SO/AC New gTLD Applicant Support Working Group (JAS)
TRANSCRIPTION
Tuesday 02 November 2010 at 1300 UTC

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http://audio.icann.org/gnso/gnso-jas-20101102-en.mp3   On page:
http://gnso.icann.org/calendar/#nov
(transcripts and recordings are found on the calendar page)
Participants on the Call:
ALAC
Tijani Ben Jemaa - AFRALO - At large
Alan Greenberg – ALAC
Carlos Aguirre - At Large
Evan Leibovitch – Co-Chair
Avri Doria – NCSG – Co-Chair

GNSO
Rafik Dammak - NCSG - Council liaison
Andrew Mack - CBUC
Eric Brunner-Williams - Individual
Fabien Betremieux - Individual

ICANN staff
Karla Valente
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   Apologies:
Sébastien Bachollet – ALAC
Cheryl Langdon-Or - ALAC chair
Dave Kissoondoyal – At Large
Alex Gakuru – NCSG
Tony Harris – ISCPC
Michele Neylon - RrSG

Coordinator: The call is now recorded. Please go ahead.

Gisella Gruber-White: Thank you. Good morning, good afternoon, good evening to everyone on

today's JAS call on Tuesday, the 2nd of November. We have Avri Doria,

Evan Leibovitch, Tijani Ben Jemaa, Rafik Dammak, Carlos Aguirre, Elaine

Pruis, Alan Greenberg, Eric Brunner-Williams, Fabien Betremieux

From Staff we have Karla Valente, Glen de Saint Gery and Gisella Gruber-White. And apologies sent through for today, Alex Gakuru, Cherly Langdon-Orr, Dave Kissoondoyal, Michele Neylon and Tony Harris.

Also Andrew Mack has just joined the call, and if I could please remind everyone to state their names when speaking for transcript purposes. Thank you. Over to you Avri.

Avri Doria: Okay, thank you. This is Avri. Evan and I spoke and since I've been absent from so many meetings lately, we decided that I would do the Chairing on the meeting today.

However since I've missed so many meetings I look to him to tell me when I start to stray down a path that I shouldn't stray down because you've all been there and moved on.

On the SOI DOI issue, I just want to ask does anybody need to update their Statement of Interest which reflects their normal relationship to ICANN and any employment or whatever they have that relates to that?

Are there any updates to SOIs? Okay, hearing none, thanks. Just remind people to update yours with Glen if you do need to and then remind us at the next meeting.

In terms of the DOI, the Description of Interest, does anyone have a specific DOI to record in terms of the issues we'll be talking about today in terms of support for new applicants?

Okay, hearing none I'll move on. And okay, as I understand the agenda for today, it is basically to finish up on - it's not the agenda one sees before us. It's basically to finish up on the final draft and basically if I understand correctly, you're at the point of discussing the FAQ and then finishing up the

FAQ and then that I think would, just looking through the rest of the document, that would finish up this document if I'm correct.

And then it was to move on to the addenda and especially the responses to objections to make sure that that was also complete. So if that's correct there are other issues before us such as putting together proposals for the chartering organizations as to what comes next, and perhaps even to make recommendations so that our liaison can take motions away to them on how to take our charter further.

But I definitely want to put those issues off until we've gotten what's on our plate, this report, off it. Hopefully that's okay with everyone on, I mean, I really do want to get to talking about what's next, but I want to restrain myself and hopefully the rest of us to put that off until we finish.

Is that okay with people? Okay, in going to the report and before we get to the FAQs, I just want to ask one question. Oh, I see Tujani has his hand up. Go ahead Tujani.

Tijani Ben Jemaa: Yes, thank you Avri. First of all I wanted to begin with the glossary, with the definitions because we have some definitions absolutely necessary for the comprehension of the text. So we - I think we have to start with that.

Avri Doria: Okay, does anyone object to starting with that and then going on to the FAQs, and if not we'll start with that. But before that I wanted to ask one question and we can come back to this later - the name of this report.

