and I say "draft" because the council has not approved these comments yet, and possibly that will happen this week.

Now, let me go through the bullet points in the executive summary one at a time, and I'll open it up for questions or comments, including disagreement of any of the statements. The -- the working group developed everything in here as consensus, and things that we couldn't reach consensus on are not in here.

And certainly I encourage those who are on this little working group to join in and clarify anything if I miscommunicate.

No. 1, IDN TLDs, that includes ccTLDs and gTLDs. And let me comment on that, just to be clear.

This issues paper is really about IDN ccTLDs, but the statement that we included here, we believe, applies to both. So IDN TLDs should be introduced as soon as practicable, after technical requirements and tests are successfully completed.

Any discussion on that?

[Speaker is off microphone]

>>CHUCK GOMES: Excuse me?

[Speaker is off microphone].

>>AVRI DORIA: By the way, when you do want to make a comment, do make it to the microphone and do give your name again, even though we may remember, there's a recording, there's a transcription, so it will be important to get people's names again. I probably won't keep giving my name because I'll keep talking a lot.

>>CHUCK GOMES: Thank you. And is it fair to assume if there are no comments that there's general support for the idea that is communicated? Anybody disagree with that? That's okay? Yes. Kristina?

>>KRISTINA ROSETTE: I just have a clarifying question. Is that subject to the finalization and approval in whatever form of the new gTLD policy, or is that independent of it?

>>CHUCK GOMES: Well, this particular statement I don't think needs to be dependent on that. Obviously, for gTLDs nothing would happen until the new gTLD policy is implemented, in particular with regard to IDNs.

Now, it is possible that in the final rollout of the new gTLDs, that decisions could be made -- I'm not advocating this, but decisions could be made to delay IDN TLDs later than ASCII TLDs. So I don't think there's necessarily any dependence here, but it is fair to assume that before it would ever happen in gTLDs, we would need that policy in place.

That was -- that was a long answer to a short question.

>>AVRI DORIA: I don't know if this was in your question, but if the question contained, "Can there be IDN ccTLDs before there's a new gTLD policy," I would say they're not dependent on each other.

>>KRISTINA ROSETTE: Oh, no, no, no. No, I understood. I was trying to get clarification as to whether you could have new IDN gTLDs before there's a formal adoption and implementation of the new gTLD policy.

>>CHUCK GOMES: No.

>>KRISTINA ROSETTE: Okay.

>>CHUCK GOMES: That was a lot shorter answer that time, wasn't it?

>>KRISTINA ROSETTE: What?

>>CHUCK GOMES: My answer was a lot shorter that time.

[Laughter]

>>CHUCK GOMES: Okay. No. 2 -- yes. Mike.

>>MIKE RODENBAUGH: Sorry. It's Mike Rodenbaugh. Just on the process issue, you started to go into asking whether, you know, silence, essentially, on any of these appointments means assent of the entire council and I --

>>CHUCK GOMES: And I'm not asking for a vote. Thank you --

>>MIKE RODENBAUGH: No. I understand that. I just want to make sure that we do have a time to, you know, consult with councillors and constituencies before we come back to this and consider anything final.

>>AVRI DORIA: Right. But I would recommend if there is any issue with wording and such and if it means that Chuck needs to pull up his version of it, because I've only got a PDF version of it up there, but if we get to any point where people say, "Well, that's close but..." this is a good time to discuss the issues in detail. But, no, it is not a vote, and silence is not a positive vote.

>>MIKE RODENBAUGH: Okay. Thanks.

>>CHUCK GOMES: Ultimately, I would expect that the council will take a vote on whether to submit these comments to the ccNSO, GAC, and the ICANN board, since the ICANN board requested them. Okay? Thanks for asking. That's a good question. Dirk?

>>DIRK KRISCHENOWSKI: Chuck, to be coming to the time line of the introduction, when do the GNSO Council expect just -- just a guess when the first ccTLD IDNs will be on line?

>>CHUCK GOMES: Well you want to talk? Go ahead.

>>AVRI DORIA: I don't think we have a guess. I -- I mean, they haven't made -- the ccNSO hasn't made their decision yet on any of this. I think they're close, but as far as I can tell, no decisions have been made, and I certainly wouldn't want to have the GNSO making guesses about when they might do stuff.

>>CHUCK GOMES: Now, when we go -- just one second, Bruce.

When we talk later about a couple documents that Avri distributed to the council regarding what the ccNSO is doing, in those documents -- which I'm sure we won't go through in detail, but you can see that they've mapped out a plan for dealing with the working group for the broad issues, what their -- which they're anticipating may go several years, and then the interim approach of possibly assigning one it would, you know. So -- and I think, as I recall, one -- that's going to go for a ways before they actually would do anything.

But I think we'll maybe answer that question better when we get to that. It's not definitive there either, but they have mapped out a plan. Bruce. I'm sorry.

>>BRUCE TONKIN: Yeah. I think I was just going to just comment more or less on what you've said. I mean, is it worth presenting what the ccNSO is looking at, maybe? Because I don't think anyone would be aware of that. That should have got a document for discussion at this meeting which sets out their time frame.

But if I understand it correctly, basically they're proposing effectively a fast track and a slow track. The slow track is going to be multiple years, and the fast track I think they're hoping to have a recommendation by the June meeting of ICANN for their process for what they call the "fast track" as to how to let some IDN ccTLDs be created.

>>CHUCK GOMES: Yeah. And they haven't -- and correct me if I'm wrong on this, Bruce, but they haven't officially decided to do the interim approach yet. That still has to be decided. But they have got a plan that would be -- their target is by June of next year, if they decide to go that route, to have a plan in place.

Now, when would they actually be implemented? I don't think that means June.

>>BRUCE TONKIN: I mean that's six months after that.

>>CHUCK GOMES: Werner.

>>WERNER STAUB: We are, of course, all concerned in the context of the IDN ccTLDs that this might delay the process, and the fast track is certainly a good idea, but the fast track can become a slow track if it is abused or if it basically gives possibilities for people to jump on a bandwagon where they shouldn't be.

