GNSO
Inter-Registrar Transfer Policy A PDP Jun08 Working Group teleconference
17 March 2009 at 14:00 UTC

Note: The following is the output of transcribing from an audio recording of the Inter-Registrar Transfer Policy A PDP Jun08 Working Group teleconference on 17 March 2009. 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-irtp-20090317.mp3
http://gnso.icann.org/calendar/#march

Participants present:
Paul Diaz - Working Group Chair - Networksolutions Registrar c.
Mikey O'Connor - CBUC
James Bladel - Godaddy
Barbara Steele - Registry c.
Kevin Erdman - IPC
Michael Collins - Individual

Staff:
Olof Nordling - Director, Services Relations and Branch Manager, Brussels office Marika Konings - Policy Director
Glen de Saint Géry - GNSO Secretariat

Coordinator: We are now recording.

Paul Diaz: Thank you and Glen if you would, would you do role call.

Glen Desaintgery: Yes certainly Paul. We have on the call Paul Diaz the chair of this group, James Bladel registrar, Kevin Erdman, IPC, Michael O'Connor, business constituency, Michael Collins, individual and Barbara Steele, registry constituency. And for staff we have Marika Konings, Olof Nordling and myself, Glen Desaintgery.

Paul Diaz: Wonderful thank you Glen. Welcome everyone good morning. I hope to get through this call. We have a couple points of business so we'll try and march right along here.

Just to put in perspective we need to have final approval of the draft text that we have prepared. We want to discuss the issue that was raised at our last call and make sure everybody is comfortable and in agreement with the way we suggested moving forward. That is the discussion about thin versus thick and the new TLD process.

We also need to look at the draft motion that has been prepared. Make sure that we're also comfortable with that language that will eventually be going out to council and finally to begin thinking seriously about the future PDP work. Recall this is the first of five envisioned PDPs in Mexico City.

The council asked us you know if we would continue working this issue. The working group has been very, very efficient and functional. Hope to see that continue, good progress moving forward.

With that said though we have some flexibility in terms of beginning to craft the charter. So we need to look at the issues that have been laid out and we can discuss whether we simply accept what was proposed, if we want to change the mix a bit. If other issues are of more pressing concern people want to bring them forward, etcetera. We can - we need to do that as well.

So with that said I would ask if folks have the most recent draft Marika has provided us available. As I recall, Marika, everything that - that the changes need to be made is consistent all the way through right?

Marika Konings: Yes, should be.

Paul Diaz: So the block of text - excuse me - that we'll need to look at repeats in several places and I believe that's the only thing in here other than numbering issues right. There's a date change or something else but. So just to get by from everyone if we can jump to line 90 I believe this is page four.

The first time it appears now under Section 1.3, Conclusions of the Working Group. What you can see there, we've now changed it to say the Working Group, recognizing that it's not specifically in the remit for this working group to make recommendations for WHOIS modification.

The further support assessment of whether Iris would be a viable option, change of registrar on email address data between registrars and recommends an analysis of Iris's cost, time implementation and appropriateness for IRTC purposes.

So question for the group. This is you know incorporating the feedback from several participants. The focus again is on our mandate questions about exchange of registrar email within the IRTP process. We've tried to keep it fairly narrow and tight.

Iris as an issue that I understand right now is not one of the specific research recommendations that is before - that staff has proposed to council. However we wanted to have it on record that when such research is done that we include some analysis of Iris as it might relate to this exchange of registrar data as part of an IRTP.

Is everybody comfortable with this language as it appears?

Michael O'Connor: Paul, it's Mikey.

Paul Diaz: Yes, Mikey.

Michael O'Connor: I'm sorry to take you all the way back to the beginning. I just clicked on the link from the mail from Marika and I want to make sure I'm working off the same document you are. This one doesn't have any line number is that correct or are you working off one that's got line numbers?

Marika Konings: It has line numbers.

Michael O'Connor: Yes I was reading...

Man: Are you reading the PDF version?

Michael O'Connor: Yes

Paul Diaz: I'm reading the PDF, Mikey. Are you reading the doc perhaps.

Michael O'Connor: No I'm reading the PDF. This is the...

Paul Diaz: The very first one listed on our Wiki right now. So we have documents review on the Wiki site...

Michael O'Connor: And Marika's email should I look at the one on the Wiki.

Paul Diaz: Just in case, just because that way...

Marika Konings: In the email there was...

((Crosstalk))

Paul Diaz: It's actually the link to the Wiki, isn't it Marika?

