

**IRTP C
TRANSCRIPTION
Tuesday 28 February 2012 at 1500 UTC**

Note: The following is the output of transcribing from an audio recording of the IRTP C meeting on Tuesday 28 February 2012 at 1500 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <http://audio.icann.org/gnso/gnso-irtp-c-20120228-en.mp3>

On page:<http://gnso.icann.org/calendar#feb>
(transcripts and recordings are found on the calendar page)

Attendees:

Mike O'Connor - CBUC
Kevin Erdman - IPC
Chris Chaplow - CBUC
Roy Dykes - RySG
Philip Corwin - CBUC
Simonetta Batteiger - RrSG
James Bladel -co-chair
Avri Doria - co-chair
Matt Serlin - RrSG
Michele Neylon - RrSG
Bob Mountain - Registrar SG
Angie Graves – CBUC
Jonathan Tenenbaum – RrSG
Rob Golding - RrSG

ICANN Staff:

Marika Konings
Glen de St Gery
Nathalie Peregrine

Apologies

Alain Berranger – NPOC
Jacob Williams- Individual

Coordinator: We're now recording.

Nathalie Peregrine: Thank you, (Ricardo). Good morning, good afternoon, good evening. This is the IRTP-C call on the 28th of February, 2012. On the call today we have Michele Neylon, James Bladel, Mikey O'Connor, Avri Doria, Angie Graves, Kevin Erdman, Bob Mountain, Matt Serlin, Simonetta Batteiger, Philip Corwin and Rob Dykes.

From staff we have Marika Konings, Glen de Saint Géry and myself, Nathalie Peregrine. We have apologies from Alain Berranger and Jacob Williams.

I would like to remind you all to please state your names before speaking for transcription purposes. Thank you very much and over to you.

James Bladel: Thank you and good morning, good afternoon, good day everyone and welcome to the IRTP-C working group call for the 28th of February, 2012 - Leap Year addition or would be if we - fallen on tomorrow.

As per our usual order of business does anyone have any comments, concerns or edits to our proposed agenda which you can see in the left hand - or right hand pane of the Adobe Connect room.

Okay and can we ask if anyone has any updates or modifications to their statements of interest please indicate so at this time. Michele.

Michele Neylon: I get working groups confused so if I've already informed this working group I apologize. I have updated mine to indicate that, no, I am not a member of the Business Constituency and sorry if that caused any confusion to those of you who thought that I was.

And also just to make another minor edit to my shareholdings. I've left it now in a kind of nice generic way so that unless I sell all my shares it shouldn't need editing again. Thanks.

James Bladel: Yeah, thank you, Michele. I think you kind of gave us a warning that that would be coming and so we'll take this as your announcement that you have a corrected SOI and appreciate that. And I think we're good now on this issue. Anyone else with changes to their SOI? Okay great.

Well Marika sent around the agenda yesterday and hopefully everyone has had a chance to review that. If not it is up in the Adobe Connect room on the right hand panel.

The first item that we have is to just sign off on the background materials that we are going to share with the ccNSO for our meeting in San Jose. This is something that we covered I think a little more extensively last time around. We left it open on the list for any comments or edits. Marika, did we receive any requests to change this or any updates on this document since our last call?

Marika Konings: This is Marika. No I didn't receive any updates. The only change I made based on our last call was to add the information on the dotES change of control procedure and otherwise I think nothing else was changed.

James Bladel: Okay thank you. So wanted to just give everyone one last opportunity to chime in on this group otherwise we will close it for comments and begin sharing this with the ccNSO in preparation for our meeting in San Jose. So any further comments or edits to this document?

Okay the queue is clear so, Marika, let's consider this final. And we'll go with this version. Thanks for your help on that.

Marika Konings: This is Marika. Can I maybe just confirm would you like me to share this with the ccNSO through my policy colleagues that support the ccNSO or do you prefer to share this first with (Machuel) who's the ccNSO topic leader for the meeting with the ccNSO?

James Bladel: Let's you and I and Avri chat a little bit offline via email because I can't remember exactly - I'll have to look at my messages and see exactly how we left it with them when we first raised this. But I think we want to be consistent with what we said we were going to do I just can't remember what that was.

Marika Konings: Okay.

James Bladel: So maybe if the three of us can just kind of huddle offline and figure out how we want to go - I think that either way is fine just want to do what we said we were going to do.

Okay so moving then to Item Number 4 and this is the change of control subteam. And I think I want to hand it off to - help me, hear, folks, was it Mikey or Simonetta that took the lead? I know Mikey was definitely taking notes with his cook mind maps but I think we chose Simonetta to be the leader of this subteam is that - is my understanding correct or flawed on that?

Mikey O'Connor: This is Mikey. I know I'm not the leader. But I'm ready to share the mind map.

James Bladel: Okay. Okay I think that Simonetta was offered to lead and everyone accepted that offer. However her voice was - she was unable to - unable to speak and so I guess I'm not clear on that. But if there are no objections maybe Mikey can walk us through his mind map and then we'll - feels like we won't be ambushing Simonetta on the next call.

