Inter-Registrar Transfer Policy Part B PDP
Transcription
Tuesday 15 February 2011 at 15:00 UTC

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http://audio.icann.org/gnso/gnso-irtp-b-20110215-en.mp3
On page:
http://gnso.icann.org/calendar#feb
 (transcripts and recordings are found on the calendar page)

Participants on the Call:
Michele Neylon **–** RrSG Chair
Robert Mountain - Registrar SG
James Bladel - Registrar SG
Berry Cobb - CBUC
Oliver Hope - Registrar SG
Kevin Erdman – IPC
Barbara Steele – Registries SG
Paul Diaz - Registrar SG
Mikey O'Connor - CBUC
Simonetta Batteiger - Registrar SG
Rob Golding – Registrar SG

Staff:
Marika Konings
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Apologies:
Chris Chaplow – CBUC
Matt Serlin - Registrar SG
Anil George – IPC
Eric Brown – RY (all Tuesday calls)

Coordinator: This call is now being recorded.

Michele Neylon: Thank you. Could one of the lovely ladies do a roll call or should I do it?

Gisella Gruber-White: Good morning, good afternoon to everyone.

On today's IRTP call on Tuesday, 15 February we have Mikey O'Connor, James Bladel, Michele Neylon, Barbara Steele, Kevin Erdmann, Simonetta Batteiger, Ollie Hope, Paul Diaz, Barry Cobb, Bob Mountain, Rob Golding.

From staff we have Marika Konings and myself Gisella Gruber-White. Apologies noted today from Anil George, Matt Serlin, Chris Chaplow.

If I can please just remind everyone to state their names when speaking for transcript purposes. Thank you, over to you Michele.

Michele Neylon: Thank you Gisella. As is customary at the beginning of all these calls if anybody has an update to their statement of interest or their declaration of interest please let us know, going once, going twice. No? Okay, fine.

This afternoon I believe we've scheduled this call to take 90 minutes on the timetable. The reason for that is not to break at the end of the hour to go off and discuss other things strange in separate groups. Rather that was just to try and go through as much as possible within the time that we have.

But I understand some people may need to drop off at the top of the hour which is perfectly fine and perfectly understandable. But just so we're clear on where we're at. Is that okay for any - everybody?

I'd take a silence to mean ascension so that's fine.

Okay then so up on this Mikey has been working I think partially with Barry or partially solo. I'm not 100% sure whether it's a solo effort or a combined effort. Mikey is this a solo effort or a combined effort?

Mikey O'Connor: I'd call this one a complete off the reservation solo deal.

Michele Neylon: So if it's at a blinding success you will get - your name will be held and it will be put up in lights. If it's a disaster we know who to burn at the stake?

Mikey O'Connor: Right. Success has many parents failure is an orphan.

Michele Neylon: That's actually very nice clear. Can I use that?

Mikey O'Connor: Oh that's a chestnut. That's not mine. That's old, old. But you're welcome to use it, just recognize that it's a cliché.

Michele Neylon: That's okay.

Mikey O'Connor: So up on the screen is my attempt to try and land this thing. What I did is I took the one that we had last week and I turned it all into acceptable. So if there's anything else that needs to get change we can fix that.

But basically where this is at is trying - if you go to Page 2 in the purple, the one thing I really added to the introductory material is this notion that we talked about last week which was that the trouble we ran into with ETRP is that the approach we use turned registries and registrars into dispute resolution providers right at the beginning because they basically had to evaluate the validity of a request for the ETRP from the losing registrant.

And I won't recount all the history. We've all lived through it. But that turned out to be really hard and caused us a lot of trouble.

So that led me to the notion that maybe what we ought to do is find something that doesn't require any judgment. Basically it's a mechanical operation.

So that the registrars and registries are not decision-makers, they are simply observing a fact and taking an action if that fact is true.

And so if you now roll down to page scrolling like mad let's skip to the emergency action channel for just a minute.

Michele Neylon: What page is that Mikey?

Mikey O'Connor: Let me give you a page number of what I really want us to talk about. It's right towards the end Page 9.

Page 9, last time what we had done is we had inserted an additional step. And in fact I'd inserted it in the wrong place. That was a typo and so I moved it down.

What we were really trying to do is add one more thing to the transfer undo part of the policy which is right before Section 7.

What I did is I changed that to say that if the registrar doesn't, you know, doesn't respond to an emergency action request, if the gaining registrar doesn't respond to an emergency action request within some amount of time to be determined what that is -- we can have a argument about that -- then it's just a very matter of fact thing. The losing registrar can then ask the registry to do and undo.

There isn't any - there's no harm. There's no foul. All this does is it provides that channel for the domain to return to its prior state and accomplishes our goal of then providing time for the whatever dispute resolution stuff has to happen to take place.

But it provides that speedy response that we've been trying for without any need for a registrar or a registry to actually make a judgment call.

They can simply say I tried to get a hold of the gating registrars. They didn't respond. I don't know why but until we can work something out please do an undo.

The registry then doesn't have to make a decision. So my hope is that this bypasses the problem that we've stubbed our toe on for so long.

Michele Neylon: Okay but I've got two people in the queue now...

Mikey O'Connor: I'm pretty much done. I think the emergency action channel thing is unchanged from before. So at this point I'm ready to stop and take questions.

Michele Neylon: Okay thank you.

Mikey O'Connor: Do you want me to run the queue while I'm doing all this or do you want to do it Michele?

Michele Neylon: I don't - look I I'm perfectly happy letting you take over Mikey.