This is why I think everybody should be, in the wording of anything related to a fast track, say that it must be based on manifest need, not basically just one for each ccTLD. Basically just because it's a French-speaking country, that they create something that happens to have an accent on some letter somewhere. There is no need for that specifically. Whereas there are other cases where there is urgency and there is manifest need, most people can understand immediately. [Speaker off microphone]

>>CHUCK GOMES: Mic.

>>BRUCE TONKIN: My understanding also is that the ccNSO has formally asked the country code managers to actually state what they believe their need actually is, to try and understand that,

because that's part of their input to that decision that Chuck is talking about, as to whether they will go ahead with a fast track.

They're also consulting with the GAC on this, I believe, so it's a -- it's a -- this is kind of the very early stages, the beginning of the week, where this is going to be an ongoing topic and I think what Chuck is trying to do is, as part of their deliberations, provide an opportunity for the GNSO to provide some input as well.

>>DENISE MICHEL: And if I may just add a couple more process. So the ccNSO and the GAC will be meeting at several points during this week to continue to advance there what they're calling the interim approach, and the intention here, and they'll be providing more in public information on this. The intention here is to have a very tightly scoped round that would allow a very small number of IDN ccTLDs to move forward and to use what's learned from this very limited round to inform the more long-term policy development process that they're about to engage in to provide an overall policy for IDN ccTLDs.

>>CHUCK GOMES: Thank you, Denise. Okay. Moving on to No. 2.

Neither the introduction of IDN gTLDs or IDN ccTLDs should be delayed because of readiness of one category, but if they are not introduced at the same time, steps should be taken to ensure neither category is disadvantaged because of a delayed implementation.

Now, before I open it up to discussion on that, if you haven't already read the full draft comments, we talk in the comments about a recommendation from the GNSO IDN working group in this regard, and the extent of it was that the -- you know, if, for example, gTLD IDNs happened before ccTLD IDNs, it could be that a gTLD IDN might preempt one that could be used for ccTLDs.

So it was the opinion of the small working group that probably we should work on that issue to make sure that if one category goes before the other, that we try to put procedures in place to minimize any conflicts in that regard.

And so that's at least partially what is being stated here.

Questions or comments?

Okay. No. 3: If ccTLDs are not ready to offer IDN ccTLDs as early as the GNSO is ready to offer IDN gTLDs, procedures should be developed to avoid possible conflicts. And so you can see the relationship between those two recommendations.

Any questions or comments on that? Yes. Olof.

>>OLOF NORDLING: It was Dan, my friend here.

>>CHUCK GOMES: Oh, it was Dan.

>>DAN HALLORAN: I guess it is on both two and three. Hasn't the GNSO already put in procedures such as if somebody applied for a gTLD that matched the name of a country and the country -- and the government of that country didn't like that applicant giving that string, it could object? And that would be a procedure that would minimize the conflict with someone giving out a string that might match the name of a country?

>>CHUCK GOMES: We have, or at least those are recommended. Obviously, they haven't been approved by the board yet. So there is the dispute procedure that's being proposed for new TLDs that would allow a community to challenge a gTLD that was proposed.

In addition, we're recommending that two-letter ASCII top-level names be reserved so that's another protection, okay? Now, that doesn't really apply to IDNs except where they might be two letter, okay?

And I suppose that might be possible, I don't know. I haven't looked at the whole list. So there are some things, but the thinking of the IDN working group -- I don't know if there is anybody here from that working group that would like to comment on that. You are welcome to, if you'd like -- would be that there may be other cases that aren't necessarily covered by those. In fact, it might be better in some cases not to wait for the challenge process but maybe -- this is me speaking just off the top of my head right now. I am not necessarily advocating this, nor has anybody else said this.

But maybe there might be some additional reserved names categories. If the ccns, for example, have not decided how they're going to allocate the names or assign even in this interim approach or the long-term approach, there could be some categories like maybe even country names. We did not reserve country names in there. So does that make sense?

>>DAN HALLORAN: I guess, the only comment was just you make it sound like work was to be done in the future but, in fact, you have already done some work along these lines.

>>CHUCK GOMES: We have done some. The thinking was there might be -- more work might be needed in that regard, okay?

Okay. Olof?

>>OLOF NORDLING: Just to expand on that in the reserved names working group, it was discussed at length what to do with two-character IDN strings. While there was a conclusion that wouldn't be

specifically reserved but there would be -- there was a provision -- decision would have to be taken on a case-by-case basis. And I think that's very appropriate related to this particular issue.

>>CHUCK GOMES: You're talking about the second level?

>>OLOF NORDLING: No.

>>CHUCK GOMES: The case-by-case was the second level.

>>OLOF NORDLING: On the top level.

>>CHUCK GOMES: We did not reserve -- we did not recommend reserving two-character names for IDNs like we did with the ASCII, that's correct. It did need to be looked at on a case-by-case basis, yes.

>>OLOF NORDLING: I think this is such a case.

>>CHUCK GOMES: Yeah, that's right. Good, thank you for adding that. Marilyn?

>>MARILYN CADE: I think you've covered my question, Chuck. But it did have to do with the issue of countries represent their names in a variety of ways. And how is that -- so that is being dealt with by -- the point being it is up to the country to object if they feel that the characterization, if I could use that word loosely, of the next ccTLD instantiation is in violation of some concept that the country has about how their name is represented.

>>CHUCK GOMES: You want to jump in?

>>AVRI DORIA: I think the objection is if a gTLD is applied for, that they believe is inappropriate or they object to because it is what they want for the ccTLD, then there is the objection procedure. I don't think the objection procedure has anything to do with the application for a ccTLD.

>>MARILYN CADE: But ccTLDs, of course, have different relationships to governments, right? Some governments have direct oversight. They have laws. Other governments have a more collaborative approach to the relationship with the ccTLD manager. So you could envision an environment where a ccTLD -- and that's the other clarification I wanted to raise.

We're talking about the present ccTLD managers applying for a second characterization of a cc string as opposed to someone else in a country applying to have a competing ccTLD string in an IDN, right?

>>BRUCE TONKIN: I'm not sure about that.

>>AVRI DORIA: Need to use the mike.