So this is the subteam that is working through an idea process for change of control. And we were able to meet last Thursday. So with that go ahead and take it away, Mikey, and cover our discussion.

Mikey O'Connor: Thanks, James. It's Mikey for the transcript. On the screen you can see the mind map that we started to build. And I think that I will just sort of flash things on the screen for you and not go through a whole lot of detail but just

to give you a sense that there's a pretty rich conversation going on. And we're covering a lot of ground and we are definitely heading in a direction. So let me just sort of replay what happened.

We had a pretty big discussion about the background of the issue. And as you can see we took a lot of notes. By the way this mind map is indeed up on the wiki so if you want to dig into this on your own you're welcome to do it. And the software that's being used here freeware so you can download your own copy. It runs on just about all platforms. So don't be shy about learning it.

Chris Chaplow: Mikey, quick question. Chris here.

Mikey O'Connor: Sure.

Chris Chaplow: Is this - this is what's running on your Mac now that we're seeing it?

Mikey O'Connor: Yeah and I'm just sharing my screen. So this is a program called FreeMind. And it looks pretty much the same on PCs, Macs and Linux boxes so feel free to join the club I guess.

So, you know, we've been having a lot of conversation. We covered a lot of things; likes, dislikes, preferences. We've raised a bunch of interesting questions. And one of the things that we sort of zeroed in on is to - at least at the first round model - or at least take a look at the Nominet process.

And so what this node is, is their - it's basically ripped from their Website. We basically went to their Website and then just pulled all of the steps in the Nominet process into the mind map just so we had that as the basis of the conversation. And it's called the Sequel because we tried it once and it kind of blew up in our face.

And then what we did is we thinned that out because, you know, we didn't want this to be so granular and so specific that you had to implement it if you were a registrar or registry exactly the way Nominet does.

What we were trying to do is sort of pick off the high points, the sort of (signposts) that we might want to include in a description of a policy. And we're not done with this; this is really our first (I). But that's sort of the direction we're heading. And this is sort of the very end of the call where we wound up so I think it's safe to say that our plan is to come back to this point and sort of pick the conversation up there.

So I'll just sort of leave that up on the screen for a minute to give you a sense that, you know, really things that happen first if you're the current registrant and then there are things that happen if the new registrant and then once it's over everybody gets notified.

And you can see that there's still a lot of Nominet detail in this; we haven't thinned this out really. So the fee is in there - the mention of value added tax and stuff like that. But that's sort of the direction we're headed.

The other big direction which I think we're planning to come back to is that James wrote of a pretty impressive list of ideas that we want to take this ideal process and sort of review it against this list of ideas. And so we also included that in our notes.

And this just is really I think probably too rich for this conversation the subgroup hasn't even really dug into this yet so I don't want to take all the time to take you through it; I just wanted to give you a sense that there is a pretty rich conversation going on and the subteam is pretty deeply engaged and sort of leave it at that I think in terms of an update.

So there you go. Back to you, James.

James Bladel: Okay thanks, Mikey. I think that the message for this group is that the subteam has kicked off. We've looked at - of all the examples I think we've honed in on the Nominet example for right now as something to put under the microscope as a case study and we are taking a look at that and we're having some very good conversations.

And we'll continue on this path and that this - did you say this was up on the wiki, Mikey?

Mikey O'Connor: Yeah, it's in the section - or - or - let me find the link and I'll post it to the chat.

James Bladel: Okay thanks, Mikey. And just - and if you could also - I'll just post it here. You will need this free program - well it's free - it's open source I'm not sure if I'm using the right terminology here but you will need FreeMind or MindMap, which is the paid version, to view this file is that correct, Mikey?

Mikey O'Connor: Yeah. And I just realized that I didn't put the link to the FreeMind site on the page that's just landed. I'm actually going to go one layer deeper...

James Bladel: I put it there in the chat so maybe we could just...

Mikey O'Connor: Yeah that's the - that's the top page. The page that I pasted in is the one where the mind map is...

James Bladel: Okay.

Mikey O'Connor: ...loaded so that you don't have to find it in the page. And I will go after the call back into that page and put the link to the FreeMind site although a straight search of the Internet just type in the word FreeMind will get you right to there. It's a SourceForge...

James Bladel: Yeah.

Mikey O'Connor: ...sharing site.

James Bladel: So the, you know, the takeaway I guess from this update is that we are having some very detailed conversations about the process especially as it models for Nominet. And that if you want to review this we can take a look at those items there from the mind map that are on the wiki.

Just trying to think of ways we can make this easier. I don't know if there's a way to print this out in outline format and send it to the list or if that's just too much work, Mikey, I'm not sure. But want to make sure...

Mikey O'Connor: No there's a PDF...

((Crosstalk))

Mikey O'Connor: ...there's a PDF of it in the same place so if you want to...

James Bladel: There's a PDF there.