Mikey O'Connor: Okay Simonetta go ahead.

Simonetta Batteiger: I have a question. First of all I like the idea. My question is one of the concerns we had with the previous ETRP idea was that it could be done at any point in time like 60 days after a transfer, two years after a transfer -- something like that.

So I think one of the items that we identified earlier was to say that this has to be done relatively quickly after a transfer has happened. That isn't captured in this idea yet. So I was just wondering what your thoughts were on that?

Mikey O'Connor: I could see a couple of ways to do this. We could - I was very vague in the wording of the emergency action channel.

Paul raised the question on the list, you know, what did the ESAC folks have to say about this? And they didn't really have a lot to say about it. They sort of left it up to us to figure that out.

And so one of the things that we could do is we could put some sort of limitation on the emergency action request thing.

You know, we - my immediate reaction is to build some rules around the emergency action channel that are a little bit tighter than what's in there right now as a place to put this.

And then say, you know, if it's two years later and you're doing an emergency action request I'm sorry but two years ain't an emergency. So that would be my initial reaction.

Michele Neylon: Sorry Mikey this is Michele. Just what were you specifying in terms of timeframe their sorry?

Mikey O'Connor: Well I left that open I think. And if you roll back up to about Page 6 I think is where that is Page 5, Page 5, sorry.

All I said in this reworded thing - well basically I took three business days out. That's the only change I made to the wording from last time and put in X hours thinking that we might be able to tighten this up a little bit given the sort of matter of fact nature of it.

And, you know, my - I don't have real strong opinions here but, you know, maybe we could get pretty aggressive and just say six hours.

I mean this is like if a server crashed and you were doing service level stuff. And, you know, it - but I don't have a real strong view on that. I really think this is something that's more in the realm of the registries and registrars in terms of practicality.

I think three business days is a little slow for this particular kind of thing but I don't have strong opinions there.

And so what we could do is we could add another sentence to 2.3.4 that says, you know, the time limit, you know, back to Simonetta's point the time limit that you can invoke this gizmo. That would tend to be where I'd put it.

Barbara, go ahead?

Barbara Steele: Thanks Mikey, it's Barbara. The only concern I would have about this is that it still leaves it somewhat open.

You'll notice that the other three reasons why a registry operator would be required to undo a transfer are very definitive. You know, it's a final determination from a court - an order from a court of competent jurisdiction.

Whereas in this case, you know, it's basically for failure of the registrar that has the domain in responding to a emergency what it's called again emergency action request.

Mikey O'Connor: Yes.

Barbara Steele: And yet, you know, there's still no provision that says that there is a requirement to follow that up with, you know, either a dispute case or what have you in order to, you know, finally resolve the dispute that's occurring.

Mikey O'Connor: Yes and again I was pretty zeroed in on trying to dodge the original problem and would be open to ideas on how we fix the issue that you're raising.

Because presumably, you know, you sort of have to puzzle through all the different possible scenarios. But for example if the, you know, what happens if the gaining registrar then calls back at hour seven? What happens then?

You know, the goal of this is really to simply open the communications channel. And if an hour after this deadline the parties have a conversation

then it seems to me that it falls into the dispute resolution processes that already exist to get resolved and we could certainly acknowledge all that in the way we worded this.

Simonetta again or is that an old one?

Simonetta Batteiger: No, no, no I - I'm not sure if I was clear with the timeframe that I brought up. I think there's two separate time questions tied to...

Mikey O'Connor: Yes.

Simonetta Batteiger: ...this issue. One is how long does the emergency action contact have to get back to the request of the registrar...

Mikey O'Connor: Right.

Simonetta Batteiger: ...that requires the transfer which I think the 24 hour window is an appropriate time in case of a real emergency.

The second timing issue is when - how long after a transfer can a registrant still go back to the registrar of record and say hey my domain get hijacked and I want this emergency action channel thing to take place now?

Mikey O'Connor: Right.

Simonetta Batteiger: Can they say this up to two months after a transfer has happened or is it a relatively short period of time?

And I think in the spirit of a real emergency type situation it should again be a relatively short period of time.

And my suggestion would be to use those five days that are in the policy anyway that are right now used to say okay after five days the losing registrar

hasn't acknowledged the transfer it automatically gets acknowledged at the registry.

I would limit that emergency action contact channel to those five days. That would be my suggestion but of course open for debate.

Mikey O'Connor: Right. And I understand the distinction you're trying to make. We would have to add another piece of language to something to call out that separate time window.

And, you know, I was just thinking that maybe that same clause would be the right place to put it.

But it could be that we could just piggyback on the existing five day clause. But yes I understand the difference between the two time frames and agree.

Michele go ahead?

Michele Neylon: Hello Mikey. How are you?

Mikey O'Connor: Just lovely, just lovely here in northern Wisconsin eh.

Michele Neylon: Oh dear I didn't quite understand that but never mind. I've...

Mikey O'Connor: I was - yes, never mind.

Michele Neylon: ...a couple of queries. It's again it's kind of back to the timing. Well there's two parts to the queries. One is a timing issue.

Now I understand and I actually quite like aspects of what you're trying here. I suppose the thing is defining a timeframe that is reasonable is something I see as being pretty important.

Twenty-four - 12 hours I think would be too short especially if you're taking into consideration time zones and God knows what else. Obviously three days could be problematic as well. But the other thing is what is considered a response?

Mikey O'Connor: You know, all of those are, you know, Mikey is sitting at 80,000 feet waving his hands at this and saying I don't know, figure it out.