We've called it Final Milestones. I've been told in other places that that word final depicts wrong things to people sometimes, so I'd like to ask people to keep in their back of the mind whether they just want to call it the Milestone Report, where we declare that we finished our milestones or whether we really should call it Final Milestone report.

I don't necessarily want to discuss it now but I want to come back to that question when we say, "Okay, we're done. Send it on." Okay, moving to the glossary which is at - where is that? Can somebody give us a pointer?

Tijani Ben Jemaa: After the...

Avri Doria: Yes, after Page and Line and all that.

Tijani Ben Jemaa: After the background. Glossary - it's Line 152.

Avri Doria: Okay, I found it. Yes, 152.

Tijani Ben Jemaa: Yes.

Avri Doria: Okay, so has this been walked through before or are there specific issues you wish to bring up?

Karla Valente: I don't know. I have not walked through the glossary before.

Avri Doria: Okay, fine. So let's...

Karla Valente: I'd just like to remind people that many of the terms that are here already defined are terms that are either present as the ICANN terminology, it's on the Web site, or as the Applicant Guidebook so those are standard definitions that my recommendation is we keep as it is.

I highlighted in yellow some other definitions that are part of this document that we can define however we want.

Avri Doria: Okay thanks. Evan I see your hand.

Evan Leibovitch: Yes, only that I just wanted to call attention to one of the things that was sort of on my mind as going through this, is continuing to make a note of

everywhere where there is something in yellow which indicates that Karla's put something that we need to check over.

There is something back at Line 111 that goes to the whole thing of emerging markets, and I think there's been some email going around that I guess that's part of the definition also that we're going to have to deal with.

Karla Valente: Exactly. This is the reason why this is in yellow is because we didn't finish the definition.

Avri Doria: Okay, so you wanted to go back to 111 now?

Evan Leibovitch: Well it's just part of it. Tujani's right that we need to deal with the definitions, but this is an important one we're also going to have to deal with.

Tijani Ben Jemaa: It will be treated inside the glossary. You will see it.

Avri Doria: Okay. Going back to 152 then we'll get to it in place. Karla, do I understand you correctly that if you haven't marked it in yellow then it is not something that was created just for the purpose of this group?

Karla Valente: That's right.

Avri Doria: Okay, so the first one is the new gTLD programs. Does anybody have issues with that definition, 154, 155? Okay, moving on. Registry, 158 through 163. Any issues with that definition? No. Okay.

Tijani Ben Jemaa: Avri?

Avri Doria: Yes.

Tijani Ben Jemaa: I think that we don't have to spend time on those because they are well defined terms, and we have to go through the terms highlighted by yellow.

Avri Doria: Oh okay, I had asked whether we wanted to walk through them or just go to the yellow, and I hadn't gotten a response so I figured we would just walk through them to make - but everybody is fine.

Let me ask one question. Is everybody fine with the definitions that have been put through that are all in black and white and not yellow? Any objections, any issues at all?

Okay, hearing none if someone does have one later, please bring it up but I'll assume that they're all okay. And looking for the first bit of yellow we come up to Support Development Program that has no definition. I see Elaine. Please go ahead.

Elaine Pruis: Sorry for the late hand raise.

Avri Doria: Okay, I thought it might be.

Elaine Pruis: The Registry fees on 187, the actual - there are some numbers put in there and it was my understanding that different TLDs have different fees according to contracts.

I understand the new gTLD program everyone should have the same fees as part of our argument in our fee provision. We would have less change for our potential applicant, so do we have to have the number in there?

Avri Doria: Good question. It does seem difficult to put a number in there. Karla, what were your thoughts?

Karla Valente: We don't have it. We don't need to have the number at all. It's just the copy and paste from the terminology that is in the Web site, so I agree. That number would not make sense.

Avri Doria: Okay, so then we would need another definition because that whole definition is about numbers, so we would need a definition to comprise what a Registry fee was and without it being numerically oriented.

Or would we need the term at all in the glossary? Any opinion on that? No opinion? So is it okay to drop the Registry fees to say definitions only talks about the fees and not get into it, or do we want to propose a descriptive definition?