Mikey O'Connor: ...just see the - yeah. And it's - it's just straight PDF so you don't have to do FreeMind if you don't want to it's just more convenient because this is already getting pretty big and pretty bushy. But I did put a PDF out there.

Avri Doria: And I believe...

James Bladel: Excellent, thanks.

Avri Doria: ...and this is Avri. I believe you can also print it off as sort of a straight outline mode that's pure text.

Mikey O'Connor: Yeah and in fact I should put it up as a Webpage...

((Crosstalk))

Mikey O'Connor: Yeah, yeah, there are a bunch of ways to export this and I was sort of screaming through my to-dos over the weekend and didn't do the usual four-way export that I - I can easily do that.

James Bladel: Okay thanks. Just want to make sure this is available for anyone who wants to review the list that we've gone through so far or wants to comment on the mailing list. The mailing list has been pretty quiet on this issue and I'm hoping that's not because folks, you know, haven't been - haven't had a chance to review or, you know, download the FreeMind and can't open the materials.

So as long as, you know, there are multiple ways to do that then just want to make that as accessible as possible. So thanks for the update. And is the team meeting again this week? I can't remember.

Mikey O'Connor: This is Mikey. I thought we were.

James Bladel: Okay.

Mikey O'Connor: But I'm not sure.

James Bladel: I think we've probably - yeah and I think Simonetta agrees. We'll probably try and set something up again for later this week. So thanks everyone for that. And if there are any other comments or folks who'd like to speak to this issue we'll hang here for just a moment before we proceed to Item Number 5.

Okay Item Number 5 is the data gathering subteam which is the other subteam that we've established during our last call. And this one is led by Bob Mountain. And I think that this is just getting kicked off so I'll turn it over to Bob for a brief update.

Bob Mountain: Yeah, yeah thanks, James. This is Bob. Again since we don't have any Mikey we don't have a fancy mind map or anything like that. But we have kicked off

- just kicked off the group by email so at this point the recommendations on the approach and the outline for the action plan have been sent to the team members; that just went out this morning.

So I'm awaiting feedback from everyone and once I do I'll schedule the kickoff call and we'll get rolling. So I expect we'll get some traction this week on this initiative. That's all.

James Bladel: Okay thanks, Bob. Appreciate the update. And I just saw that message so for those of you who are on the data gathering subteam please check your inbox for Bob's kickoff email and respond accordingly.

So any other questions or comments relative to the subteam reports?
Otherwise we'll continue on with our discussions on Charter Question A. And on this issue when we last left our heroes we had identified a couple of folks on the call last week who might be able to lend some specific expertise to the ccTLD processes. And those were from Sedo, Simonetta, and from Mark Monitor, Matt Serlin.

So let's pick on Matt here first because I think Simonetta - hopefully she's feeling better but I don't know that her voice is restored so, Matt, we get to put you on the spotlight here briefly. And have you had a chance to talk to your team? And if so what'd you find?

Matt Serlin: Sure. Thanks, James. Yeah, my voice is, you know, contrary to what other people would have wished my voice never goes away. Yeah, so I did - I apologize I haven't sent it out to the list; I will.

You know, what I basically asked was if there were some sort of, you know, high level categories that we could break a handful of TLDs into. And I'd say that there were. And this might or might not come as news to people.

There's really kind of three different levels if you look at it. There's kind of the gTLD model today, frankly, in the ccTLD world where the registrar can simply send a command update through EPP to the registry that changes the registrant information. So a variety of ccTLDs support that today; the COCA model, Afiliias, dotML, dotMX, dotDE as a handful of examples.

Then on the flipside there's those that are the exact opposite where the registrant actually has to physically sign documentation, send original copies to the registry, things like that. And just a couple samples there are in Brazil, Korea, Egypt, Jordan and Oman.

And then sort of very similar to the UK model which you guys spoke about earlier the sort of middle ground where either the registrant deals directly with the registry or the registrar initiates what's called a trade or a registrant update to the registry through the standard EPP protocol.

And for those of you that aren't familiar with EPP I guess I should state that EPP is the programming language that registrars and registries use to communicate with each other.

And so a couple of examples here are dotEU, dotFR and dotUK is one where the registrant goes directly to the registry but EU and FR are that model where the registrar submits a command through EPP to the registry which then kicks off a registry process which is essentially an email process where the registry will generate an email and then that email needs to be acted upon before the trade can be completed.

One nice thing about that process is that a transfer of registrar transfer and trade, or registrant transfer, can be done at the same time. So we talked a lot about the fact that in a lot of cases the registrant transfer is done at the time of transfer. So the EU and FR model is one that supports doing that together, which I think is something that we ought to take into consideration when we're coming up with any sort of proposals.

So I will send - this is just a real sort of high level bulleted list - out to the list for those that want to review it. And then obviously, you know, if you have additional questions or we need information I can post my team back as well. But that's where I stand.

James Bladel: Okay, Matt, thanks for that update. And we're building a small queue here but I'd like to kind of give Simonetta a chance to chime in with her update before we start taking questions for both Matt and Simonetta. So, Simonetta, if you don't mind can you give us a brief update?