My guess would be that we could attack this two ways. We could either get pretty detailed or we could leave it pretty flexible and essentially let the parties involved, the registries and registrars figure it out -- whichever way is fine by me.

Certainly we could come up with some sort of language. My first guess as to where to go to look for language like this would be SLA agreements and service level agreements and steal some language from one of those that says because lots of service level agreements have language about responding to events and we could just lift that language. But I don't have real strong opinions about that.

Michele Neylon: And just one final comment and then I will shut up. I mean from my own personal perspective I'm looking at the general concept that you put out here and I like this in theory.

However I would appreciate getting feedback or input from James and Paul and Rob I would say Matt Serlin. He deserts us again, sniff.

But just I would be interest because ultimately from a registrar perspective, you know, we're the ones that are going to have to actually implement this.

And if there's some gaping hole in this that I'm not seeing which is perfectly possible that I'm - it's staring me in the face and I can't see it then, you know,

let's kill it off immediately. If it's not - if it doesn't have gaping holes in it well then cool, excellent.

Mikey O'Connor: I'm with you 100% on this. I mean you know I'm not an ops guy at a registrar or a registry and so I didn't want to get too deep into this.

Michele Neylon: No, no, no Mikey that wasn't aimed at you. That was not aimed at you. That was more a case of I would really like to hear feedback from other registrars on this to see if they can see something obvious in this that I might be missing.

Mikey O'Connor: Yes well and I think that we may want to add some language to this. You know, this is sort of a trial balloon.

But if there are things that we need to call out more explicitly I'm more than happy to sit on a phone call with some folks and figure out what those need to be.

I think Barbara's point is well taken. Simonetta's point is well taken. You know, I think that the goal for today may be to find that gaping hole and kill it.

And if it's if we can't then, you know, I think we do have to do another iteration on this to make it really right.

Kevin go ahead?

Kevin Erdman: Yes just to sort of expand on the last comments and to get back to sort of your basic thesis of having something that's really easy to figure out in order to do the reversal, those two what the emergency action contact is, how that is, you know, how interactions with that contact are documented so that it is as easy as just looking at the, you know, has the bit been flipped? Is it yes or no to make the determination about returning the registry?

And that's, you know, in my mind is what if there is a factual dispute about that? You know one side says well I called and I left a voicemail.

And the other side said, you know, well I sent you an email and it didn't bounce therefore, you know, it's been that long.

And, you know, that's the sort of thing that I think is the kind of detail that we probably needed to supplement this with so there is a clear, you know, on off switch in terms of the return function.

I don't know if there is anything out there that, you know, from the folks out there in ops that would provide that type of verification. But that's my concern about the, you know, making this truly not a dispute resolution but a, you know, check the facts, do one thing or the other.

Mikey O'Connor: Yes I think that's right. And again my - this isn't really my zone but first place that I would tend to go look is service level agreements of various sorts and see if there isn't some sort of model in there that we could use.

There's some stuff going on the Chat that is kind of getting at this. It's sort of the 24/7 kind of thing. And, you know, I think that probably we need to have a little bit of a discussion as to what a reasonable level of service is so that we don't overly burden registrars but at the same time get this done.

And then like you say Kevin, I think we do need to have some pretty crisp boundaries that we can point at and say it did or didn't happen.

Bob go ahead?

Bob Golding: Yes this is Bob speaking. I'm just wondering the emergency action contact, is this a new function for a registrar or do they have an existing resource?

Mikey O'Connor: This is new.

Bob Mountain: This is new.

Mikey O'Connor: This is the recommendation. This is a six year old recommendation from the SSAC...

Bob Mountain: Okay.

Mikey O'Connor: ...that they suggested that registrars create. And they threw the ball to the IRTP process. And it's now been six years getting to this point but here we are.

And so yes, this is creating a new thing for registrars. And that's part of the reason why this is pretty important to nail down and have a conversation about.

My initial reaction as a former owner of an ISP which isn't exactly a registrar but similar, is that I wouldn't have viewed this as a terribly burdensome things since (Ralph) and I even when we were a two person ISP carried pagers and, you know, we - our service level agreements said one hour and, you know, we never violated it.

So it didn't seem like it would be something that would be terribly tough. And I'm sure that lots of the bigger registrars with, you know, big operations staff already have this capability. It's just a matter of pointing somebody at it and so on. But, you know, there's a lot to be figured out there for sure.

Bob Mountain: Okay thank you.

Mikey O'Connor: James go ahead?

James Bladel: Hi Mikey, thanks, James speaking, just a couple of thoughts here. First off is, you know, I wonder if we are not going in a couple different directions here

the distinction being that we're trying to develop an urgent return mechanism or versus developing anti-hijacking or remedial methods for dealing with claims of hijacking?

They're mostly an overlap between those two issues but there might be some cases for example error for malfunctioning systems that would cause an urgent returned to be required that is separate from a hijacking point. So I just kind of wanted to put that out there.

The second thing I wanted to raise is that I don't know that I think this goes more to Kevin's point. I don't know that we can design a system that is foolproof and looking at individual cases and verifying contact was made and responses received for each individual case.

I think that this is possibly a recommendation that's going to have to be randomly and periodically tested by ICANN compliance.

And then, you know, registrars will have to just have some degree of confidence that us - that their colleagues, other registrars will have this emergency action channel open.

So I don't know if it's always going to be a case where each particular communication that goes over this emergency channel will be received and verified. It will just necessarily be that it will be a tested channel and then you use it when you need it.