Marika Konings: Correct.

Paul Diaz: Yes.

Michael O'Connor: I'm just catching up, hang on gang.

Paul Diaz: Yes no problem Mikey, thanks for the - again while Mikey's pulling it up is everybody else comfortable? Any changes that we need to make here? Again this is...

James Bladel: I'm sorry this is James.

Paul Diaz: James go ahead.

James Bladel: I'm fine with the language addition. I did notice in the deleted section the first sentence that WHOIS is being used in ways to facilitate transfer it was not originally intended for. Did we capture that somewhere else in the document? I would just hate to see that go away entirely.

Paul Diaz: Good question. Marika, can you help out here?

James Bladel: I remember there was a comment about WHOIS being an operational dependency for transfers aside from the privacy and transparency concerns, and I just want to make sure we don't lose that.

Marika Konings: I think it's covered in the WHOIS section. I'm happy to put that sentence back I might have actually deleted it by mistake. I'm happy to reinstate that specific sentence here.

James Bladel: Am I - If I'm alone on this that's fine, I just wanted to point it out that we...

Paul Diaz: No that's fine.

James Bladel: ...left the baby in a lot of bath water.

Michael O'Connor: I think we want that one back in.

Paul Diaz: Yes I was going to say I tend to agree but does anybody on the call think that is no longer necessary and appropriate in some way or it makes more sense to reinsert that sentence in the WHOIS section of our draft. Let me rephrase it. Is anybody against...

Man: (Unintelligible) but as far as the (unintelligible) unstable (unintelligible).

James Bladel: Are we still - yes that was a strange one.

Paul Diaz: I think somebody - was somebody on a cell phone today dialing on cell or perhaps Skype?

Man: I'm on...

Paul Diaz: Still have you guys?

Woman: I'm here.

Man: I'm here.

Marika Konings: I'm here.

Paul Diaz: Okay...

Glen Desaintgery: I'll just ask the operator to look into it.

Paul Diaz: Thank you Glen. That's a weird one you know listening in on
                   somebody's conversation. Okay again the question that I posed before
                   is, anybody disagree or is anybody not want to see that sentence that
                   we've clipped specific to the - that deals with the first sentence that
                   was deleted.

Man: I think that it's appropriate to include it. It's consistent with everything
                   that's been (unintelligible).

Paul Diaz: Okay great. Then Marika if you would let's reinsert that sentence. I
                   guess it doesn't belong here in the conclusions but rather in the portion
                   where it deal with the section WHOIS. I'm sure it will fit in very
                   comfortably.

                   Now for the group - okay so is everybody then okay with the text?
                   Mikey have you seen it now? Does it look good to you?

Michael O'Connor: Yes I'm looking at it.

Paul Diaz: Okay.

Michael O'Connor: The one in the email is (unintelligible).

Paul Diaz: Okay. All right with that said the only other changes in our draft right now are just simply the repetition of that exact language. So understanding that you know it's the same all the way through and we're going to add back in that sentence for the group. What I propose is that we don't need another go around to review the text since we've seen that sentence it's just a question of where it gets plugged in.

What I'd like to do because we couldn't all be on the call today is make the change, put it on the - updated version on the Wiki and again in email now ask folks in the next I don't know the next 48 hours final look, make sure that you're comfortable and if we don't hear from you we're going to consider this draft text wrapped up. Is that okay with everyone 48 hours seem reasonable? Ultimately you're going to be looking for one thing where this new sentence was reinserted. But does that seem okay? Anybody have an issue with that?

Man: Okay with it.

Marika Konings: Have them look now maybe on - just to make sure that we're already covered the people that are on the call. If you look to line 507 which is the WHOIS section. My proposal would be to make it the second bullet point.

Paul Diaz: Five-oh-seven Marika? Okay.

James Bladel: I'm looking at that as well Marika and I agree that was the best...

((Crosstalk))

Paul Diaz: ...place for it.

James Bladel: ...place for it. I'm also just doing a scan of the document to see if we
                  have maybe covered it somewhere else.

Michael O'Connor: Somebody just re-read the - now that I've caught up with you read
                  the sentence that we're inserting.

Paul Diaz: Literally it's the first sentence that has been clipped Mikey.

Marika Konings: The working group noted that WHOIS was not designed to support
                  many of the ways in which it is currently used to facilitate transfers.

Michael O'Connor: Cool, lovely thanks.