>>MARILYN CADE: That was what I wanted to understand. Because I think in that case I think you could see -- I think this is a question for the GAC, by the way. I think you could see a political situation emerging.

>>BRUCE TONKIN: I think, Marilyn, my read of it is certainly the -- that's the perspective of the cc managers, that they are applying for another cc. But I don't believe that's necessarily going to be the perspective from some of the GAC members. So I don't think that's decided yet.

>>MARILYN CADE: Thank you.

>>CHUCK GOMES: Okay. Going to number four, if any IDN ccTLDs are introduced that will function as de facto IDN gTLDs, then the technical, financial and operational requirement should be similar to those for an IDN gTLD to ensure that there is no unfair advantage.

Kristina?

>>KRISTINA ROSETTE: Can you just give us a couple of examples of what you have in mind?

>>CHUCK GOMES: In the working group -- obviously, I think everybody is aware that there are ccTLDs today that, basically, are operated like gTLDs, very open and so forth.

If there are any IDN ccTLDs that are proposed within the ccNSO and those are going to function, basically, like gTLDs, then the recommendation is that those should have similar operational and technical requirements to gTLD IDNs.

>>KRISTINA ROSETTE: And will the determination of whether they will function that way be made based on what the applicant says or --

>>CHUCK GOMES: That's a good question. That's a good question. That would have to be work that would be done. I suspect they didn't expect our comments to get that detailed. A lot of these things would result -- to make them happen would need additional work, probably coordination work between the two SOs.

Edmon. Okay, Mike was first. Mike?

>>MIKE RODENBAUGH: I'm unclear, why are we not recommending that IDN ccTLDs need to be country codes, not -- or related to a country name? At least put that sort of limitation on it rather than leaving it up for any country code to propose any new string.

>>CHUCK GOMES: I don't think this is about proposing a new string. If they were, it would come under, I believe, the new gTLD process.

>>MIKE RODENBAUGH: It is very unclear. I don't see any limitation or proposed limitation that a cc be limited to a country name.

>>BRUCE TONKIN: (inaudible). >>MIKE RODENBAUGH: Point eight? That's exactly my question was. I didn't feel like four and eight were consistent.

>>BRUCE TONKIN: (inaudible).

>>CHUCK GOMES: Bruce, we need you to use the microphone.

>>MIKE RODENBAUGH: How is four even an issue if you have that limitation?

>>CHUCK GOMES: Well, let me give you an illustration. Let's take the country code XY. Nice safe one, right?

>>MIKE RODENBAUGH: Not from Yahoo's perspective.

[Laughter]

>>CHUCK GOMES: I'm sure it's not. Let's assume that's -- and there is some IDN version of that that the ccNSO decides on, but that little country, XY, decides not to operate that as a -- what we might call a more traditional ccTLD but to make it totally open, unrestricted in any way just like dot com, okay?

What this recommendation is saying then -- not that they're proposing a string -- they're using the string that would be approved within the ccNSO for their TLD, for their ccTLD, okay? But they're using it just like a gTLD. That's what makes it a little different than ate. But Bruce is right, eight has a nice connection there.

>>MIKE RODENBAUGH: Okay.

>>EDMON CHUNG: I'm curious how you would determine, like, the de facto. You mentioned about it being open and unrestricted. The way I sort of see it is that a lot of ccTLDs operate that way, anyway, even though it is sort of still a ccTLD.

Wouldn't it be more appropriate to sort of mention something like taking on a secondary meaning? The types where -- a situation where the TLD actually takes on a secondary meaning beyond the country itself. That really becomes, you know, much closer to the issues or the kinds of things that we want to enforce as a gTLD.

>>CHUCK GOMES: I don't think that the working group really meant that in what we're saying, although I suppose that could be applied here. It was more a usage of the ccTLD that we were talking about. Part of your question, I think, is very close to what Kristina said in terms of how would that be determined. And that's a very valid question and I don't know the answer to that. That would require some work.

>>KRISTINA ROSETTE: Alan, were you next?

>>EDMON CHUNG: I think it is really important without that at all, I'm just saying de facto doesn't quite mean anything and I think it would be quite strange if you say -- if you only use the argument that it is open and unrestricted because really a lot of ccTLDs even functioning pretty much -- we would really call a ccTLD, still is operating as a relatively open and unrestricted ccTLD.

You know, I'm not comfortable with that sort of recommendation if we're saying with the argument that this is an example of a de facto gTLD.

>>CHUCK GOMES: Obviously, one of the concerns of the working group in this -- and this didn't come from me. This was actually proposed by other members of the working group and supported by the full group, though, is the whole competition issue. Obviously, gTLDs have contracts. They have requirements. They're much more controlled within the ICANN world than ccTLDs are. And the concern here is that there be a level playing field, that the gTLDs not be disadvantaged because they have to sign ICANN agreements that are much more involved in terms of the requirements and so forth, that they would not be disadvantaged by competition from the ccTLD world, which I know you understand.

Now, while we listen to Alan, why don't you think about maybe a way of rephrasing this that might be better if there is one, okay?

Alan, sorry to keep you waiting.

>>ALAN GREENBERG: From the sense of the conversation, I think we're talking about examples where a TLD will be opened up for second-level domains where there is no real connection with the country. That is, they are either in it to make money and they plan to sell domains at a real low cost and hope to sell a lot of them. Or as a random example, the domain happens to look like some common short-term acronym like TV.

I'm not sure we can ever come up with a definitive way of doing that, although the intent is honorable. I'm not sure we can specify it tightly enough to say you cannot get into a domain if you do not have a specific and direction connection with that country. I suspect we have many top-level domains right now where that's not the case and it is not clear where we can enforce it, especially since ICANN does not have agreements with many top-level domain ccTLD owners and will not have agreements with the IDN ccTLD operators either.

>>CHUCK GOMES: This isn't saying they couldn't get the ccTLD IDN, okay? What it's saying is if they do and they are going to operate it that way, then they should have comparable requirements to gTLD IDNs. That's what this is saying, okay?