You know, I did - and I'll go ahead and take some of the heat off of you Mikey. I did talk to Mikey a little bit about some of these things and I think this idea from the ESAC plus the other notion about the 60 day host transfer lock being mandatory as opposed to optional, those two things in conjunction would probably throw a real monkey wrench into hijacking operations without developing a whole lot of new policies.

So I just wanted stand with Mikey on a lot of these points here. Thanks.

Mikey O'Connor: Thanks James. I didn't want to put you on the spot but I wouldn't have advanced this quite as confidently had I not had this conversation with you. And I appreciate your help a lot.

I was pretty careful in the wording of these two little bullets not to put the word hijacking in there for exactly that reason.

And so it's good that you reminded me of that James because it's ESAC introduce the idea in response to hijacking but left the door open for other things as well.

And I tried to do that in the wording of this and it was not accidental and would encourage us to think of it that way. So just thumbs up on that.

Barbara go ahead?

Barbara Steele: Thanks Mikey it's Barbara. You know, I think everybody's making some very good points here.

I personally think that if we were going to invoke something like this or to get something like this that we do want to make sure that it's very, very defined and not leave it up to, you know, the registries and the registrars to implement it as they see appropriate.

And I apologize I'm a little backlog on some email so I've not read all of the correspondence relative to the emergency action contact proposal. But...

Mikey O'Connor: Well there hasn't been much.

Barbara Steele: Okay good. But I basically would suggest that, you know, if we are to go that route that there should be a - inner format that those action requests should

take so that it's very clear that, you know, a lack of a response will result in a domain name being pulled back. So those are just, you know, a couple of thoughts that I had.

Mikey O'Connor: You know, my inclination given where the conversation seems to be going is that I would be happy to listen to the MP3 of this and crank out another draft in the next couple of days to see, you know, try to fold as much of this in.

But I could use a little help in terms of sort of the operational facets of this because I don't really know much about how especially registrar operations are structured.

And if there was a way to put this together that was relatively easy that would be a good thing. So, you know, maybe we can cogitate about that but I'd be happy to take another whack at it.

Paul go ahead?

Paul Diaz: Thanks Mikey. It's Paul. You know, support what everybody's saying. I think Simonetta and Barbara in particular identified some areas that we do need to focus a little more.

In general I think this is a good idea but that's easy for me to say representing a large registrar.

We do have 24/7 support. I would caution for the group as well, I think we need to cogitate and to come up with a little more refinement to the proposal's very important.

Because, you know, how we define for lack of a better term, the service level agreement the response time, won't apply just for registrars.

Let's also not forget IRTP will apply into the future which is a future full of new TLDs. And, you know, while the large incumbent registry operators are lining up and already provide backend services for most, you know, a small half will provide backend services for most TLDs, in the future you could easily find yourself with registry operators that face the same manpower issues and lack of 24/7 coverage that we see in the registrar space.

So sort of working through and making sure if we say we want, you know, a particular timeframe that you have to respond by what is the response and what happens if one of the other parties - and I'm thinking ahead -- registry operator doesn't respond or is out of touch for whatever reason?

So in general I think it's a great idea. I think it's working very hard and I give both you and James my - I give you guys credit for trying to make something of where we were two weeks ago where we thought throw our hands up and just write this one off.

I think we're going down the right path. We just need to think through these things with a bit more specificity.

Because even for compliance issues if they don't have specific rules to gauge against compliance even if they fully intend to support they're not going to have any grounds to stand on.

We're going to have to have more detail, not be overly prescriptive but definitely more detail. And needless to say Mikey I'm happy to help you think through the more operational type things. So put me on your short list for we're co-cogitaters in the future.

Mikey O'Connor: God I wonder if that's registered. Dang it Michele's going to register that before me, cocogitaters.com.

Michele Neylon: I'm avoiding buying random domains Mikey.

Mikey O'Connor: Oh okay, well maybe I can get it after the call.

So I think that that's the - just to follow-up on Paul's comment I think that's the key kind of balancing act is not to be overly prescriptive partly because who knows what the technology's going to do in the next umpty-ump years and partly because I just am allergic to doing that in general.

But put enough framework in place that people know what to do and there are consequences if they don't. And so, you know, I think that to wrap this section of the conversation up, thanks a lot for the feedback.

Why don't people ping me direct off the list if they would like to be in the gang or maybe we should send something to the list?

Marika a quick question for you, oh and I see your hand's up too. What are our sort of timing deadline getting drafts done kind of issues?

Is that what you were going to talk about? If not could you add that onto whatever you were going to say? Go ahead.

Marika Konings: Yes so - yes, the first one I wanted to make a, you know, a number of issues that people have I've noted and I think as well to Paul's point I think you need from a compliance perspective, there need to be some elements that need to be implementable and enforceable.

And I think the definition part definitely needs some more work, noting as well that for example it doesn't specify which issues can be raised with an emergency action contact, which leaves the door wide open for any kind of issue to be raised and, you know, what kind of responses, an automatic response, does that, you know, qualify as a response?

So there are a number of issues that I, you know, I agree with everyone that I think need further detail. But at the same time I'm very aware of the publication deadline for San Francisco, which is the 21st of February which is coming Monday.

So, you know, I would have a proposal in that sense because I think there's a, you know, a large degree of agreement around the general principles of, you know, what should be done and what should be provided.

So I'm wondering instead of trying to work out the details now, maybe we could put in the report any of the general principles that the Working Group agrees on.

Maybe ask some specific questions in relation to, you know, the timing that people think is appropriate. I think we've spoken between, you know, 24 hours and three days and ask for some specific input on that.