Paul Diaz: So that becomes the intersection for the WHOIS part beginning on line
                  507. Okay so again you know we will make that insertion, have the
                  updated text available on the Wiki site and in email we will push out a
                  note saying look 48 hours sort of last call. Let's get this one done.

                  All right wonderful. So with that any other questions? All right. Perhaps
                  before I put this to bed lets just make sure that everybody is on board
                  with following our discussions last week about thin versus thick registry
                  models with the view towards new TLDs.

                  We had a big discussion of whether we should make
                  recommendations within our report related to that and in conversations
                  we had after the call those of us who were most involved were - came
                  to the conclusion that this really would get us beyond - making

recommendation on a report we get is beyond our mandate because we'd be recommending something that is just really a lot more than what this working group was constituted to do.

Requiring thick registry model that is will be well beyond the scope of what was originally intended when this group was set up. As a result what we agreed to do was work together off line, put together the language of the proposal that we'd like to make and submit it whoever within the group wants to co-sign but submit that directly to the public comment process for the new TLP program.

This way we will be sure that it's seen by staff. Anybody else that has an interest, comment to make can take place in that forum. We felt that it was more appropriate to be handled there and should be left out of our report. Does anybody have a problem with that or folks feel that that seems reasonable?

Michael Collins: This is Michael. I think that's appropriate.

Paul Diaz: Okay basically does anybody have angst with it? Just make sure there is no - nobody dead set. Okay great then that's...

James Bladel: Then Paul this is James I think that I would be lead in putting together some language when that comment period opens and if anyone wanted to sign on to that or work with me on that or possibly submit a different opinion in the same document then I'm welcome to work with anyone on that.

Paul Diaz: Yes Marika, Olaf, Glen anybody in staff is it okay? Is it appropriate to continue using our mailing list to facilitate that discussion?

Glen Desaintgery: Absolutely.

Paul Diaz: Okay just wanted to make sure. You know that's the easiest then James. When you have a first draft ready pose it the list and the rest of us we can see it. If we like it co-sign with you, if we have a difference of opinion raise it, maybe it will result in a better draft and then those that are in support we can all join together in the submission.

Those who are against ultimately or probably we might say that you know - reflect that in the course of this PDP work you know we've looked at thin versus thick registry models and trying to paraphrase our you know our findings.

I don't necessarily think that the comment unless we had unanimity in the group should necessarily be a reflection of the working group believes this and post it rather as individual members that happen to work on this and have done some research in looking in to the issue, here's what we think but we would be posting as individual members. Just want to make that clear to everybody.

Olof Nordling: Olaf here, could I...

Paul Diaz: Yes Olaf.

Olof Nordling: ...make a quick comment first of all. As I mentioned last time it's quite important that it comes to the public comment forum because we need to start to have a reference which is clear for any changes that we do (unintelligible) subject is very topical.

If you do remember one of the last slides that (Kurt) showed in the public forum at the end of the Mexico meeting for those who attended well this is one of the bullet points that will be worked on thick versus thin WHOIS. So very topical indeed. So I could just encourage input on this thank you.

Paul Diaz: Certainly and I think many of us are in agreement and we will be posting. But just for those who are on the call and those when they listen to the recording afterwards make it clear again we will be posting maybe as a group but a group of individuals not necessarily speaking on behalf of this working group.

Okay if we can then I'd ask folks to turn their attention to the draft motion. That again Marika has prepared for us. In Mexico City again when we updated council they specifically asked for a document like this to help them with the deliberations moving forward on the - on this process as a whole.

Actually rather than - Marika how did you pull this together. Just give the group a quick background and if folks haven't looked at it please kind of read along as Marika explains.

Marika Konings: Yes it basically covers the first part just covers the history. What was the group asked to look at and you know this PDP followed the described steps and that resulted in the final report and that the group has reached consensus on the recommendation that are outlined from that and the motion.

And basically outlining that the group doesn't recommend any policy changes but does recommend the council first of all to carry out an

assessment of whether Iris will be a viable option for exchange of registrar email address data between registrars and conduct an analysis for Iris cost time and implementation and appropriateness for IRTP purposes, to suggest that future IRTP working groups consider appropriateness policy change that would prevent a registrar from reversing a transfer after it has been completed and authorized by the admin contact and three clarify at the current bulk transfer provision can also apply to a bulk transfer of domain names and one only one detail.

So that basically it we have the results where it goes back again to these - to these three recommendations that the group has agreed in it's report. That's the structure of the motion.