>>KRISTINA ROSETTE: I mean, I think Alan and I are going in the same direction with this in that I think it is an important point but I think it is one we have to define and delineate pretty clearly because I think as a basis point we really are not going to have anything to go on except what the applicant claims it will use it for.

We've already agreed in the gTLD context that there will be no revisiting how a gTLD is, in fact, used regardless of what the applicant has said in the first instance, so I don't think we can take a contrary view here.

So while I think the intent is a good one, I think we really do need to come up with a way to be very, very specific about what it is that we would consider to trigger those requirements.

>>MIKE RODENBAUGH: I just go back to why are we not specifically encouraging that that not be allowed as a practice. I'm sorry, my pretty strong preference would be that we say that ccTLDs need to relate to the country name and other strings are gTLDs essentially. And then I think we are never going to get away from your problem that China, for example, the Chinese government can some day decide to sell their TLD to a China plate manufacturer, I guess. There is nothing we can do about that.

>>CHUCK GOMES: Mike, let's jump to number eight and we can cover that later because, I think, to deal with your issue, eight deals more, in my opinion, with what you're talking about than number four. But let's do that.

>>MIKE RODENBAUGH: To me they are just not consistent.

>>AVRI DORIA: Werner, you had a comment.

>>WERNER STAUB: Yes, actually. Essentially, whatever we can say to the ccNSO about how they should or how governments should treat their ccTLDs, it is just like a kid saying to the parent, you know, they should be treated equally. You cannot decide.

So it is just a statement. I think there is no point of us getting any further with that, just to say it would be unfair. What else can we say?

>>AVRI DORIA: Well, I guess, as the GNSO making recommendations to the board, we can certainly -- it's not just the kid saying, "We want you to be fair." I think we can make recommendations to the board that some things be allowed and some things not as a new policy is being put in place. So I think that if we come to a point that there is a strong support for saying, you know, it should not be allowed as the GNSO's recommendation, then we could certainly pass that on to the board and say that. And how it gets worked out is another issue, but it certainly is a statement.

This is not us making policy. This is us going to the board and saying, "Listen, you asked us a question as to our viewpoint on these things. This is our viewpoint."

>>CHUCK GOMES: Alan?

>>AVRI DORIA: Alan and then Ross.

>>ALAN GREENBERG: From a personal point, I strongly advocate that we somehow get ccTLDs -- IDN ccTLDs out there quickly. I think the gTLD process is going to take a lot longer than we're estimating.

On the other hand, we have to be aware of the pitfalls that are there. If some country comes up with an IDN ccTLD which visually looks like a circle, the letter O, it will overlap with the potential making availability of the single-letter gTLD in the future.

Is that going to be a problem? Should we stop it from happening because their national country script makes their country name look like the single letter O or that's the abbreviation they use.

There are all sorts of pitfalls. All we can do is raise them and make sure someone knows about them. I still think it is a good idea to go ahead with it.

>>AVRI DORIA: We had Ross and then Jon and then Dan.

>>ROSS RADER: Just quickly. I don't know if the GNSO is in a position to be making recommendations on ccNSO policy. However, I think we're in a position to express our opinions on that and, perhaps, the structure of the document could somehow be altered to separate the opinions from the recommendations. I think the view of the gTLD community is on the subject is probably valuable for the board to take into consideration but we may want to tie in the document a little bit to take that into account more clearly.

>>CHUCK GOMES: It is tied up because one of the questions that they ask later -- I don't think this is one of the ones in the executive summary because it seemed like a pretty straightforward answer. It is the answer you just gave. They asked who should be making these policies.

And the response in this document is the ccNSO should, they're the policy making body in consultation with their members and the GAC and so forth. So that is addressed in the full document because they ask that question.

>>AVRI DORIA: Jon.

>>JON BING: Thank you. Speaking out of the depths of my ignorance, there is probably a good reason why they are different, to take into account of the operational requirements between the ccTLDs and the general TLDs.

But if they (inaudible), then, of course, the problem will go away. It seems to be the difference because there needs to be a reason and not harmonization. Thank you.

>>AVRI DORIA: Dan.

>>DAN HALLORAN: Thanks, Avri. When I read number four, it is not clear to me exactly what the GNSO means. Let's say that it turns out that there are some IDN ccTLDs that have very limited technical financial and operational requirements from ICANN. Is the GNSO then saying that IDN gTLDs should have that same low level of requirements? Or are you saying --

>>CHUCK GOMES: That is not -- was not the intent of the group in this regard. It was the other way around.

>>DAN HALLORAN: Number four is just saying there should be a level playing field.

>>CHUCK GOMES: The assumption was that our requirements are not going to be reduced. But if ours aren't reduced and theirs are minimal, then it does not create a level playing field.

>>DAN HALLORAN: There is an assumption there that IDN gTLDs will have similar requirements to gTLD and you think that the ccTLDs should have the same kind of requirements, too. Not that you want to lower --

>>CHUCK GOMES: If they are operating like a gTLD, that was the assumption of the group, yeah. Now, in response to the statement that Ross said -- I think Ross partially answers the concern, Kristina and Edmon, that you were raising. It is not our place to make policy for the ccNSO. Therefore, for us to try to work out how this would happen, we could certainly provide some input as they're developing policy and work with them on it.

But for us to actually tell them how it should be done probably doesn't work.

The reason I wanted to go to number eight, let's read that one right now. IDN ccTLD strings should be meaningful to the local community and should represent in scripts of the sovereign government's choice a meaningful representation of a territory's name in the selected script.

The thinking here is the IDN ccTLD process should not be a means of getting a gTLD. So they should be related to the country, to the territory. Shouldn't just be an open opportunity for -- to get a gTLD in with IDNs without going through the new gTLD process.

>>MIKE RODENBAUGH: I appreciate that. I would definitely change "should" to "must" in eight. I do like the limitation to territory's name. What I'm concerned about in particular, I could envision languages, for example, Korea saying that they own the Korean language and won't allow anybody else to have a TLD in Korean script that relates to the word "Korean" instead of the country name "Korea" for example.

>>CHUCK GOMES: Norbert?