And maybe leave the drafting of the specific, you know, provisions in the policy to the second phase after we've received public comments, after we've, you know, given some more thought on, you know, what will work, what wouldn't, what won't work, hopefully as well as getting some comments in on what people think of, you know, the general approach of this issue and do the detailed work at that stage, because that means we get the report out on time.

It will allow for some further input on some of the questions we've asked like timing, you know, how much definition should be given. It would give me some time as well to actually check internally from a compliance perspective what they think they would need in order to enforce such a provision, so that would be my suggestion.

Mikey O'Connor: I'm game. I'll hold on to the - run the meeting baton for just a second. Why don't people give us little checkmarks in Adobe if that approach is okay?

Basically do a rough but open-ended and clearly to be refined version of this for the current draft, because the 21st is ludicrously close to really nail down the details on this and I think we want the time for cogitation.

I'm seeing green. I see red but then going away to green, so I - it sounds like that's getting pretty good support from the group. Anybody who doesn't support it, this is a real good time to let us know why you're concerned.

Otherwise I think that's the way we should do it. And, you know, I think that one of the things Marika as you do your drafting, is to make it clear that this is something that we're very interested in getting feedback from the community on that - so that, you know, we don't have a repeat of the sort of widespread community concern problem that we had with the first round and let's go with that.

I think that's it. Michele, I give you the baton back. I'll go back to trying to do an Irish accent. Thanks for letting me run the meeting.

Michele Neylon: Thanks Mikey and please don't try to do an Irish accent, whatever you do. Please don't. Right. Okay then, so we'll move forward with that and put something very rough and ready, and make it very clear that this is rough and ready and move on from that. Now we're on to Item Number 3 on our agenda. Marika, go ahead.

Marika Konings: Yes, so this is Marika. I sent out an - the proposed final draft I think some time last week, which basically includes all, you know, the recommendations we've discussed to date apart from the one on, you know, the eTRP what we've discussed now.

So my proposal would be that I write up some language, you know, looking at Mikey's draft and our discussion today and add it into that version for the group's consideration.

So the question is if, you know, how much time people need to - if people have already had a chance to review it, if they've already identified any issues and noting that the deadline is approaching rapidly.

So if possible I would like to ask everyone to provide any, you know, comments, edits by the close of business on Friday, noting that of course if there are any substantial issues it will be helpful if those could get - those can get posted on the list as soon as possible as, you know, they might require further discussion.

Michele Neylon: Okay, thanks Marika. Have - just - does anybody have any input, any comments, any suggestions, any opinions, any thoughts on the document that Marika circulated?

Marika Konings: And this is Marika again. It's up on the screen and, you know, as I said the main change that I've made is add in the recommendations that we agreed upon on previous calls.

And in some part I've added some notes because there were some recommendations that were new and I don't think it was reflected in the Notes section how we came to a specific recommendation.

So I would like to encourage everyone to have a look at that and to make sure that, you know, I've covered everything and I haven't misrepresented any of our discussions.

And one item I'll need to update as well is the Executive Summary, you know, but I was hoping to get some input from the Work Team to make sure that I'm on the right track.

Michele Neylon: Okay Rob, go ahead.

Rob Golding: I've printed the previous version. I will admit to not having looked at the one that Marika sent out a couple of days ago. And - but my (unintelligible) this week, but it says things like, "Invoked by the former Registrar of record."

I think we need to clarify that that is on the behalf of the Registrant and things like that, where I think - but overall now it looks fine to me.

Michele Neylon: So Rob, you broke up there. I didn't quite catch that.

Rob Golding: I'm sorry. I'll try and hold this quite a bit closer. There were a couple of places I felt it would be better to clarify why certain things are going on, and I've printed the previous version and I'll check the list already in the newer one and then post the notes to the list.

But it says things like, "An escalation process that can be invoked by the former Registrar of record." And I think we just need to clarify when we say things like that that it's on the behalf of the Registrant, rather than just because we've decided to try and get it back and things like that.

So I will go through and type up and post to the list anything that I think needs clarification from the newly finalized proposed version of the final report.

Michele Neylon: Perfect Rob. Marika?

Marika Konings: Yes, this is Marika. Just to note that the only difference between the version of the 9th of February and the one of the 14th of February is that I forgot on the 9th - the version of the 9th of February to add the Annex on the use cases that Chris produced.

So for those that have already printed the 9th of February version, it's fine to make your changes in that one. As I said the only other change is that there is an additional Annex in the version of 14th of February.

Michele Neylon: Okay, does anybody else have any thoughts on this? Any other input, any complaints? Is anybody absolutely delighted with the draft document and loves it to death?

Okay, never mind. Right then, the next item on the agenda, the Item Number 4, confirm duration of public comment period following publication of proposed final report. Marika, go ahead.

Marika Konings: Yes, this is Marika. So the idea is that the report gets published on Monday and at the same time a public comment forum is open.

Michele Neylon: Monday - what Monday please?

Marika Konings: Monday the 21st of February, so coming Monday.

Michele Neylon: Okay.

Marika Konings: There is - as this is an optional public comment period, there's no requirement in the bylaws for how long this public comment period needs to be, so the question to the Working Group is for how long should we open the public comment period on the report?

Michele Neylon: Marika, before I ask people to come back, what is the get normal period that these kind of documents would have? I mean, based on previous...?

Marika Konings: I think the normal period is often in 30 days. I mean, the Working Group might want to extend it a bit because it covers an ICANN meeting, so people might not, you know, focus on it before the meeting.