Alan Greenberg: We could leave that definition there but just take off the numbers.

Avri Doria: So ICANN has - there are two fees? Well would you say there are two fees? No. Or you want to say there's two fees, a fixed fee for calendar quarter and a transaction fee on future domain registrations and renewals and just leave out the numbers, is that the suggestion?

Alan Greenberg: That's what I would do but...

Avri Doria: Okay thanks. Eric, please.

Eric Brunner-Williams: Thank you Avri. This is Eric Brunner-Williams. This fee used to be significantly greater prior to the Cairo meeting. At Cairo we negotiated a reduction to the $25,000 a year Registry fee.

I'm ignoring the transactional fee because I really don't think it's a Registry fee so much as it is a transactional fee at this - no matter who it's collected from, Registrars or Registrys.

The fee - the 25 grand as it is now or $6-1/4 per quarter is intended to be sufficient for cost recovery for ICANN monitoring of the contracts. I believe it's somewhere in our collective belief system that that contracts for our qualified applicants are going to be less difficult to monitor than contracts for dot (shu) by the most interesting of the applicants for standards applications.

So I - I'm concerned that we stick the number here without qualification and that's it for the moment.

Avri Doria: Okay, so would you go along with Alan's recommendation that we just remove the numbers and we just say that there are two fees, a fixed fee for calendar quarter and a transaction fee on future domain registration renewals and leave out numbers?

Eric Brunner-Williams: I'd like to see the justification stated for the quarterly fee, that it is intended for a specific purpose whereas the transactional fee is not justified. It is simply a fee that's applied to all transactions independent of the name space.

"This Registry fee is intended to cover the cost of ICANN monitoring just contracts for this Registry," and if this contract for this Registry is easy to monitor how should it be lowered than if it's a hard contract to monitor?

So I want to see the rationale for the money there, even if the money isn't present.

Avri Doria: Okay, thank you. So okay, so it would need an extra line or two. Alan.

Alan Greenberg: That's a reasonable thing to have in the section of where we should change fees and where we should support these types of applications. It doesn't fit in the definitions.

Eric Brunner-Williams: Alan are you saying...?

Alan Greenberg: I mean, we could put in here the rationale for such fees are to monitor contracts, but the argument that it should be lower for our applicants doesn't fit in the definitions.

And I would think since we're trying to wrap this up today if we haven't made that argument somewhere else, it's probably a bit late to add it. But that's a separate issue.

Eric Brunner-Williams: What is the rationale for the cost itself, the justification for the 25 grand?

Alan Greenberg: If you want to put, "This fee is ostensibly or has been justified by something," fine. But going on to argument that for our applicants it should be changed is a different issue.

Avri Doria: So in other words Alan, if I'm understanding you, first of all I think there's - no one is objecting to removing the "of $62.50 USD" and the "of .20 USD" from both.

So Karla you have that change? I don't think anyone's objecting to that one, and then I hear that there's a possibility of a second sentence that the fixed fee is defined as, and then some tippy phrase, is defined to support...

Alan Greenberg: If indeed there's a non-controversial definition that we can replicate there which is not putting a stake in the ground, yes, certainly we could put it.

Avri Doria: Karla, is there a standard definition somewhere of the fixed fee is - has been defined to or has been set for, a phrase that you can point to?

Karla Valente: I will have to double check. There's no standard definition.

Avri Doria: Right, okay.

Karla Valente: In order to check the rationale from our accounts, have to take a look at the budget, the cost document and ask around. I don't think it's only to cover the compliance but I can check.

Eric Brunner-Williams: Yes, I'm sorry. I misstated when I said compliance. It's really the contract management cost on ICANN's side.

Karla Valente: Right.

Avri Doria: Okay, so to go further on this one would mean certainly that we, you know, this pends a little longer. We don't have a neutral acceptable by all phrase at this moment. I see Eric has his hand up again, please.

Eric Brunner-Williams: Avri, I've put a half-line in the chat.