Simonetta Batteiger: Sure. So I had a chance to catch up with our transfer team and just ask them basically what are the TLDs that they find easy to transfer and what are the TLDs that they find hard to transfer and why.

And a lot of what Matt just said is the feedback I heard from them as well. What they particularly liked is the transfer of the dotDE TLD maybe because that's our home base and they just think it's easy. But also because I think there's a real - it is very automatic and it is very fast.

And what I find interesting about this and I kind of wanted to just give a feedback to Bob Mountain as well on the data collecting subteam is that there is not a lot of confirmation steps or anything built in there at all.

And I'm wondering if we could ask the dotDE registry and ask some of the other registries as well in terms of the compliant level when it comes to hijacking and other issues that you would expect to be maybe a little more prevalent in a TLD where here's not as many confirmation steps built in.

But I have no idea if that's the case or not just from my gut feel and from asking my team they don't seem to think that that's the case. So I just thought that was very interesting.

But what they also shared is that they find very challenging to deal with is any kind of a TLD like for example the dotCA that has a lot of additional hurdles built into their process of how can you transfer the domain and how do you need to make sure also who is entitled to even be on the receiving end of a transfer.

So basically a lot of - or some of the TLDs have restrictions of who can own them and sometimes then you have to work through some kind of a proxy firm that helps you even get someone to be able to own a TLD like that.

And they shared that they really dislike any TLD that has either something like this or something that requires real paperwork meaning a fax or a - other than online communication need that would - because it just delays the process and some people don't have fax machines and then it takes them forever to get something like this.

So their preference really is to make it as automatic as possible and to require to have as few steps as possible so that the process is easy to follow and some like that. Participants in our market place have an easy time understanding. That was kind of the gist of the feedback I got from my team.

James Bladel: Okay thank you, Simonetta. We appreciate that update and look forward to - if you and Matt can post to the mailing list just some summary information so that we can take a look at that offline.

Simonetta Batteiger: Sure.

James Bladel: Michele has his hand up and now it's gone so was your question addressed already, Michele, or did you want to talk about something else? Oh, question was addressed.

I put myself in the queue but wanted - just two quick questions here; I think one each for Matt and for Simonetta. Matt, you mentioned that EU was one of

the ccTLDs that your team seemed to think had a good process in place because they could transfer - change both the registrant and the registrar simultaneously. But I - if I'm not mistaken, that process is changing. EU's changing their policy on this or maybe already has recently. And I'm wondering if that - if your team is weighing in on the existing process or the new process or when it's supposed to be phased out, or do you have any thoughts on that?

Matt Serlin: Yes, no, it's a good point and I think you're right in the fact that it is changing, but I might put Michele on the spot, because I think he's on the - isn't he on the Registrar Council or whatever it is with Europe. So maybe he knows. But that's a good question. I'll have to find out.

James Bladel: Okay. Michele, can you shed some light?

Michele Neylon: I can try. Thanks, Matt. I'm not on it. I'm the chair of it.

Matt Serlin: Even better.

Michele Neylon: Yes, there's - there was a lot of discussion about this. I mean one of the problems - one of the sources of confusion -- I see Rob Golding mentioned it in the chat -- is that while at an abstract policy level basis, the way .eu handle things was really cool and really nice and, you know, it had a lot of advantages at a purely academic level. On a practical level, it was confusing as hell because you had multiple commands and then you didn't really under - it was hard for people to understand at what - what was the actual threshold that would push something from being a transfer into being a trade and a registrant wouldn't know either way and the entire thing was a bloody mess.

So they're doing a couple of things. They've already made changes regarding fees. So the fee structure has been simplified. So now a transfer's a transfer whether it's a transfer from quarantine or not. It's - no, they don't reregister. That's actually incorrect, Rob. They don't reregister a domain name. That

used to be the case when .eu domains didn't really have a proper expiry date or anything, but now they're multiyear. The way the transfers work is pretty much standard.

In terms of the everything else, it hasn't been pushed live yet. It's going to happen, but basically all they're doing is just - is simplifying it technically. In terms of the policy, it just won't change. It won't change.

James Bladel: Okay. Okay, thanks, Michele. I appreciate that. And I think, you know, we'll keep an eye on this and see whether EU is something that could help us formulate an ideal process of it's something that we need to steer clear of.

A question for Simonetta and regarding her comments or her team's feedback on .ca. You know, I don't know if it's a question necessarily or just an observation, but one of the tricky things about CA is that they're very restrictive who can - who's eligible to register a name in .ca. I think they call it the Canadian Eligibility - CAT or something like that. I don't remember their acronym for it. But part of the issue is that when changing a registrant, you have to make sure that the receiving registrant -- that the new registrant -- has the same level of eligibility to register the CA domain name as the old registrant.