So we might give some more time, so between 30 and 45 days I think would be reasonable.

Michele Neylon: Okay then, does anybody have any thoughts or opinions either one way or the other? Paul D., go ahead.

Paul Diaz: Yes, thanks Michele. I was just going to offer and I said in the chat already I think in this case, even though it may not be required we do need to give the public a pretty substantial period to respond because we heard their feedback on original eTRP.

You know, we want to show that we're working and even if we're still putting in some placeholder language and whatnot, give a good chance and with the ICANN meeting in San Francisco sort of in the middle, you know, my suggestion would be to run it till maybe the 25th of March or so.

You know, that's plenty of time. Nobody can complain, three weeks before the meeting, a full week after and of course they can provide comments while we're all in San Francisco as well.

But I do think in this case it's a good idea to provide a pretty substantial block of time for people to weigh in, because this particular issue did drive a lot of comments in the first round.

Michele Neylon: Paul, just for clarification because my brain's a bit slow, are you saying then say 45 days or how many days?

Paul Diaz: I - in this case Michele I wouldn't get hung up on how many days the comment period's open. I'm just looking at the calendar and saying I think it's reasonable to give people until the week after the ICANN San Francisco meeting.

Whatever that works out to, it's probably 30 days but, you know, in terms of full working weeks that's three weeks plus the week we're in San Francisco. I think that's realistic and fair.

Michele Neylon: Barbara, go ahead.

Barbara Steele: I just wanted to say - actually Paul said most of what I wanted to say, but I agree with that approach. I think it makes a lot of sense for us to keep it open through the ICANN meeting and then for a period of time after.

I would be even, you know, inclined to - because a lot of people, you know, are traveling a fair distance to get there. I would probably even be inclined to maybe keep it open until April the 1st.

Michele Neylon: Okay. Is - so far everybody has been in support of a reasonably long or relatively long comment period. Does anybody have a strong desire to have a shorter comment period?

And I'm seeing reds from - Bob Mountain does not think a shorter comment period would be a good idea. Okay then, so everybody would be happy with - Barbara, what was the date you suggested? Sorry.

Barbara Steele: I was thinking, you know, April 1.

Michele Neylon: Okay, could we go with either the last day of March or the 2nd day of April? I really don't want a comment period closing on the 1st of April.

Barbara Steele: I'm fine with that Michele.

Michele Neylon: Yes, I hope I don't have to explain why. Sorry, I'm...

Mikey O'Connor: I don't like it for the exact same reason.

Michele Neylon: You see this is the thing Mikey, but don't forget I have to go to a bloody ICANN meeting during Saint Patrick's Day so come on, give me a break.

Paul Diaz: They act like it's a bad thing.

Mikey O'Connor: Oh, that's a good thing.

Michele Neylon: What day of the week - so the 17th is like Thursday isn't it or the Friday?

Paul Diaz: Yes, Thursday night.

Mikey O'Connor: Wow, a lot of hangovers for the Board meeting. That's excellent.

Michele Neylon: The Board meeting is going to be interesting. (Dennis) isn't on the Board anymore so it would have been even more amusing if (Dennis) was on the Board, but he's not.

And as (Mark Barry) says, yes exactly. We don't need a reason to party anyway. Okay then, so anybody who thinks - is there anybody who was opposed to say whatever the last day of March then the 2nd of April as the end of the comment period?

I mean, a nice long comment period. Nobody can complain that we haven't given ample opportunity. Does anybody object to that - to the 2nd of April as a date for closing the comment period?

Oh sorry, 31st of March - somebody pointed out 2nd of April is actually a Saturday so 31st of March would be the last working day. Does anybody object?

Okay, working on that basis then nobody's objecting to that idea, then Marika, we would look at closing the comment period then on the 31st of March. Is that okay?

Marika Konings: Yes.

Michele Neylon: Ample time for everybody. Nobody can say that they haven't been given a fair crack at the whip, et cetera, et cetera, et cetera. And I know for example that after the ICANN meeting, I know I have to bounce across to something in Germany or something.

I think there's other people as well that are going to have the same thing, so there's other, you know, there's other stuff going on. Marika, go ahead.

Marika Konings: Yes, this is Marika. Talking about the ICANN meeting, I think I initially mentioned that our meeting might take place on Thursday, but it's likely that that will have to change because there's a lot of moving objects going around on the schedule, especially seeing, you know, GAC Board Consultations that I'm trying to avoid any conflict with, because I'm presuming there's a huge interest in those kind of issues.

So it might - our meeting might move to Monday, so as soon as I know more I'll let you know but just - so hopefully people can keep their schedules relatively open.

Michele Neylon: Okay, thank you. Right then. Right. I'm actually looking at the agenda here. Is there any other - are there any other matters that we were meant to be covering today or is there anything that anybody else wanted to cover today? Marika, go ahead.

Marika Konings: This is Marika. We might want to confirm our next meeting. Do we want to meet next Tuesday, the week after? Do we need a little break once the report comes out? What is...?

Michele Neylon: Just a week just to refresh my memory Marika, because as - that next Monday is the day - is the deadline for the report, yes?

Marika Konings: Correct.

Michele Neylon: Okay then, does anybody feel an overwhelming desire to have a meeting between now and San Francisco?

Marika Konings: This is Marika. Can I maybe make one suggestion maybe that we can schedule a meeting for the 8th in case, you know, we want to have some proprietary discussions or review the presentation for the workshop?