Avri Doria: So basically, "This fee is to - the fixed fee is intended to cover ICANN's recurring costs for Registry contract management." Does anybody object to that phrase? Please put an X up if you object to that phrase.

So it'd be, "The fixed fee is intended to cover ICANN's recurring costs for Registry contract management." I see no objections to that phrase. We're waiting for a slight lag. Okay...

Evan Leibovitch: I would want to make sure that Karla is comfortable with it, that that's indeed what it is. Other than that I have no objections.

Avri Doria: Karla, are you comfortable with putting that in? Karla, are you mute?

Karla Valente: My phone was on mute, sorry. I am okay. Let's put it as proposed and then I will go back and double check. So what I have right now is, "Under the ICANN Registry agreement there are two fees: a fixed fee per calendar quarter and a transaction fee on future domain name registrations and renewals.

These fees intended - are intended to cover ICANN's recurring costs for Registry contract management."

Avri Doria: Okay, is that okay with people? I had thought that just the fixed fee was intended with that definition but if these fees are intended to cover, that's fine too. Is that okay with people?

Tijani Ben Jemaa: That's what I understood also.

Avri Doria: Okay, Eric is that fine with you?

Eric Brunner-Williams: I'm sorry. The 20 cents is not intended to cover contract management and apparently - some justification.

Avri Doria: Okay, so basically what you wanted Eric if I had understood is the fixed fee is intended, and perhaps if there's any difficult it could be primarily to cover ICANN's recurring costs for Registry contract management if we need to be at all wiggly on whether it's only meant for that.

Eric Brunner-Williams: That's fine.

Avri Doria: You accept the primarily?

Eric Brunner-Williams: Yes. The 20 cents was - has a different rationalization.

Avri Doria: Okay, is that okay Karla? So the fixed fee is primarily intended to cover ICANN's recurring costs for Registry contract management. Okay?

Karla Valente: Okay. I don't - fixed.

Avri Doria: Okay, next one. We have Support Development Program in yellow. Does that need a definition? If it does the - a definition I'd recommend is something short that sort of says, you know, "Support Development Program is the program being proposed in this document."

I don't know what more we could say about it as a definition. Does anyone have a concern?

Karla Valente: This is Karla. My concern is that in addition to what you just said we also say that this is not to be confused or mixed with the new gTLD program itself.

Tijani Ben Jemaa: That's it.

Avri Doria: Okay that sounds good to me. Anybody object?

Tijani Ben Jemaa: No.

Avri Doria: Yes, go ahead.

Tijani Ben Jemaa: Okay, I think we have to define it as the program - what are the elements of this program. We have to state them. For example raise funds, for example, I don't know, look for funders, manage the funds if any, et cetera.

Avri Doria: Isn't that - by saying that - just a question that that makes it long and it starts to possibly get controversial. I don't know, but by saying it is the activities defined in this document, isn't that - cover all of that by reference as opposed to listing them all out in a glossary? I'm asking.

Tijani Ben Jemaa: Yes. No problem. I don't mind. Okay.

Avri Doria: But - so going back we had basically a two-sentence definition. The first sentence says, "The Support Development Program is the program of support as defined in this recommendation."

And then period, and then the second sentence was Karla's sentence, "It is to be differentiated from," and then whatever the proper name of the program is and the - of the new gTLD program or however you put it.

Tijani Ben Jemaa: My only concern Avri is that we are talking about Support Development Program without defining it. And at the end we say all the program inside this document is this Support document - Support Development Program. I feel - I don't know. But I don't mind. If everyone is okay I don't mind.

Avri Doria: Perhaps, I mean, we want to say specifically is, "The Support Development Program is the program - is the set of recommendations or is the program based on the set of recommendations made in this report," and therefore then we have all of the recommendations made in that report.

But it doesn't necessarily include the FAQ or the discussions. It's just basically - it's the set of recommendations.

Tijani Ben Jemaa: That's right.

Avri Doria: Okay. Are you okay with that Karla?