I think that while this may be something that confuses the process or something that we may not like on a practical or technical level, I think it is going to be an important component of both existing sponsored TLDs like, let's say, Asian and XXX as well as some of the new proposed - I'm assuming there will be proposed community TLDs in the new gTLD round that will also have some sort of requirements. So I think that it may be messy, but I think that we may need to consider taking a look at Canada and other more restrictive ccTLDs and building in eligibility tests into the process. And that's just my observation from the feedback from Simonetta's team on Canada.

I'll put my hand down now, and it looks like we now have comments from Avri and Simonetta. Avri? Avri may be on mute.

Avri Doria: Thank you. I want to reinforce what you're saying about the new gTLDs coming. With the way the rules are written for those that do plan to go community and to call themselves a community, there's only a certain number of ways that they will be able to determine that somebody is a community member and qualified to register, qualified to renew. And some of that is still quite messy when you look at the current practices and you go, "Hm, how would they do that? How would someone confirm that someone has been re-authenticated because it requires periodic authentication. Or hm, you know, how do I know that this is an authorized transfer?"

So I think it's important to think about those things. I've been involved with several different models of ways in which communities are trying to meet that requirement. And if these transfer policies are to work for them, it really needs to think that through. Thanks.

James Bladel: Thanks, Avri. Simonetta?

Simonetta Batteiger: I just wanted to add to this. I mean I understand that we won't change the policy of the TLDs who have rules in place about who can own their domain names, and there's going to be new TLDs coming out that will have their own set of rules. My question would be about, is there - is anyone aware whether or not there is any - I think Avri just responded to this. There doesn't seem to be a standard of how do you actually verify this other than the registry has some kind of rules. But I think in some cases the registrars are kind of made - are put in the responsibility to check for this, and in some cases, it is something you need - as a registrant, you need to take action on the registry side of things.

But I wonder if this is even outside of the scope of just a transfer policy piece. I mean it could like an aspect of it that for certain TLDs there's an extra step,

and for all other TLDs that there isn't. But I really wonder if this is something we can tackle as part of this or if this is something that we should maybe even bring back to the folks that are looking at whoever is deciding on which policies can be put in place for the new TLDs as a heads-up of, "Hey, please think about this, because if you leave this gray and open, it'll make transferring these domain names a real nightmare."

James Bladel: Okay. Thank you, Simonetta. That's a good point. We go now to Matt.

Matt Serlin: Thanks, James. Yes, this is Matt. So can I just maybe have a philosophical conversation I guess maybe is the way to say it. I mean I - you know, I guess maybe what I'm struggling with or sort of thinking through in my head are some of the kind of decisions that we need to talk through when we look at, you know, creating a process. So for example, you know, do we want this to be a registry-initiated process? Does it need to involve the registrars? Does it all need to be automated?

Does it need - so maybe it would help, and maybe we've done this and I just haven't paid attention, which James, you can hit me upside the head if that's the case. But maybe what we need is just a list of those kinds of decision points that we can consider and talk through which will ultimately get us to a place where we're talking about, you know, what a policy or a what a process might look like. And again, apologies if, you know, we've had that conversation or those discussions.

But to me - you know, because the world of the ccTLDs as I think we're all familiar with is all over the place, right? You've got some that are, you know, you have to give seven drops of blood on a notarized document to get - you know, to get something done. And others, you just do it and it's done. So, you know, maybe we're not at that point yet, but to me in my mind those are some of the kinds of decisions that we need to talk through.

James Bladel: Thanks, Matt. And if I can just take a moment to respond. I think that the sub-team- what you're touching on is similar to where the sub-team has really dove into this - to some of those questions very deeply. For example, one of our key discussions was whether or not this would be a registry-exclusive or registrar-exclusive or some hybrid type of a process. And I think that one of the things we can rule out is, because of the presence of thin registries on the net, that it cannot be a registry-exclusive process. There will be at least some if not entire registrar involvement.

So that's something that I think in the interest of time we didn't beat up as that list a little too heavily. But I think that a lot of - well, there's a pretty good list, I think, started both in the mind map for that sub-team, and I would recommend that if you can take a look at that. And maybe we should make it as one of our goals for that sub-team to hammer out those issues and present that list in greater detail on our next call. And I think that that will capture at least part of what you're saying, but I think that, you know, there's definitely the possibility that there'll be some omissions or gaps that we'll have to fill.

Matt Serlin: Cool. Thanks, James.

James Bladel: But, yes, it's a good question. And I think that a lot of us who maybe have a technical background are looking at this and saying, you know, "We need this." You know, there's a way to design processes, and I mean we want - maybe it's more of our comfort zone to go back to those methods."

Avri, was your hand up from the previous discussion, or is this a new topic?
Okay. There it goes. Thanks.

I wanted to just ask a real quick question in response to something Simonetta said about eligibility. I think she's absolutely right, that if we tried to bake in an eligibility test into this process, we're probably exceeding the scope of what we've been asked to do. And additionally, it will probably fail, because the

registries have their different requirements, and therefore that necessitates different processes.