>>NORBERT KLEIN: The problem is that in some countries there are two different official versions of the country name, a short and long one. Like in Cambodia, Cambodia is one official name and Kingdom of Cambodia is another, both accepted by the government. And I don't know whether it would be possible to recommend to use the shorter form, if possible. The same is true for North and South Korea, there is Hanguk and Minguk.

>>CHUCK GOMES: Don't you think that's going to be a decision for the ccNSO and the local government?

>>NORBERT KLEIN: Yes, I think so, but whether it would be possible to recommend to use the shorter one just for practical technical reasons.

>>CHUCK GOMES: Keep in mind -- I hope you all have read the full documents here. But most of the statements are in response to questions that the ccNSO asks. So one of the problems of going through them in an executive summary like this, you don't see the context of the question. So to the extent that a recommendation like that fits in response to one of the issues that they raised, I think that would be fine.

What I would ask you to do, in looking at the whole document, is see if there is a place where that would fit. In going through these numbered items here, you're not seeing where they fit relative to the issue that they ask questions on. And so if it fit in one of these questions, I personally wouldn't have any problem with that.

But take a look at that and see. I am glad you brought that up, because you are seeing these points in isolation, not in the context of the questions that were asked by the ccNSO and the GAC.

>>AVRI DORIA: As you go down, you will often see the answer that you see there. This question should be answered by the ccNSO and the GAC and related governments that are currently involved in the...

"This question should be answered," you will see that often. That's what's not showing up in what's on the board at the moment.

So I think there is no real recommendation in this. It says long name, short name. It is "significant to." What's "significant to the" is their business.

>>CHUCK GOMES: One of the things I would sincerely request before our official meeting on Wednesday is that anyone who has not read the full comments draft do so because without that -- and we don't want to go through it all here. That wouldn't work in a big group like this. But it is very important that everybody read the full document.

Now, back to Edmon, did you come up with anything on number four?

>>EDMON CHUNG: I just sent it to you actually. I will read it. It is still stuck in my out box. I don't why I can't send things here.

>>CHUCK GOMES: Yeah, I didn't get it. You want to read it?

>>EDMON CHUNG: Just a suggestion would be if any IDN ccTLDs are introduced that may be perceived to function as de facto IDN gTLDs such as a proposal of a name that may take on a secondary meaning which is generic in nature, then the technical, financial should -- whatever -- should be similar to following the sentence.

>>CHUCK GOMES: Any comments on that? Olof, could I rely on you to -- you don't necessarily have to get it down. He will send it via e-mail. Make sure Olof gets that as our staff support person on this, that would be helpful.

>>OLOF NORDLING: May I just briefly comment upon that because that goes actually straight into the requirement in eight.

>>EDMON CHUNG: It doesn't quite. It doesn't because it takes on a secondary meaning. The case of, I guess, China is maybe sort of an example where TV is problem the best example. TV does mean Tuvalu but it takes on a secondary meaning and general nature and that's really what we're most concerned -- I think, we're most concerned about.

>>CHUCK GOMES: So, in other words, an IDN TLD that meant television?

>>EDMON CHUNG: In that case, in that particular case --

>>CHUCK GOMES: Has a generic meaning.

>>EDMON CHUNG: That's just an example. And I think taking on a secondary meaning is really the main -- at least from my point of view is the thing that we want to say, if such a case happens, perhaps, we need to take a different approach as to, you know --

>>CHUCK GOMES: The TV is not a good example in this case then because, I think, eight would cover that one. If a TLD in an IDN language was television, it seems like eight covers that.

>>EDMON CHUNG: No, it doesn't.

>>CHUCK GOMES: Television related to a country or territory?

>>EDMON CHUNG: But it doesn't in a sense that TV does also represent Tuvalu.

>>CHUCK GOMES: TV does but the IDN version that may be allocated to Tuvalu --

>>EDMON CHUNG: Happens to also mean TV, you're saying?

>>CHUCK GOMES: I understand the hypothetical, but it seems to be very hypothetical to me. Am I wrong on that?

>>EDMON CHUNG: Let's take --

>>KRISTINA ROSETTE: Let's take TM.

>>EDMON CHUNG: If the word itself, if the phrase itself -- I mean, in IDN happens to take on a different meaning, just take something else, radio. Let's say some country's name in its IDN form happens to be radio in -- I don't know -- Korean. In those cases, we should take a different approach or at least suggest -- at least take a second look at it before, I guess, just allocating -- or suggest at least as an opinion.

Let's say -- I don't know. I am just making this up.

Let's say Philippines, the Korean version of Philippines happens to be "radio" in Korean. This would be an example.

>>CHUCK GOMES: Tell you what, I don't want to spend any more time on this because we have a lot more to cover, but see if you can come up with a real example instead of hypothetical examples. I think that would really be helpful.

>>EDMON CHUNG: Okay.

>>CHUCK GOMES: Okay. Now, that doesn't mean we can't consider some changes to the language that you're proposing but let's not spend any more time on this one right now.

>>EDMON CHUNG: Yeah. And I can probably come up with one or two in Chinese.

>>CHUCK GOMES: That would be very helpful, okay?

>>OLOF NORDLING: Before we leave it, since I'm sort of in the drafting position here, I still want to make clear whether we're looking for sort of a -- avoiding unfair advantages and such, or whether

we're actually adding a requirement on the string itself, because then we're into 8, and then, I mean, basically we would delete 4 and make an additional requirement on 8. So I mean, I -- I want to make that clear, what we're doing here.

>>EDMON CHUNG: Well, at least it would be the intent is not that case. I think the -- at least my intent is to raise a particular -- raise a particular item. We mentioned de facto IDN gTLDs, but I think I wanted to probably go a little bit further, what we mean by that, and give one sort of example, and the example being that the name chosen happens to be a generic term.

>>CHUCK GOMES: Again, without belaboring that, I'm going to turn it over to Cary, but let's see if you can come up with some real examples, because the hypothetical, I don't think, helps us very much here.

>>CARY KARP: In this case, the real example isn't going to help us one little bit either. We are constantly tripping over issues that are sovereign decisions here and if there is a process that's invoked that results in a national government being permitted a new it would label which is one of its local representations of the country name, if that happens to be "radio" in some other language, what do we do? Tell the government, "Sorry, you can't use your name?"