Karla Valente: Yes I am. I'm just revising it and I'm going to put it on the chat room.

Avri Doria: Right. I'll figure you'll do wordsmithing and such. Okay, any objections to moving on to the next patch of yellow? Okay, next patch of yellow - oh, okay, developing countries.

Okay, we got three in a row to close. Yes, three piggies in a row. We've got developing countries, emerging markets/nations and applicant (NV'd). Yes Eric.

Eric Brunner-Williams: Well thank you Avri. This is Eric Brunner-Williams. I sent a note out to the list yesterday suggesting out of the group of 77 of the Human Development Index, the advantage of the latter is that it's tunable, that is we can specify its particular statistical metric within it, such as .8 or .7 or .6, .5, .4.

That gives us the ability to tune the recipient's class more than the larger, broader definitions that we've - been proposed previously. Thank you.

Avri Doria: Okay, any other - so if I can ask a clarified question. So you wouldn't suggest replacing G77 throughout the document. You would suggest defining developing countries as referring to G77, et cetera.

Eric Brunner-Williams: Yes.

Avri Doria: Right, okay. And would you also use that for emerging markets/nations or would you peg that to that, or is that different? Okay I see Andrew has a hand up. But Eric, if you have an answer to the...

Eric Brunner-Williams: I've always treated those as identical. I'm not sure that that's correct but I've made that assumption.

Avri Doria: Okay, thank you. That's why I'm asking. Andrew.

Andrew Mack: Yes, I like the idea of having some attempt to make this a little bit more concrete. G77 - that was a bit of a political animal. There are certain countries that are in, there are certain countries that are out and there are also a number of smaller countries that are not in that might otherwise be eligible under our typical emerging markets definition.

So my personal preference is the G77 is probably too limited. But I think there are probably other ones that we can go for that have the UN and perimeter.

Avri Doria: Do you have a concrete suggestion?

Andrew Mack: You know, I hadn't really thought about it. I'm sorry but I'm - I - they're probably, I mean, the World Bank does a definition of less developed countries and so does the UN.

Either of those would probably work. You want me to look for one I'll look for one. I just think that...

Avri Doria: We're trying to resolve it this morning so when we are finished we probably need one. Yes Eric.

Eric Brunner-Williams: My thought here is that the better definition arises from the class of - well in this case less developed countries themselves, which is the attraction of the G77 which has been modified.

And yes, there are some relatively minor issues with the completeness of it. But preferring that over the sort of - at the risk of stepping into nasty politics, at the - without using the World Bank as a - the phrase that defines necessity or defines what we think of as qualified applicants.

Similarly the UN is not entirely driven by the less developing countries. But I would prefer to see the definition arise from the recipients rather than arise from the donors. Thank you.

Avri Doria: Okay thanks. How would people be - Tujani has his hand up. One thing I'd like to put on the table is if we list G77 but make it a, you know, criteria defined by lists such as the G77 and other internationally agreed upon lists, and leave it open. Tujani.

Tijani Ben Jemaa: Yes, Eric I like very much the G77 index and my only problem with that - I have visited the site today and I saw on the map there is divisions right now which are in black means they are not defined for G77, so how to do with those regions?

Avri Doria: Tujani, would my phrasing sort of cover it that we point to G77 as a prevalent example, but just indicate "and other applicable internationally agreed upon lists," and not get down into the details in our definition of what these may all be.

That may be something we do in the next phase perhaps, but to not get in it for a definitional basis. Rafiq? Are you muted?

Rafik Dammak   I sent email today saying that maybe we just - we can state that we - applicant - a developing country is a country which can belong to the list that we have different classification and just in what country belong to at least one of these classification.

It's - we can define it as developing country so it's something more exhaustive, more inclusive and we avoid any choice, political choice et cetera. It's just it will be as much inclusive as we can.

Avri Doria: Okay, so - okay. I see an agreement from Carlos on that. So that seems to go sort of along with the language I was suggesting. We could even still list G77 as one of the examples, but you're rephrasing of it would be, "Any nation or region that is defined on a list - on an internationally agreed upon list such as the G77 or other list." Is - something like that work?