I think, though, however, we should at least acknowledge that this will be the case. So perhaps a - you know, in whatever sort of consent is obtained from the new registrants we also include just some sort of acknowledgment that they are aware of the eligibility requirements if any of the new gTLD in that they are asserting that they meet those eligibility requirements. And maybe then just leave that to whatever sort of charter eligibility compliance program that the registries have implemented on their own and kind of just build in a stub for the registry process and leave it at that.

So that would be my response to making sure that we don't go down the rabbit hole of trying to build in an eligibility test, but we at least capture the idea that those eligibility requirements exist and that the registrant is aware of them and that they're - they understand that they're - they'll lose their domain name entirely if they don't meet those eligibility requirements. And maybe that's all the further we would have to go.

So I'll go ahead and put my hand down here and...

Chris Chaplow: Can you put me in the queue.

James Bladel: Was that, Chris?

Chris Chaplow: It was, yes.

James Bladel: Okay. I'll put my hand up here, and I'll be a placeholder for you, Chris. And next up is Michele.

Michele Neylon: Yes, just a very brief one because we were talking about, you know, the different ccTLDs and their policies and I suppose also just to kind of reference to Avri's point as well. Just one thing, word of caution, word of note,

I suppose, just because a policy exists doesn't mean it's actually legal, because several of the ccTLDs currently in the European Union currently have policies that are actually illegal under European law. So, you know, just because it exists doesn't mean that it has an actual legal bind or that it should exist and that it might - they might not be forced to change that.

I mean, case in point, .fr was basically forced to change its policies because prior to the change it did not allow non-French citizens to register .fr domain names which would put it in breach of the European treatise. Thanks.

James Bladel: Thanks, Michele. Good to know, but I hesitate to take our conversation down that road. But it's good to acknowledge that just because something is out there doesn't mean it's right.

Michele Neylon: Well, the thing was with - in relation with gTLDs was because what happened in the past, a particular gTLD registry presented registrars with a contract that actually was factually incorrect and actually conflicted with existing consensus policy. I think you know which registrar I'm referring to. But if you want, I can put it on the record.

James Bladel: No, (unintelligible) I think that's understood. But - so it's a good point and something we should keep in the back of our minds. Phil?

Phil Corwin: Yes, I just want to observe and I agree that we shouldn't be trying to write in requirements for how confirmation would take place. But I think whatever the legality, the existing restrictions, you know, Michele just talked about .fr in conflict with EU policy, you know. .ca doesn't have the same issue, I don't think. But I think for some of these new TLDs that are going to be approved, particularly community ones, the job of confirming the bona fides of the registry is going to be even more difficult. With a .ca, it's basically a matter of confirming that you have legitimate tie to the Canadian Nation.

But we might want to touch base with .xxx. I believe the registrants there are supposed to be bona fide members of the adult entertainment community. I know of - the Recording Industry Association and some other group just got behind an applicant for .music which says it's going to be restricted to bona fide members of the music community, and they're proposing various criteria for that.

And then I think the ones that are going to be really dodgy are going to be the ethnic communities and whether or not a registrant is really a member of that community. You only have to look at what's going on in the United States with whether - with Indian tribes and whether certain tribes actually exist or whether an individual is a member of a particular tribe for - to derive certain benefits.

I think just I'm trying to say that I think whatever the challenges of confirming the bona fide of registrant in a ccTLD, they'll be more difficult to confirm in some of these new TLDs which get approved as being only for particular communities. So I think we want to just note that but stay away from getting into the confirmation process -- what it would involve.

James Bladel: Thanks, Phil. I agree wholeheartedly that this a complicated subject and it's only going to get worse with community cTLDs coming online. Avri?

Avri Doria: Yes, hi, thanks. Yes, I've got two things. One, in terms of what was just said, I think we have to distinguish between something that is most definitely not part of this group's charter, which is how authentication would be determined by a registry, etc. What is probably still out of scope but more edgy is the notion of how that is expressed within a process. And, you know, your sub is the notion of taking one extreme way or saying it's not going to be explained by us, but here lie dragons and there has to be some way of expressing something. The (unintelligible) say, and so keeping those two strictly divided may help a little.

The other thing I wanted to make a point of is that this is probably something that's worth flagging and basically worth referring back to the G Council as something they should put on their radar, because over the next year and a half it is going to be an issue. And it's going to be a technical glitch issue. As I say, not how you determine that someone is authenticated, but how that is expressed between the registry, the registrar, and some are doing the, you know, registry service providing, and how that whole exchange can work and how the registrar and the registry service provider can communicate it back and forth. That if it's not an issue for here, and I understand that it's at best borderline, then it's something that we should make sure that we refer back up to the G Council. Thanks.

James Bladel: Okay. Thanks, Avri. And I think that there's pretty furious typing going on in the chat box. Most of them that are agreeing with you that this is something that we should at least capture. And when you say refer to the council, I'm curious what you mean specifically.

Avri Doria: Well, yes, basically, when a working group like ours or any other hits an issue that looks like it's a serious issue, looks like it may or may not need consideration, looks like it may need issues reports and policies and working groups and further consideration, they basically communicate that to the GNSO council and say, "Hey, guys, you may want to take a look at this or not, your call, but just wanted to make sure you saw this and saw that there is an issue here that may or may not be something you want to do something about."