Paul Diaz: Okay.

Marika Konings: And that basically follows previous examples that I looked up in drafting this one.

Paul Diaz: Sure. Okay please I was going to say lets open the floor. So Mikey.

Michael O'Connor: Just a readability thing. You might want to bring those numbers out at the left margin so that they show up as bullets to make it easier.

Paul Diaz: The one, two, three, you mean Mikey? Is that what you want to see Mikey move the one, two, three so it's all left justified more like bullets.

Michael O'Connor: Just start a new paragraph for each of those number it would be easier to sort of (unintelligible) list of the three recommendations.

Paul Diaz: Sure okay.

Marika Konings: Okay.

Paul Diaz: All right.

Marika Konings: I'll do the same with the first ones talking about the three different issues we've addressed on the top of the page and then we have as well the recommendations further down.

Paul Diaz: Yes I think that's right. All right for the group I would like to ask what people think. When we talk let's go to the one, two - I guess the fourth. Whereas these recommendations do not include any proposals or changes of policy we do recommend one that the council carry an assessment of whether or not Iris - personally as we just noted since a study of Iris is not on the short list of WHOIS related things that staff has proposed, as we look into part of the ongoing WHOIS project we might want to add - my suggestion with you is we add a clause to that first number one somewhat to the effect of when an assessment of Iris is undertaken or something to that effect. It should also be an assessment as to whether it is a viable option...

                  You know and...

Marika Konings: Sorry Paul but as we've written now in the report it reads to me that the group is actually recommending carrying out such an assessment and not waiting for WHOIS work to look at that but do it as a separate initiative.

Paul Diaz: Okay and...

((Crosstalk))

Michael O'Connor: ...that was actually part of the recommendation I made and I think part of the changes that I made in my last recommendation.

Paul Diaz: Yes and that's where I'm going with this folks and then let's make it clear. I was doing it almost tongue in cheek saying when we get to it saying, like hello guys let's do this one. Okay you know I guess if we take it as a given that they're going to look at the report and realize this sort of assessment should be done then we can leave it as is.

Michael O'Connor: Yes this is Mikey. I think we don't want to leave them any doubt that we want them to...

Paul Diaz: Okay and most importantly - I'm sure Mike Rodenbaugh will be supportive of this but I will speak with him before hand. Since he is our liaison and will likely be the one who brings forward this motion. We can make sure that he underscores you know the groups feelings that this is work needs to be done, needs to be put on the calendar. This particular issue must be addressed.

                 Okay the second suggestion that we're making about the appropriateness that's foreshadowing the next thing that we need to talk about that is PDPB and you know so we can note in a minute this is almost like softball we're giving the council. Quite honestly those of us who come back and work on PDPB we're just setting up one of the lines of work that we'll have because this is exactly what is being discussed.

Michael O'Connor: Where - I'm sorry.

Paul Diaz: This will be under - we have on the Wiki site the recommendations
                    from the working group that sort of laid all the transfer policy issues.
                    This is a document dated 19 March 2008. So under PDPB there was
                    an issue number seven and seven reads, whether additional provisions
                    and undoing an inappropriate transfers are needed especially with
                    regard to disputes between a registrant and admin contact policy is
                    clear that the registrant can overrule the admin contact but how this is
                    implemented is currently at the discretion of the registrar. So it seems
                    to me that we've just teed that one up. You know for council to say yes,
                    okay go do it. Look into that.

Michael O'Connor: Okay.

Paul Diaz: And then finally the third point the only additional thought I had is we
                    say clarify the bulk transfer provisions also apply. Do we want to
                    reiterate that ICANN legal has looked at this? That there was a
                    recognition on their part that there is some discretion and that ICANN
                    legal was not against the kind of clarification that we're calling for. I
                    mean will this save council sort of having to you know ask that
                    inevitable question. Should we add a little extra text here that says you
                    know we're recognizing the input from legal. Something to that effect.

Marika Konings: Would it help just to say at the end like after only (unintelligible) as
                    supported by ICANN legal something like that?

Paul Diaz: Something like that.

((Crosstalk))

Man: Mikey that sounds like a great idea.

Paul Diaz: Right, okay and is that everybody's recollection. I mean is support too strong a word. I mean certainly I can - I feel comfortable saying there was no opposition from ICANN legal.

Barbara Steele: I think it might be more appropriate - this is Barbara by the way.

Paul Diaz: Yes Barbara.