I have requested as well a short slot just before our meeting so we can as well have that meeting - planning meeting then. But it might be good to foresee some time prior to that week so we can just go over, you know, how we're going to run the presentation, if there's any additional outreach we want to do during maybe Constituency Day or Stakeholder Group Day to some of the constituencies to encourage them to provide input or - so that would be my suggestion.

Michele Neylon: Actually that's an interesting idea Marika. That is actually a very interesting idea. I think I'll talk to you about that afterwards. Mikey has his hand up. Mikey, go for you. Go. Go for Mikey.

Mikey O'Connor: One of the things that we might need to do is run through this draft with this sort of sudden giant change and approach to eTRP in mind. And I guess one of the things I wanted to do with the group is if it's all right with everybody else, give Marika permission to sort of run through the draft from top to bottom with this idea in mind so that we don't accidentally wind up with inconsistencies in there just because we haven't done the copy editing.

Is that okay with folks because this direction we took today is quite a bit different than the one that sort of echoed through the draft. And I just - I'd hate to have a paragraph in there that was whacked out of sync just because we didn't think to do the copyediting.

I'm getting a lot of agreement there. Anybody disagree with that? Okay Marika, sorry to make more work for you but this is the kind of stuff that goofs up reports sometimes.

The other one that I wanted to bring up, I have to admit I haven't read this draft and so it may be in here. But one of the things that we've talked about is this notion of putting a 60-day lock requirement on domains after they go through the IRTP or the IRT.

And this draft is too big for me to read on the fly. I was just curious if anybody's able to say yea or nay? Is that idea in this draft as a recommendation or not?

I'm seeing lots of - I don't know what to do with the queue. Maybe Marika first and then James and Simonetta.

Marika Konings: Mikey can you just repeat which idea are you referring to?

Mikey O'Connor: This is this idea that, you know, this is another one of the anti-hijacking things and James alluded to it earlier and it reminded me of it. Is this idea that there be - a lot of Registrars today lock domains for 60 days after they're transferred in, primarily with the goal of slowing the process down so that hijackers can't bounce across three or four domains at once and thus shield themselves from the original Registrant.

And we've talked a lot I know about the idea of making that what is now voluntary practice mandatory again as an anti-hijacking move, and I can't remember where we wound up on that, and so that's the idea. Is that in there now Marika do you know?

Marika Konings: This is Marika. I think we talk about it but we don't recommend it. I think we said it might be, you know, we talk about the Go Daddy solution and we're

saying that, you know, it might be - it's not part of the best practice but I think we do say that, you know, we don't feel it should be...

James Bladel: No, that's a different 60-day lock period.

Mikey O'Connor: Yes, the trouble is...

Marika Konings: Okay then I just, I mean, I just wanted to comment on the eTRP part. I think I have removed all the references or made clear that, you know, the Working Group did initially propose that.

I'm referring to the initial report but that we did get substantial comments on that, and based on our review of the comments we've actually, you know, decided to move away from that.

And then I guess that's why we would insert the new proposed approach, so I'll let James to come and comment on the other issue because I'm not sure.

Mikey O'Connor: Okay.

Michele Neylon: Well to the queue there, apart from Marika who I think has spoken, Simonetta has her hand up but I think James had a hand up but then took it away again.

James Bladel: Mikey addressed it but I'll stand by for questions.

Michele Neylon: Okay.

Simonetta Batteiger: I was just wondering on that one maybe it was discussed in a week where I wasn't on the call, but the discussion I remember was that we had - that we recommend this as the Registrant changes at the same time as the transfer, but otherwise it shouldn't be mandatory.

But I don't remember all these little details around it. I think we came out of this discussion whether or not it has to be locked on the - well if they find some kind of mechanism to deal with the hijacking cases, we don't really need to tighten up this part as well.

Mikey O'Connor: Oh, go ahead James. Sorry.

James Bladel: Yes, I think that we're mixing a couple of different issues here. We had the issue where we would lock names for 60 days if there was a change to the Registrant, then we would guard it or reject transfer requests for 60 days after that occurred.

And we discussed that as, you know, as a voluntary service, as a best practice, as something that some Registrars thought was a good idea and some Registrars thought it was a terrible idea, but it was certainly understood that it was not a requirement nor was it a - was there a prohibition on this.

We're actually talking about something slightly different here. We're talking about the 60-day locks that is part of the - I believe it's the reason for denial currently but it says that a Registrar may reject a transfer if it is within 60 days of a previous transfer.

And we've talked about whether or not, you know, in practice that may - is usually something that most of the larger Registrars turn into a shell. They do in fact block transfers for 60 days after a previous transfer, and that we talked about whether or not that should be standardized to all Registrars.

And what we're trying to prevent here is even if a name is or is not hijacked, we're trying to prevent it from popping. And Michele raised a good point about the credit card charge fact and this is a lot of different reasons why we would want to prevent a name from - there was an old term we called kiting where a name bounces around different Registrars and it's very difficult to pin down who the Registrar of record is for a particular name when it's moving daily.

So that's slightly different than what we're talking about for the 60-day locks, but I see there's a queue for me here so I'll drop out now. I hope that helps.

Michele Neylon: Marika?

Marika Konings: Yes, this is Marika. I actually found we do talk about it on Page 21. We do talk about this optional provision that currently exists under reason of denial 9.

We say that some suggested it should be explored whether this should be a mandatory instead of optional provision, but then we also talk about the fact that it should be linked to the fact that in that - in those cases Registrants should be able to unlock the domain name.