James Bladel: Okay, thanks. So I put myself in the queue as a placeholder for Chris Chaplow. So Chris, please go ahead.

Chris Chaplow: Thank you. Yes, so I had to move away from the Adobe. Rounding up all this, I think we've also got to recognize that there really are two scenarios. There's ones where you've genuinely got to be a member of the community to register or transfer into the domain and the other where the registrar or some

of the third parties simply by picking a box and perhaps paying some sort of additional fee will provide that community membership or sponsored membership for you. You know, thinking of examples like .asia where it's relatively easy to register a domain with the registrar. Or somewhere going the other like - I don't know - .saudiarabia where you genuinely got to have a company presence in that country. So I think, you know, it's not going too far for us really to get into all this but just to recognize there are these two camps, I think.

James Bladel: Okay. Thank you, Chris. I think that's an important distinction. And I think that this - if I can sort of sum up what - Mike's doing some furious typing here, the mind map, and we're seeing a lot of discussion in the chat box. I think what we're - I think there seems to be a consensus that this is important -- this notion of eligibility tests for the new registrant when there is a change of control. So this is important, but the rules, especially the ccTLDs, sponsored - existing sponsored TLDs, and anticipated community gTLDs that this is going to only become more important.

But this something that we should not try to solve on behalf of all of those yet to be born registries, but this is something that we should at least acknowledge in our report and refer to the Council, at least make them aware that we have encountered and are discussing this issue. And that we want to - I think the proposed - whether or not it's preferred, but the proposal on the table is that in this process we have some mention that the TLD - during a change of control, the TLD may require or may have established eligibility and that the new registrant needs to be aware of those, needs to acknowledge that they - that if they fail to meet those eligibilities, you know, they could lose their registration that they just took control of and maybe just leave it at that. And that provides the maximum amount of discretion and flexibility on the part of the registries, which we acknowledged, is going to become more and more varied as we go forward.

So I think it's a great line of communication, and this is exactly - my opinion, and it's just my opinion, but this is exactly why we have these multi-stakeholder working groups, just because it's something that we just - I don't know that anyone really gave much thought to coming into this issue, but I think it's something that we've encountered and we're working through it, so that's excellent.

We have just a few more minutes before we start to wrap up the call. But looking at our agenda, we have received now the updates from the sub-teams, and they're going to continue with some specific actions to bring back for next week, including an update from data gathering and a more detailed presentation on the - what we're calling the decision points for - on the change of control on the ideal process.

But I wanted to just kind of allocate the next five to seven minutes here. If there's anyone that typically doesn't weigh in on these calls, noting that we have kind of a - you know, a group of regulars that tend to chime in a lot of these issues, I wanted to make sure that the other folks who dutifully participate in these calls and read the materials but don't necessarily make themselves heard, just want to put them on the spot maybe a little bit and ask if there's anyone who doesn't normally contribute to the discussion, maybe just kind of monitors the conversation, if there's anything that you'd like to say or any comments you'd like to make at this time before we close up, this is your time.

So any thoughts, especially from folks like, for example, Registry? Or I think we heard from Phil today. That's awesome. Kevin, I know that you are not shy about your opinions when necessary. And would love to hear also from Jonathan. So any thoughts, folks? Everyone's being very quiet here, but okay. That's fair. And it's probably not very polite of me to put folks on the spot like that, but - oh, hey, we have a taker. Kevin?

Kevin Erdman: Hi. This is Kevin Erdman. I just wanted to say not so much a comment on what we're doing, but this last discussion on the different registrars brings up a what I consider pretty interesting legal issue, is that on the, you know, country codes, you have sovereigns that do have some sort of, you know, state interest to, you know, exert on those domains and therefore have an overt ability to control that. Whereas on the community side, you know, that's more sort of making it up as they go along, because there isn't a real sovereign over any of those purport - well, maybe - it depends on what the community is. I suppose for aboriginal Indian tribes, there is some sense of sovereignty versus the - let's say the adult entertainment industry which seems to be - you know, lack any sovereign, so to speak.

But that's just, you know, a side note. And, you know, to the extent that, you know, national laws do sometimes impinge, or as Michele notes, sometime are contradicted by the implementations in the domain world, it's just I thought that was an interesting aspect to today's discussion. But I don't want to trouble the group with some of my own thoughts when it's not right on spot with what our discussion is. So that's the end of my comment. Thanks.

James Bladel: Okay. Thanks, Kevin. Appreciate that. And I think that those are things that we need to continue to consider. And okay, I see Jonathan is also in the queue. So - and then we have one final piece of business before we wrap up. So go ahead, Jonathan.