Barbara Steele: To you know maybe soften it a little bit I think that they did indicate that there could be an interpretation that it could apply to only one but I don't know that they necessarily made a concrete support that it would apply to only one.

Man: Yes.

Marika Konings: Unintelligible. Would that be a softening.

Paul Diaz: I'm sorry I didn't catch that Marika did you use the word suggest?

Marika Konings: Yes. I don't know if that's softening enough. We need to run this as well by ICANN legal to make sure that they're okay as well with that wording. I don't know if that would be a better word or...

Michael O'Connor: Well - and this is Mikey. Why don't you just go to legal and say what's the appropriate wording?

Paul Diaz: Yes that seems - let's just cut through and ask - get it from the horse's mouth.

Michael O'Connor: We've got plenty of room to let them know that we would like to (unintelligible) position. Whatever it is in the resolution.

Paul Diaz: Marika and Olaf are you guys aware of when GNSO council is scheduled next to meet.

Marika Konings: Yes that the 26th.

Paul Diaz: Okay.

Marika Konings: So I think anything that needs to be considered by the GNSO needs to be received I think at the latest the 19th. Is that correct, Glen?

Glen Desaintgery: Yes that's right Marika.

Paul Diaz: So. All right. Given the amount of time it took legal to get back to us during our work I'm not very confident they're going to be able to focus on this and give them language in two working days. All right that being said I just you know my concern is that we've done most of our work and yet I don't know if we're going to be able to get this in front of council for their next call.

Michael O'Connor: This is Mikey.

Paul Diaz: Yes Mikey.

Michael O'Connor: Marika took a run at legal and if they got back great and if it they didn't we went ahead with the motion that it's been.

Paul Diaz: Yes. I think we should definitely deliver on the things we've committed to include a draft of this motion. And you know maybe again using our liaison using Mike Rodenbaugh if necessary to apply pressure. Plus if we have the text, the suggested text if legal simply gives a thumbs up okay it's already in and on the docket for the 26th meeting.

With that said Marika I think Barbara's point is a good one and that we should not overreach. Don't use a strong term so maybe something like suggest as suggested by legal staff something...

Marika Konings: And I'll run this by - I think I should be able to get hopefully...

Paul Diaz: Since they've already looked at it as part of the work whomever it was that you had spoken to can reach back out to her or him. And they may say yes that's fine. As a point of clarification it might be worth asking at the time all right. So we're calling for a clarification here. How is that done? Is that done by one of the staff notes?

Marika Konings: No I actually clarified it already and this would be sufficient. The third resolve basically is - would be sufficient. I will double check that but at the time I spoke to legal council they told me that if the GNSO council would just adopt a motion stating that how do clarify that would be sufficient.

Paul Diaz: I'm sorry I wasn't being clear. So if there is agreement all around to the third resolve here to clarify and how then is that enacted. In other words will we see an update come from staff that based on the work of

this group the recommendation - here's the clarification I mean we'll actually publish sort of an updated IRTP with this language inserted or is it done as sort of a side staff note saying be aware there was you know the working group found there was a discrepancy but it has been agreed to this clarification etcetera. I'm just wondering how this recommendation if accepted and goes through how it actually gets implemented. Anybody know?

Olof Nordling: Well, well, well, this could actually be sort of a policy outcome. This clarification. Maybe this is actually the solution to say that this is the end of the PDP and policy implications which actually means we should have this as a declaration and it would then - if so just to be on the safe side go to the board and then be implemented and then it would be clear as anything and maybe that's overkill.

I'm not entirely sure but at least it would run it like that it's - it is an outcome of PDP and it is regarded as if not a policy change but just as much as a policy clarification as we had on the previous chance working policy on the clarification or reasons for denial.

So well let us ponder about that exactly how it should be done but I'm just to be on the safe side it will be inclined to be to think in those lines rather than saying okay let's clear this and - but we should check that, double check with legal if it can be all right. If it can be cleared and the GNSO council declares that it should be applicable to not to shed any doubt that it should be applicable to transfer the main names and HLB and that is then taken to be the current interpretation.

So I think we've got the laborious PDP route, full fledged PDP outcome route via the board and implementations. Maybe that's not required

and I think conversations we've had with legal staff is that it should be sufficient. Did we understand it right that it should be sufficient that we have this declaration by the GNSO council that they see it in that way...

Marika Konings: And that staff interpret that go forward...

((Crosstalk))

Olof Nordling: ..and could respond with some kind of declaration. And the response to the GNSO council.