Rafik Dammak   Yes.

Evan Leibovitch: Avri, it's Evan. I think the operative thing here is just making sure that the list is not defined by ICANN itself but by these with more expertise in this.

Avri Doria: Yes, that's why I was sort of saying an internationally agreed upon list. Tujani.

Tijani Ben Jemaa: Yes, I prefer precise things. I prefer to say G77, UN and World Bank.

Avri Doria: Okay, so as opposed to internationally agreed upon - agreed - internationally agreed upon lists such as G77 or UN or World Bank is kind of what you'd like to say.

Tijani Ben Jemaa: Okay.

Avri Doria: Is that correct? I see (Fabian) agreeing with that and Evan. Okay Karla, do you have enough to phrase something from what I've just verbaled?

Karla Valente: I think so. Let me work with that and I'll send it back to everyone.

Avri Doria: Okay. And if I understand correctly this would be, would it be, "for developing countries, emerging markets nations." And so both of those would be defined by the same phrase and in fact in - or would developing countries would have this and then emerging markets nations refer to developing countries and do it that way? Is that okay? So take the same phrase for both?
                   Okay I see one check. I'm assuming nobody objects. I don't see any red X's So we'll keep them as two separate entities. Developing nations gets the - developing countries gets the definition and emerging markets nations gets a reference to developing countries.

                   On applicants in need I just sent a - I just typed a possible way to define that and this was one that I would recommend being reflective to the document again. Applicant in need, "Applicant meets conditions defined in section," and I forget the section number, "of this document." And then point to our section where we define the criteria for applicants. I think anything else we do starts to get into definitional problems. Yes Tijani?

Tijani Ben Jemaa: Do we have to define applicant in need? Because we said in our document that we need more work to define the criteria of the need so we cannot define something that we don't know the criteria.

Avri Doria: Okay. That works for me does anybody object to taking out applicant in need from the (unintelligible)? I see no objections. Big red X if you object to taking it out. Okay no big red X's. So Karla I think we can just drop applicant in need. Are you okay with that Karla? Karla are you muted?

Karla Valente: Yes, yes I'm okay with that.

Avri Doria: Okay.

Karla Valente: So my understanding is that developing nations, countries, emerging markets it's all going to be under one definition and I'm removing applicant in need.

Avri Doria: Yep. Okay thank you. Okay that takes us out of the yellow there. Any objection to now moving on to (facts)? Giving a time check we're at 9:37. Oh sorry we're at hour 37 forgive me I looked at the clock too quickly and forgive me if anybody is on a half-hour (offset) country at the moment.

Okay so moving down (fact) is - does anybody have the number? I'm going, I'm going. Oh wait a second I just passed another yellow. Other yellows - we had a yellow at next (step) 533, 535. Karla is this a sentence that you put in or...

Karla Valente: I'm sorry what was the sentence again?

Avri Doria: Five thirty three, 535 under next steps, "A list of recommendations for consideration by the new gTLD Program Implementation Team and further input from the community."

Karla Valente: Yeah I think based on the discussions...

Avri Doria: Yeah.

Karla Valente: ...the discussions that we had last Friday I just wanted to confirm with the group that they are okay with that.

Avri Doria: Isn't this also though for the re-chartering consideration of our chartering organization? So only comment I would make on it, "List of recommendations is for consideration by the chartering organizations in terms of new charter milestones, the new gTLD Program Implementation Team and for further input from the community." Would anybody object to what Karla's written

there with the one addition I just mentioned - X's? Karla are you okay with that?

Karla Valente: Yes I am.

Avri Doria: Okay.

Karla Valente: So what I have right now is, "The list of recommendations is for consideration by chartering organization, the new gTLD Program Implementation Team and input from the community."

Avri Doria: Sure. Works for me anybody object? No X's? I see a check, thank you Karla. I see a hand up - Elaine.