>>EDMON CHUNG: Again, I'm not suggesting that. I'm not saying sorry. But, you know, in those cases, shouldn't we take a second look at it or we should do nothing and just --

>>CARY KARP: The moment a decision is left to a national government, it's not our business anymore. We can't then override that sovereign judgment. So it makes absolutely no sense, splitting hairs about recommendations that are intended to address that kind of situation, because that kind of a situation is just beyond our ability to manage.

>>EDMON CHUNG: So you're pretty much suggesting taking 4 completely out then?

>>CARY KARP: There are several points in this thing that I would be content taking out, but I'm saving my comments on the ones that should be out for the ones that I want out, not the ones that you want out, but I agree --

[Laughter]

>>CARY KARP: Yeah, there are more things here than need to be.

>>EDMON CHUNG: But what you just mentioned really should -- you know, what you just mentioned really, you know, should take No. 4 out, and also I think, you know, going back to Ross' suggestion, we really should separate some -- almost thoughts rather than some sort of recommendation, and this probably is one of those that should really not be -- you know, at least not so high up and also not so --

>>CHUCK GOMES: So what you're suggesting is we shouldn't have an executive summary?

>>EDMON CHUNG: No, no, no. Have the executive summary but probably out of all these points, separate into two chunks. You know, one of which, the first three are, you know, harmless, somewhat, and, you know, then -- then the ones that we're really suggesting some -- some opinion, like this case where, you know, it may function as a de facto gTLD. These type of things as I think what Cary mentioned is that this is completely out of our scope, sort of -- may be out of our scope once we say, you know, "Governments, please suggest," right?

Once we say that, according to Cary, you know, it is out of our scope what they then decide. We're saying that what they then decide, we're going to take another look at that. Is something that's, you know, probably a no-no in -- in a lot of cases.

And those types of things perhaps we should, you know, separate in a different section -- not different section, but still in this executive summary, but at a different paragraph.

>>CHUCK GOMES: Keep in mind that the ccNSO and the GAC asked us for this input, so I don't think we're stepping on anybody's toes by giving it.

So we have to be careful there that our input has been requested. So I think it is -- there's nothing inappropriate about the input. Now, whether or not some things may be put lower in the list or be organized differently, that's something we could -- we could do.

Again, if you read the whole document, you will see over and over again comments made with the involvement of the local government. I don't know how many times that was repeated in -- in answers to questions that they asked, so there's full respect for the sovereignty of the governments.

Alan?

>>ALAN GREENBERG: A lot of the discussions we're having are ones that we should have had two decades or so ago, but we didn't.

They're less relevant here, in that if some country comes up with a local script rendition of what they believe their name is, it might have spoofing implications if it looks like something else, but nobody is going to be able to type that in without the right keyboard and character -- and knowing the character set, so we can't have another dot tv, because almost it may look like some word that has applicable across the world, it's not likely to be usable other than in cases where you only click on it as in a

spoofing type situation. So it's not really as widespread a problem as it -- as it was two decades ago when we came up with the -- with the current ID -- TLDs.

>>CHUCK GOMES: Thank you. Let's go to No. 5.

"If an interim solution whereby each ccTLD would be granted one IDN ccTLD in the near term to get the process started faster results in meeting the user needs sooner, we support it."

In other words, we're saying we support this interim approach if it -- because a general belief of the working group that developed this was: Let's meet the user needs with regard to IDN TLDs, whether it be gTLD or ccTLDs, as soon as we can, because they've been screaming for it for a long time, it's a real need, and if the interim approach helps that happen a little bit faster, we support it.

That's basically what this is saying. Comments or questions?

>>AVRI DORIA: I see none. I would suggest moving. We've hit, what, I guess 6 points out of 17 with about 15 minutes left to go on this session, so...

>>CHUCK GOMES: Okay. You want me to move quickly.

>>AVRI DORIA: I want you to move. No one asked any questions, so...

>>CHUCK GOMES: Okay. No. 6 "the user experience is one of the fundamental motivations for deployment of IDNs and should therefore be a guiding principle in implementation decisions."

You're going to have to respond quickly. I'm going to move right on.

No. 7: "Any IDN ccTLDs added should be done for the sole purpose of benefiting the applicable local ccTLD language community or language communities, as applicable." Mike?

>>MIKE RODENBAUGH: Why local ccTLD community, I guess? And I guess I see later where it might not be limited to local. I'm just curious as to how -- why that? I mean why would it not benefit the language community outside of that territory as well, I guess is the point, and how do you deal with that situation?

>>CHUCK GOMES: That's a good point.

[Speaker is off microphone]

>>CHUCK GOMES: Which many do. So you're suggesting maybe deleting the word local. Anybody see a problem with that? Jeff?

>>JEFF NEUMAN: Not a problem, but the ccTLDs use local Internet community all the time. That's their words, so I don't see why this is a controversy. I think it should just be left. If you look at every one of the ccTLD documents, they say "local Internet community."

>>CHUCK GOMES: Okay. Any other thoughts on that?

All right. No. 9: "If there are multiple official scripts used in a territory, the best user experience would be to provide IDN TLDs in all of those scripts, where feasible." Cary.

>>CARY KARP: Brief comment. I don't think there's a government in the world that has official scripts. They have official languages and the languages dictate the scripts.

>>AVRI DORIA: So it would be "if there are multiple scripts used officially in a territory"?

>>CARY KARP: Yeah.

>>AVRI DORIA: So you're just moving the word "official."

>>CHUCK GOMES: Well, what I did is changed scripts to languages. Should I not do that? If there are multiple official languages used in a territory?

>>AVRI DORIA: No. Trying to keep that definition straight between scripts and languages.

>>CHUCK GOMES: So tell me what you said again.

>>AVRI DORIA: Basically if there are multiple scripts used officially in a territory.

>>CHUCK GOMES: Oh. Gotcha. I wasn't quick enough.

>>AVRI DORIA: Sorry.

>>CHUCK GOMES: All right.

>>AVRI DORIA: Ross?