Marika Konings: And I will double check that with ICANN legal and if it's any different come back to the group on that.

Paul Diaz: Yes okay I think we need to just because if it's going to be a full-fledged route then the "where is" recommendations do not include any proposals for changes to the policy. Well obviously that will change if in fact we are going to treat this like a full-blown PDP recommendation that goes to - for board approval etcetera. Whichever way it is it is. Let's see what legal advises us.

Olof Nordling: (Unintelligible) safe not sorry. So we're going to check back with legal...

((Crosstalk))

Paul Diaz: Yes and it might not be overkill - it might be it's merely comes out as sort of a staff note or something like that it might get overlooked within the community. Whereas you know if it goes the full route and ultimately board approval it has a you know even higher level of

visibility and therefore it's achieving you know the goal that we've set out in this working group. Okay was there another question? Sorry.

Michael O'Connor: Yes Mike here. I was the chair of one of those redrafting PDPs (unintelligible). And I think that what we should do is get that decision and then if the decision is we're going to go the full PDP where the policy actually gets rewritten I don't think we should actually wrap up until that language is drafted. I thin we out to draft that language rather than handing that off to another group. Because it was pretty tough brining a whole new group up to speed on all the nuance whereas you know we could take another week and stick to the cause and into the policy and be all done. So I think we may...

Olof Nordling: I think we may...

Paul Diaz: Mike - you make a very, very important point Mikey, and as I'm sitting here thinking about how this plays out and gets enacted I was seeing that same path that you just described.

So Glen we definitely want to have next weeks time closet reserved and Marika or Olaf whomever speaks to legal if you could kind of press them on the if you will the urgency on trying to get some guidance on this because if it's - if they feel it does not that it goes the full route then you know we're in great shape and we're effectively done.

If however it's going to you know ultimately need board approval and all the rest then to Mikey's point we should probably you know keep this working group on hold and make the recommended text change our self. Again it's probably just going to be a clause or two to the existing language but it would make sense that hey we looked at it

we're immersed in this stuff let us make the proposal and then let us have legal sign off, council approval and ultimately board approval.

Michael O'Connor: I was going to say - this is Mikey again. As we talk about this I'm leaning towards not even making this choice but going ahead and drafting the language ourselves.

I think given all the thinking and work and so on we could come up with it pretty fast and I think the legacy we would leave behind gets to the point that you raised a minute ago. If the words in the policy don't change then the possibility for confusion a couple of years down the road exists where you know a registrar or a registry is trying to figure out the partial bulk transfer thing. I think it's probably better if we actually changed the language in the policy.

Paul Diaz: What do others think?

Man: I think it does make sense. I hate to take this another week but it does make sense I think.

Man: Yes I agree I think that since we're already sort of focused in on that we're ready to save time and you know in the whole scheme of things to do now rather than whenever.

Marika Konings: This is Marika just to point out that would mean as well we need to go back to the report and change our recommendations there and the language on this issue there.

Man: Yes I think that's right. I actually think that this is an issue of substance not just process and we do need to go back to the report back out that

language that you referred to Paul. Just up the language a little in the report as well and then include the revision to the language in both the report and the motion.

Paul Diaz: Okay does anybody think that we're crazy with this and that we should keep moving forward as we were planning to do 15 minutes ago?

Barbara Steele: It doesn't make sense for me to check first with ICANN legal to really see whether you know it's really required to do that or whether it's sufficient and that's all that's needed. Because we might be giving ourselves more work while it might not be necessary.

Paul Diaz: Yes absolutely think so Marika. Again if you can impress upon them that this working group is trying to wrap this thing up and get you know the output to council for next weeks meeting so if they can give you the quick answer. If they tell you there is you know some easy way of doing this that we haven't seen get the clarification and you can report back on the list and then we can make text changes to our motion only.

Olof Nordling: I think - this is Olaf here. I think we should really check with legal first because I mean there is - when we're modifying an existing content it's policy like we did with chance's policy and clarification and such it's one thing. Now the bulk transfer is not as such a content as policy is and more or less an emergency measure that is used but I don't think it has what content Paul is saying it is a measure that just exist.

So let's just double check with legal first if there is a possibility to fix the language straight into that one. That qualification maybe easier to do then via sort of the full fledged PDP. So I think it's wise to double check first because I think we had the preliminary as we perceived it, it would

be do a stage with legal. And possibly with a change o language that we could get agreement on in a less formal fashion.