Elaine Pruis: I don't object I just wanted to point out that Line 5 - starting at Line 528 we do have a sentence which says, "We're looking for the chartering organizations as in GNSO and ALAC for the basic recommendations." So it's a little bit repetitive but I don't really care I just wanted to point it out.

Avri Doria: Yeah. Thanks. I think it's repetitive but I wanted to make sure that no one reads this last line and thinks it's only for them.

Elaine Pruis: Okay.

Avri Doria: Right. The only other way of changing it would be to say, "This list of recommendations is also for consideration by," and that would work too and not be redundant. Would people prefer that second formulation? "This list of recommendations is also for consideration by and for further input from the community."

Would that be better than the first thing I offered to deal with Elaine's redundancy comment? Any objections to deviating from the first change and just going for the addition of the word also? Karla are you okay with that?

Karla Valente: Yes. Let's make sure that I got it right. So "This list of recommendations is also for consideration by," and then the three items that we had, right?

Avri Doria: No actually it would only be the two then. It would be your original sentence with the word also. In other words we're dealing with Elaine basically correctly pointing out that we spent the first couple lines saying it's for the CO's and this one is saying it's also for these guys.

Karla Valente: Okay. So, "The list of recommendations is also for consideration by the new gTLD Program Implementation Team and for the input from the community."

Avri Doria: Yep. Anybody object to that? Thank you Elaine for making it cleaner. Moving on I'll stop at any other yellow that I see but otherwise I'm heading towards the (facts). I'm at the (facts).

                   Okay folks so how do we go through the (facts) here? Were there any issues? Should I go through stopping off at each one or we have a yellow at 617 developing emerging countries but I think we're fine with that now because...

Man: Yes.

Avri Doria: ...we defined it is that correct? Any objection to just leaving that as it is? Okay. So any issues on 41 - (fact_ 41 why these applicants cannot just wait until the next round? Any corrections or objections to that one now? Okay. Move on to 42. Four-two which is running a registry can be expensive if an applicant needs financial assistance. And any - okay Elaine I see your hand up please.

Elaine Pruis: Again late I'm sorry.

Avri Doria: It's okay.

Elaine Pruis: Line five - no Line 600, "ICANN should not cause/allow new programs."

Avri Doria: Okay (unintelligible) language. "ICANN should not," the word or is missing, right? "ICANN should not cause or allow the new gTLD program to further the gap in gTLD registry representation from other regions." Is that okay? Is adding an or between cause and allow a correct correction in Line 600, 601?

Elaine Pruis: Sounds good.

Man: And...

Avri Doria: Okay. Is that okay with everyone?

Alan Gakuru: It's Alan. I thought it was an either/or but and is fine.

Avri Doria: Well okay - oh so you think it should be an and/or not just an or?

Alan Gakuru: Well I thought we changed the wording and didn't delete the old one but I like - I'm fine with the and, and it may even be better.

Avri Doria: Actually, "it should not cause and," no, "it should not cause or allow," is what I'm recommending.

Alan Gakuru: Yeah it's fine.

Avri Doria: I see your hand up.

Alan Gakuru: Yeah or is fine.
Avri Doria: Okay thank you. All right. Eric please. Are you muted?

Eric Brunner-Williams: Yes as a matter of fact I was muted. This is Eric Brunner-Williams thank you Avri. In the past we've been fairly cynical about when the next

round would occur. I see in internal documents that the planning is for 12 months after the current round which now actually appears to have a somewhat fixed date. So perhaps our skepticism is not quite as well supported by the facts available as it has been in the past.

However we have no assurance that the costs will be any different or how different it will be in the second round than in the first. So amongst the reasons why applicants are not benefited by waiting is in addition to not knowing when, okay so now we know a little bit better when, when the 2010 round will occur and 11 and also when the next round will occur, okay 12 months after the close of the first round. We don't have an idea of how much the reduction in cost will be to the applicant so we don't know what the benefit to the applicant is to wait. Thank you.

Avri Doria: Okay. Are you suggesting we need to add a bullet?