>>ROSS RADER: I really don't mean to devolve to this level of detail, but I'm always confused by the language that GNSO uses because it doesn't always map to the language that other communities use. So when you say, Cary, that the -- you're not aware of any governments that have scripts, they have languages, typically those languages are represented by language codes, and governments are well aware of those language codes. Is that what you're referring to or not?

>>CARY KARP: No. If -- if a discussion is entered into with a government about what it is that they officially -- I'm just -- it's on now. Okay.

A government will tell you what the official language is in which they do business are, and those languages are represented in scripts, no question about it. But if you make reference to official scripts, the governmental reaction is, "What's an official script?"

>>ROSS RADER: So, you know, to use the Tuvalu example, again I'm certain -- well, it's a small government so they may not actually get to this level of detail but I'm certain that they must realize that their official language code is ISO639-2.

>>CARY KARP: We've left that realm. We are talking about extensive designators for national identity.

>>ROSS RADER: Yeah.

>>CARY KARP: And there is no give tent to ISO3166 for these. So governments are going to say, "We wish to have the following label associated with our -- our national domain." And we know what our 3166 code was, but we're not talking about that anymore.

>>ROSS RADER: Yeah. We'll -- let's grab it over coffee.

>>AVRI DORIA: Yeah.

>>ROSS RADER: Thanks.

>>AVRI DORIA: Yeah.

>>DAN HALLORAN: So just to caution that there's a huge difference between a script used officially and an official script and official language.

Just speaking locally in California and the United States, there is no official language, and I think if I want to go vote, I could vote in like probably a dozen different scripts. I could ask for a ballot in Persian or Spanish or --

>>CARY KARP: Those are languages, not scripts.

>>DAN HALLORAN: It's a script used officially.

Well, they're in those scripts, the ballots. Those are scripts used -- the proposal is to move officially after --

>>CARY KARP: Yeah. But you are asking for a ballot in a language, not in a script. If you ask for a Persian ballot, it's going to be in Persian script. If you ask for a Spanish ballot, it's going to be in Latin script.

>>DAN HALLORAN: Right. Different points. I agree with yours.

My point was that Persian script is used officially in California. Persian is not an official language of the United States. Neither is English.

>>CHUCK GOMES: Kristina?

>>KRISTINA ROSETTE: I just wanted to make sure that there isn't any risk that with No. 9, we're going under-inclusive. To the extent that there would be a script that although not an officially used one is, in fact, one that would appeal to the local ccTLD community.

>>CHUCK GOMES: Okay. Norbert?

>>NORBERT KLEIN: I assume that Tin Tan Wee was part of this drafting. In spore, there is -- one of the languages is Chinese but there are two versions of the Chinese script at present, and, therefore, I think it is important to note what is in this wording.

I think it was done very carefully.

>>CHUCK GOMES: Werner?

>>WERNER STAUB: I mean, we might just -- if there's a problem with the word "official" add a definition somewhere in the document and say official means whatever is accepted in court and by Parliament.

>>CHUCK GOMES: I have a question for everybody. Forget about the technical wording for a moment. Is there any disagreement with the intent of this recommendation? The intent being that, you know, hey, if there's more than one language used in a place, we think it -- we'd go a little bit further than just supporting one of those languages. The intent, again, was to support all users that could benefit from it.

>>WERNER STAUB: I think there is, but just one question: There is precisely there a problem. And you see there are countries, for instance, have been dominated, colonized by foreign powers for some time. What is a colony of that foreign power still in the country, they're not recognized by those who basically took back, so to speak, the control of the country, but they would then finally -- find it extremely unpleasant if suddenly somebody said, "Now, the script of that foreign power should be used," you know, as an official script because it's been a minority in the country.

So that's one of the political things that we get into.

>>CHUCK GOMES: Keep in mind we're not going to be making these decisions. We're providing some input in response to questions that they asked, and what we're suggesting is, hey, if you can do it in more than one script, supporting multiple languages, we think that's a good idea.

Dan?

>>DAN HALLORAN: So just to -- it's the same point I just made that you have to be careful about scale because there are literally dozens of scripts used officially in California, probably hundreds in the United States. And there's no official one. So you have to be careful that it's -- is it good that the United States should get 200 new TLDs and all these local scripts because they're used officially? Just it's a -- it's a practicality question.

>>CHUCK GOMES: Jon?

>>JON BING: Yes. Just a minor point on this official script. There is two ways, in this -- what the usually script or official language means. One is the language in each state is required to make available its material, like statutes, legal decisions, regulations, et cetera.

The other is the languages which are permitted to be used, for instance, before a court of law and so on, using translators.

In the latter respect, there will be rather many official languages. In the former respect, those which are required to be put out in the government's documents, there usually is very, very few indeed and they are usually flowing from the Constitution. Thank you.

>>CHUCK GOMES: Thanks, Jon. What I'd ask you to do, in between now and our meetings later in the week, when we may talk about this again, is think about whether this one should just be deleted or reworded, and if reworded, how should it be reworded. And we won't try and do that here.

No. 10: "Confusingly similar strings should be avoided." Mike?

>>MIKE RODENBAUGH: Again, I think the verb should be "must" and I think that we ought to be tying -- saying exactly what we mean. Confusingly similar to what? I think to be consistent with our new it would principles, it should say "confusingly similar to any existing it would."

>>CHUCK GOMES: Let me comment. You've made that comment before.

I'm not sure that it's our place to tell the ccNSO and the GAC what must happen. We're not in a position of authority.

Now, if we were writing a contract, yeah, I would agree. But that -- I think that's why we used "should" instead of "must," because we're just providing input to them. They're going to have to decide what "must" be.

But I'm open to other thoughts on that.

>>MIKE RODENBAUGH: Okay. Well, I understand what you're saying there. We can't demand that they do anything. But it's our recommendation that it must be is what I would put -- the way I would phrase it. And of course 11 has "must" and I saw "must" in here a couple other places. That's why I've been calling it out.

>>CHUCK GOMES: Okay.

>>KRISTINA ROSETTE: I think it may be an easy way to take care of what Mike's saying is to have some kind of acknowledgment that, you know, these are merely recommendations so accordingly, we have not used "must." In which case where we have, we need to take it out. And that instead, you know, our strongest -- most strongly worded recommendation is indicated with a "should."