Paul Diaz: Okay then let's do that. If you both would please reach out to legal you know try to get an answer as quickly as possible if you could please update on the list. You know you're speaking to them and they tell you it's going to be a couple of days whatever the time frame they provide you and then for members of the working group let's just keep ourselves in like a holding pattern until we see if there's not a need to do any of the changes make the suggested text changes so be it.

If however they say there is an agreement now they should go through in a more formal way and what not then we'll be prepared we can put something together and we won't worry about next week GNSO call. We can simply have Mike advise based on the advice we're making these last minute changes and the report and all the other stuff can go after once everything is properly taken care of. Again for now let's think about plan on a call next Tuesday and we'll just wait on that guidance from legal whether we need to start crafting a language or not.

All right I can see from the meeting we lost Mike O'Connor so hopefully he'll get back. I can reach out to him afterwards and explain what we just said. Okay and the last 10 minutes then - there he is hey Mikey.

Michael O'Connor: I'm sorry I got so excited I hit the wrong button and disconnected.

Paul Diaz: All I was going to say Mikey is in talking this through what we were going to do is get to legal, ICANN legal immediately after the call and try and get some guidance on what it is we need to do.

The working group I said should be in a holding pattern right now. Let's not get ahead of ourselves let's start crafting the text changes until we get that guidance from legal that that's really what's necessary. There seems to be some difference of thought on just what needs to be done moving forward. But we should be prepared to make those changes because again we're immersed in this stuff. We can probably knock it out fairly quickly. So what we'll do is think about a call next Tuesday.

We will be - we'll plan for a call next Tuesday and we'll wait for feedback from Olaf and Marika what legal's telling us and hopefully they will respond - legal responds quickly so that we know in the next couple days. Clearly if we have to make those text changes suggest that we will miss delivering this to GNSO council next Tuesday - next Thursday so be it. We can just provide an update through Rodenbaugh as our liaison.

Michael O'Connor: Yes I think the one thing that we should take a look at the actual document. Because if bulk transfer is called out in the policy then I think it behooves us to clarify that.

If bulk transfers isn't called out directly in the IRTP then I think a staff clarification is fine but I would hate to put a registrar or a registry in a situation where we haven't clarified for them in the document that they're reading and that the only way they would find that out is by asking staff. In that - in the instance where it's actually called out in the poky we ought to change it no matter what the legal folks say.

Paul Diaz: Okay again I think we will have some work in front of us but I think the most reasonable thing to do right now is just give legal a little bit of time to get back. We can be thinking about what the text changes

might look like if we're called upon to do that and you know again
Marika, Olaf if you would really push legal staff to kind of give us a
quick - some quick guidance so we know what it is we need to do and
jump on it quickly.

Marika Konings: Yes we'll do so.

Paul Diaz: Okay. All right. We have about eight minutes left and I just wanted to at
least begin to touch on the future transfer policy work. Again on our
Wiki there is the original drafting report on all the various transfer policy
issues and you know as I had read out early originally vision they had
five PDPs.

This is A, so B was subtitled, Undoing Transfer Policy Transfers and
there were three main issues that they had lumped together for PDPB.
Rather than read them out I would ask everybody to please go you
know to the document and see what was suggested.

As we have already noted our recommendation you know future work
specifically look at essential policy changes so that the registrant and
admin contact that potential conflict got authorization for a transfer that
we look into it. That is a vision that is item number seven that is in here
suggested as part of the PDP.

Again what council told us in Mexico City is just there is some
discretion here in terms of which issues get addressed next and while
the previous group really made a kind of big effort to lump similar
issues together and also sort of ramp the issue not to put all the really
hard ones together at one time etcetera.

We do have some discretion we can you know add or subtract you know put things in, take things out I would ask everybody to start thinking about that you know if there are certain issues that you'd like us to see addressed sooner rather than later, do they fit in, does it make sense, will a reconstituted PDPB make sense.

And then what council asks us is to you know make the recommendations. What it would look like so we can start drafting a charter and get this next process under way. Again there seems it's not a - crystal clear to me exactly how the process works but If were thinking about the next PDP looks like and I'll have side discussions with staff and with council members to sort of you know flesh out in terms of what we need to do, in terms of recommendation what do they need to do in terms of establishing a charter and then it can all move forward from there. Are there any questions or issues about the next step right now.

Michael O'Connor: This is Mikey.

Paul Diaz: Mikey.