Jonathan Tenenbaum: Yes, this is Jonathan here. And I don't really have much to contribute. Just in, you know, when you were asking for, you know, some of the more quiet folks to kind of chime in. I think you guys are all doing great. I mean I - you know, for me, being relatively new to a lot of this, and, you know, you guys are all the experts, so I enjoy just, you know, kind of sitting back and, you know, just absorbing just as much as I can and participating where I feel like I can add. I mean, you know, but I don't want you to take that as not participating.

So - but no, I do appreciate all the work you guys are all doing and, you know, trying to get involved in the different groups and the subgroups and the data gathering group and everything else. And, you know, this has been a great experience and, you know, I look to continue to contribute and, you know, add to the discussion where I can and where you guys don't have it already covered. So just wanted to chime in with that so to at least say something on the call.

James Bladel: Okay. Thanks, Jonathan. And, you know, just to be clear, I didn't want to equate silence with a lack of participating. Just the opposite, I wanted to make sure that the regulars weren't dominating the queue there and...

Jonathan Tenenbaum: Oh, yes, no, absolutely.

James Bladel: ...I think that...

Jonathan Tenenbaum: No, and I...

James Bladel:I think that in - go ahead.

Jonathan Tenenbaum: Oh, no, I'm sorry. I didn't mean to cut you off. No, I think it's great. I mean I think everybody, you know, in both this workgroup and the LOC workgroup that I'm also participating on, I think - you know, I think everybody, including, you know, the usual suspects, you guys have been very inclusive in allowing, you know, not just myself but I think some of the other newbies to get involved and participate. And, you know, I actually think that, you know, it's been very welcoming. And, you know, I don't think that, you know, some of you guys, like I said, the experts who, you know, own a lot of it, you know, you guys doing what you're doing, I don't think is preventing anybody else from participating, you know. So I think it's been really great, so. And even with Michele being kind of a dominating force in some of these things, so he's not even that bad.

James Bladel: Yes, we are - and remember, in ICANN, you're only an expert because you say you are, so.

Jonathan Tenenbaum: Right, right, right.

Matt Serlin: Don't get us started on Michele. Don't even get us started on that.

James Bladel: Okay. And we have quick comments in from Roy and Angie. Roy, you're up next.

Roy Dykes: Yes. No, all I wanted to say is echo some of Jonathan's comments as well as I'm really looking forward to digging in as part of the data gathering sub-team. So I think a lot of these calls at the moment are - at least for me, are a precursor to that. Neustar, in particular, does have a stake in the matter, so to speak, relative to the INIDs, and so that's really at the core of where I'll be I guess more vocal if you will. So that's all my comments. Thanks.

James Bladel: Excellent. Thanks, Roy. Angie?

Angie Graves: Yes, this is Angie. I - Jonathan said it so well. I don't want to repeat what he said, but I definitely have a lot of the same feelings. And it has been a very welcoming experience for me as well. I do look for opportunities to add when I have something to contribute, but my focus now is really getting ramped up and orienting myself, and I've gotten a lot of help on that from everybody in the group, and I think I've learned especially on Mike. So, thank you, Mike. And I'm looking forward to participating more over time. Thank you.

James Bladel: Okay. Thank you, Angie. We have just one and a half minutes left, and unfortunately, I goofed here. I promised Marika that we would briefly discuss the face-to-face meeting in Costa Rica. So for example, the proposed agenda, I think the structure we've fairly well hammered out as well as we blocked some time on the calendar. But perhaps we can take this to the mailing list and start to hammer out a list of topics that we'd like to cover as

well as perhaps get a sort of a rough headcount of who we think will be in Costa Rica and will be able to attend our face-to-face in San Jose.

So Marika, can I ask that we try to take at least a first stab at that topic on the mailing list and then address it - leave a placeholder on next week's agenda to address that. And then if we don't give that enough justice on the mailing list, we will definitely spend some more time on that next week. And I apologize for missing it this time around. Okay. I'm assuming that that means Marika is either agreeing with me or she's so mad that she can't even type.

Marika Konings: Yes, sorry. No, I wasn't sure whether you were looking for comment. Yes, I'll send out a note to the mailing list and encourage people to start talking about it, because what we have done on the Wiki is created a placeholder which will be linked to the schedule, so, you know, people interested in the session can go there. But currently, there's no information there, so it's be good if we can indeed flesh out what the plan is for the session itself so people can find that information.

James Bladel: Okay. So let's maybe take a first swing at that on the list and then we can flesh that out and spend more time on that next week. So we have some good action times. I think it's a great discussion in chart question A. Next week, we'll look for updates from the sub-teams with a little more substance, and I think we will spend a greater amount of time discussing the meat and potatoes of the chart question.

So I definitely appreciate everyone's insights and observations, especially those who went back to their teams and pulled their internal experts as well as those who are participating on the sub-teams and those folks who are keeping the conversation going on the calls. Thank you very much for your time and see you next week.

Man: Thanks, James.

Man: Thank you. Good bye, now.

Man: Thanks, James.

Man: Bye-bye.

Woman: Thanks.

Man: Thanks, James. Great, job.

Man: Thanks, James.

Woman: (Unintelligible) can stop the recording. Thank you very much.

END