So are there, you know, if there are good reasons and they can provide, you know, reasonable evidence why they should be able to transfer it within the 60 days, they should be able to do it but I think we haven't gone further than that.

Michele Neylon: Okay, the other thing I was going to add in with this 60 day thing is as I mentioned on the chat, I mean, there's a multitude of reasons why people would do it.

One of the reasons is to stop - just prevent part of the problem where people - it's kind of tied to the kiting idea where they'll jump around from Registrar to Registrar and because they keep moving the domain around they're able to charge it back, be that your traditional credit card chargeback or dispute the payment by PayPal or whatever.

So they're able to move the domain around, they get all the years and nobody gets paid. I mean, as a segue the ccTLD Registry for dot ie actually changed part of the policy a couple of years back in - to actually prevent this

kind of problem, though in typical fashion they kind of left it rather open-ended and didn't put a time limit or anything on it.

So they tied it all down to billing things and it was all very, very odd. Go ahead Mikey.

Mikey O'Connor: It sounds to me again, you know, with this looming Monday deadline that maybe what we ought to do is put this on the pile of things that we're going to continue to work, kind of like the, you know, the gizmo that I talked about earlier in the call.

And Marika, it might be good to put a little section in the report, maybe in the Executive Summary, that says, "Here's a little list of issues that we're still working on," and put it in that list.

There's no way that we are going to be able to drive this one to ground today, but it also sounds like one that we want to talk about. Does that seem like a reasonable way to go on this?

Michele Neylon: Marika?

Marika Konings: This is Marika. Yes, I'm happy to do so. I mean, it's something that we can call out as well as an item that we would like to see comments on.

Mikey O'Connor: Yes, that's what I was thinking.

Michele Neylon: Okay, now just coming back to what we were looking at. I mean, what - oh, go ahead Marika.

Marika Konings: Yes, this is Marika. So I'm - I'll try to get out an updated draft and - tomorrow morning European Time but I really would like to encourage everyone then to have a look at specifically those items that we've discussed now, to make sure that, you know, everyone's happy with the language as is and, you

know, if not provide suggestions for changes as soon as possible on the mailing list.

Michele Neylon: Very good. Now the question I have which is kind of a slightly more burning one from my perspective, do we want to have a meeting working on the basis that we thrash through everything now.

We meet the document deadline so the document - the draft report and everything else gets sent through and is out for public comment, et cetera, et cetera, et cetera.

Do we want to have a meeting next Tuesday, yea or nay? And do we want to have a meeting the Tuesday after that, yea or nay? So next Tuesday - do people want to have a meeting next Tuesday?

Rob does. Why Rob? You're the only person who's gone green on that. Oh now you've taken it away. Okay, nobody does. Fine. Rob did but he changed his mind.

Okay perfect. Does - for the week after that does anybody want to have a meeting the week after that? Now bearing in mind Marika's suggestion that we might want to discuss things in advance...

Marika Konings: This is Marika. I think the week after is when the GAC Board meeting is taking place as well, so I might have difficulties in attending the call. I was actually suggesting maybe having that call on the 8th of March.

Michele Neylon: Okay, what day of the week is the 8th of March? That's a Tuesday again is it?

Marika Konings: Yes, that's a Tuesday, normal - our normal regular times.

Michele Neylon: Okay, so basically - sorry. So my - I'm confusing dates. So what we're looking at is today is the 15th of February, so we're talking about the 22nd of February we've decided no meeting. Twenty - oh, have I missed a date?

Rob Golding: First of March.

Michele Neylon: First of - oh of course, but no - well hold on. How's the 1st of - oh yes, because 28 days. Okay, sorry. I keep forgetting that February only has 28 days and I'm an idiot. Please excuse me.

So 1st of March we can't too because - well Rob can't make it, Marika probably can't make it, some people on this call might be going to the - might be trying to follow the GAC meeting.

So the 8th of March - is there anybody who does not want to have a meeting on the 8th of March? And working on the basis at the moment that there's a number of people who do, and we'll schedule it as such.

Okay, working on the basis that nobody objects to the idea then we will not have a meeting next week. We will not have a meeting the week after. We will have a meeting on the 8th of March. Is that okay for everybody? Does anybody have any objections?

No objections. Fine. Does - are there any other matters that anybody wants to raise now on this call? Is there anybody left on the call apart from me?

Marika Konings: Yes, I'm here.

Michele Neylon: Oh, thank God. Oh, thank God. I was getting worried I was talking to myself. Don't do this to me people. Right. Okay, fine. Working on the basis - okay Marika. Go ahead Marika.

Marika Konings: Yes, just really one last reminder to, you know, really encourage everyone to have a look at the report when it goes out tomorrow morning and send in comments.

Michele Neylon: I was going to say that. I was about to say that.

Marika Konings: Okay good. You can say it again so no one forgets.

Michele Neylon: I'll say it again. You're - okay, so what we're doing is we're asking everybody to do a bit of work outside office hours in your spare time, on the bus, on the train, hopefully not when you're driving because that would probably be dangerous, on the draft that Marika will be sending out tomorrow morning.

We get it all sent in then you get a two-week break. You don't have to listen to me and I think you all could breathe a sigh of relief. And then we have a meeting before San Francisco but everybody has to give some input before close of business European Time Friday, correct Marika?

Marika Konings: Close of business any part in the world.

Michele Neylon: Okay perfect. Right. Without further ado then and because nobody's raised any other issues, let's call this meeting to an end. We will speak all via email and I look forward to talking to you all properly on the 8th. Goodbye everybody.

Paul Diaz: Thanks Michele.

END