Michael O'Connor: These aren't questions or issues it's just a thought and that is sort of two things. In a way this strikes me as a phased project and one of the things that project managers often do as part of the deliverables as a project is to write the charter for the next phase within the context of the phase you're in.

So you know your deliverables are blah blah blah report whatever and the charter for the next thing. So two observations. One we might just

want to treat this as another document that we need to draft
collaboratively as w team thus keeping ourselves a live a little longer.

And then the other thing we might want to do is consider putting
another clause in the resolution that essentially refers to that
deliverable and says you know we're submitting a report, it's got these
recommendations, here is our motion and another things we're
submitting to you is the charter for the next PDP. Now all of that would
mean there's no way that we would provide all of this for the council
next week, but it's not a bad way to approach it.

Paul Diaz: Yes.

Michael O'Connor: And because we're so far up the learning curve.

Paul Diaz: Yes. I think all of that it's very accurate. Again I got some conflicting
signals from Mexico City in terms of how different counselors thought
the process would go forward.

I think more of them think exactly in the way you just laid it out Mikey in
terms of it would be wise for this group to basically craft the charter for
the next PDB, PDP and you know make that recommendation and a
third deliverable document with reference in the resolution to get it
going. Again as I said I did give a kind of conflicting sense of where to
go so I just want to clarify that. but...

Marika Konings: Paul I think a suggestion that Avri made and might reflect the view of
the whole council but I think she was talking at the time about having
this group and be proposing two different motions. One that we just
discussed and then a second one which would indeed look at the

discretion of the charter for the next working group going forward and the issue they would look at. So to separate a bit that work. But I think Avri's (unintelligible).

Paul Diaz: Yes and that I think all ultimately end up in the same place. That this particular group we will have a - we will be called upon to draft the next charter and so it gives us the flexibility of saying which issues shall we address. Just take what was originally proposed or mix and match with the other questions that are still outstanding.

We can - and again I'll work with council to get clarity. Do they want it all in one motion, two separate documents, you know those sorts of details. Clearly we're going to have a little time because as Mikey said we couldn't draft a charter or just on the list in just one call next week so this will become an item for their - for council's next meeting next - stuff will come together will come together which means we have plenty of time to get this ball well. Done well and done right.

Nevertheless I would ask everybody as we're wrapping up on the hour please take a look at those, the outstanding issues that are out there. Focus on what was proposed as PDPB and you know obviously we can have a discussion about do we just go with what was there, do we mix and match and we could begin flashing out (order) charter, phased on the issues we addressed what our charter should look like.

Okay and then wrapping up then we still will have the final draft text put out - I won't say final. It's probably next to last because there may be chains based on the guidance we get from legal. At this point Marika it probably doesn't make sense and let's not confuse folks and post or push out the - a revised draft again.

Why don't we just hold on that and make this the one sentence change we made in us, hang on to it for a moment, I would ask Marika and Olaf that as soon as we get some feedback from legal at that point post it to the list. So you know we don't get confused abut you know the house and we don't start making changes to the text yes or no.

Let's get some guidance hopefully quickly and if we need to make those changes that becomes the focus between now and next Tuesday. Certainly they are the basis for the call next Tuesday. And then also these future PDP issues, those will be the two big agenda topics for next Tuesday. We'll send out a reminder note and while this thing we've done well it just doesn't seem to want to die but I still think we are very close to the end and you know ask everyone to continue contributing and you know we'll get this one wrapped up in the short order.

So keep an eye in the list. We'll look for some guidance from legal and we'll take the next steps as appropriate. But we should plan a call this time these phones numbers and all the rest next Tuesday that would be the 24th of March. With that any other questions?

Michael: Paul this is Michael.

Paul Diaz: Yes Michael.

Michael: (Unintelligible) are some ideas about - let's see the issues going forward - the future PDPs but I'm just going to submit it in writing to the group so we don't get things out of order.

Paul Diaz: Very good yes. Any thoughts on how to move forward much
               appreciated and as folks go through the list feel free. Post your ideas,
               recommendations and we'll work on incorporating all of them.

               Okay then with that we're a minute past the hour so I will bid
               everybody well, we will see you guys next Tuesday and again look to
               the list for guidance so that we have a better idea that we start draft
               you know the text changes or we're going to focus on the next charter.
               Whatever needs to be done. Thank you all again and we'll see you in a
               week.

Olof Nordling: Thanks Paul. Bye bye.

Paul Diaz: Thanks guys.

                              END