>>CHUCK GOMES: Yeah. The more I -- the more I see this, I -- the more I'm wondering whether the executive summary causes more problems than it does help.

The idea was, a lot of people aren't going to read the whole document, so provide something easy, and what I'm discovering is that it's so easy to take these statements out of context of the question and issues that were raised that maybe one of the things we should consider is not having an executive summary.

But we can -- we can talk about that. All right. Any other --

>>CARY KARP: Yeah.

>>CHUCK GOMES: Oh, I'm sorry. Cary.

>>CARY KARP: I certainly think we should have an executive summary, and I had understood the present discussion to be one of seeing to it that that summary is as useful as it can possibly be, and streamlining verbiage is a normal part of the editorial process. So the notion of combining points here and eliminating points here is, I think, entirely consistent with what we're supposed to be doing right now.

>>CHUCK GOMES: Okay. Thank you.

>>AVRI DORIA: Okay. What I'd like to -- okay. We've hit 10:30 now. Now, we obviously have not made it through all this. There's obviously language editing that needs to be done to this. What I'd like to quickly do is go through the others and just have people raise the objections without going into discussions so that we get them all on the table, and then I'd like to perhaps during the coffee break find out who would like to work with Chuck and Olof in terms of, you know, a smallish group of people, and I have a really good idea of who they might be --

[Laughter]

>>AVRI DORIA: -- that would like to work sort of, you know, off line on wordsmithing.

So if we could go through quickly now and just find out which ones have issues so we're all aware of which ones have issues, and then get a wordsmithing group -- small wordsmithing group together to do work.

Because we did have a working group do the -- the answers, but the -- the summary was -- was not a working group process, so...

>>CHUCK GOMES: Okay. And we'll do that. We'll get that -- get the volunteers at the end of the -- quickly going through this.

>>AVRI DORIA: Yeah. Over the break, we'll do that.

>>CHUCK GOMES: So anybody else have concerns on 10? Is it just the wording on that? Okay.

11: "Measures must be taken to limit confusion and collisions due to variants."

That was straight out of the IDN working group recommendation.

No. 12: "Consideration should be given to whether or not adding an IDN ccTLD increases the possibilities of (1), whoa, graphic spoofing (2) creating TLDs for little demand except for defensive registrations and (3) adding a risk of TLDs being used for political ends.

>>AVRI DORIA: Cary.

>>CARY KARP: I suggest deleting 3 there. "Political ends" are value judgments. What one government regards as a laudable political end, another government might regard as repugnant.

>>CHUCK GOMES: Okay. Edmon?

>>EDMON CHUNG: No. 2 also seems strange. For, you know, maybe a small country, then what are we really saying? You know, are we saying that a small country should not get an IDN ccTLD?

>>CHUCK GOMES: Okay. All right. Going to 13: "Variable strength length would seem like the right approach for IDN ccTLDs."

That's consistent with what we said in the reserved names working group.

>>CARY KARP: I think we can drop that one. What alternative is there?

>>CHUCK GOMES: Well, I understand. Cary, again, they asked the question.

>>CARY KARP: Okay.

>>AVRI DORIA: Right. It was a question.

>>CHUCK GOMES: It was a question they asked.

>>CARY KARP: Okay.

>>CHUCK GOMES: And we're absolutely saying yeah -- and you're right. They have to.

>>CARY KARP: Why don't we say that, then?

>>AVRI DORIA: That's what it says.

>>CHUCK GOMES: Good point, good point.

I think that would be probably a pretty easy change, and you're right.

>>CARY KARP: It is the only approach.

>>CHUCK GOMES: We were maybe trying to be too tactful and --

>>CARY KARP: Yeah.

>>CHUCK GOMES: No. 14: "A suitable process for consultation, including with relevant language communities, is needed when considering new IDN gTLD strings."

No. 15: "Where script mixing occurs or is necessary across multiple levels, registries must implement clear procedures to prevent spoofing and visual confusion for users."

This, again, comes from the RN working group, or not the RN working group, the IDN working group. Yes.

>>EDMON CHUNG: Sorry. I was just a little bit too slow. It's not working. Anyway --

>>KRISTINA ROSETTE: Why don't you use this one?

>>EDMON CHUNG: The one before -- it's also not working.

>>AVRI DORIA: The whole side is not working. Too many of us on?

>>EDMON CHUNG: There you go. I don't understand why No. 14 is there. It's only good gTLDs, it's not about ccTLDs at all. Did I miss...

>>CHUCK GOMES: It should say it would strings, I think, not -- yeah. Good catch. Yeah.

No. 15 -- let's see. We did 15.

16 is: "It would seem prudent and sensible for ICANN and a prospective TLD registry wishing to deploy their TLD in a given script used by another country to approach that country and/or the local language community in question to vet their intent, particularly from the point of view of viability and marketability."

Notice that, again, here it does just use "TLD" and that was intentional.

>>AVRI DORIA: Cary?

>>CARY KARP: I suggest deleting this entirely. This means that North Korea has to ask South Korea and vice versa. It means Iran has to ask Iraq and vice versa. These are politically absolutely unthinkable demands.

>>CHUCK GOMES: Okay. Any -- No. 17: "IDN ccTLD operators should be required to follow the ICANN IDN guidelines just like gTLD registries that offer IDNs." Okay. I guess we're looking for volunteers.

>>AVRI DORIA: Right. Yeah. And -- right. Thanks for going through that, and thanks for the discussion. I think we got rid of at least one, got rid of a couple sub-bullets, and I'd like to now go into coffee break, but let the group of people, you know, get together with Chuck, to say a few people. It shouldn't be too many. If a bunch of you in the group all have the same point of view, well then pick one of you to sort of -- and it's a wordsmithing on this, on the expect summary, and not so much the responses, but if it does affect any of the responses, then make sure that the two correlate.

And we're obviously going to have to talk about this some more again.

>>CHUCK GOMES: So see me before you head out on break. Okay?

>>AVRI DORIA: Okay. Thank you.