Eric Brunner-Williams: To point out that there is no identifiable benefit in - financial benefit, reduction of cost benefit in waiting. Yes.

Avri Doria: Okay. I don't see any other hands yet. First I'd say on your timing and your perhaps almost confidence in timing. I think yes it's really good that our horizon time has gone down from 12 months to nine months to now six months and I think we have a new 12 month horizon. So the second round is at the very least a six month horizon plus a 12 month horizon away. So I don't think that probably count as uncertain for most people.

Then how would we phrase this second bullet and where would we put it? And first of all does everybody agree that we need this bullet? Does anybody object to adding a bullet that would say something to the effect of, "There's no," I'm not quite sure how to - they have phrasing recommendations.

Karla Valente: Avri this is Karla.

Avri Doria: Yeah.

Karla Valente: Could you please repeat for me where you want the change and what change you need?

Avri Doria: Okay at this point we don't - other than the change that we did before of adding the word or in Section 600 we don't have a change yet.

Karla Valente: Okay. So I didn't add this word or.

Avri Doria: Okay. Or in Line 600, "should not cause or allow the new gTLD program to further the gap."

Karla Valente: Okay. Thank you.

Avri Doria: Okay. And Elaine has just recommended a bullet which I think would come right after this one. So this would now be bullet 3. No it would be after pent-up demand? Where would you recommend you put this bullet?

Well let me read it first. Elaine has a bullet that says, a new bullet that says, "There is no indication that fees will be reduced in subsequent rounds. Therefore there is no benefit to waiting."

And then Eric suggests the possible, another way of wording it, "There is no indication how much fees will be reduced." Another way is "whether fees will be reduced." So something like that.

Would that go after - so that probably would go after talking about a second round so that would probably go in at Line 628. Is that a correct assumption on my part? Anybody disagree with it going in at 628? Okay. So - oh after pent-up demand. Okay so in other words - so Elaine you're recommending that it go in at 618 is that correct?

Elaine Pruis: Yeah I think it's stronger there.

Avri Doria: Okay. Anybody object to putting it in at 618? Okay Karla at 618 - or obviously it'll be 619 because you'll skip a space but at 618 there would be a new bullet that states, "There is no indication that - how much fees will be reduced in subsequent rounds therefore there is no benefit to waiting."

Karla Valente: Okay. Thank you.

Avri Doria: Basically a combination of Elaine's recommendation in the notes plus Eric's substitution on that. Is everybody okay with that wording? I see Han Lee you have your hand up.

Han Lee Chuan: Yes. I propose to modify a little bit this Elaine's proposal to say, "No indication that fees will be reduced and if they will be for how much they will be reduced."

Avri Doria: Oh okay. So you're basically saying, "There is no indication that fees will be reduced, or if reduced by how much, in coming rounds."

Han Lee Chuan: Exactly. Exactly. Thank you. Thank you.

Avri Doria: Okay and I see Elaine agrees. Karla did you get that?

Karla Valente: Yes.

Avri Doria: Okay thank you. Somehow I feel like I'm almost at an auction. Okay moving on. Any other issues? Okay we're back to 42 now. Any issues on 42? Let me check are there any yellow patches? There's a yellow patch developing economies but I think we're okay with that or do we need to add developing economies to the - no they're defined at the UN as developing economies. I think we'll probably, should be okay with that because that would be a definition pegged by the UN. Tijani, yep?

Tijani Ben Jemaa: Yes regarding this issue of developing countries can we inside the document unify the wording? And since we have the definition above so I think that we have to use always the same - always the same wording.

Avri Doria: So we should pick one of the two we've already defined. So it's either developing nations - I believe it was developing nations or was it developing countries I forget at the moment. Or it was the second one which was emerging markets.

Tijani Ben Jemaa: Emerging markets. No we have to keep emerging markets where they are.

Avri Doria: In this instant you want to substitute developing economies with which of those two? And we defined two in the glossary.

Tijani Ben Jemaa: No.

Avri Doria: If I understand your comment correctly you're saying we should always use one of those two.

Tijani Ben Jemaa: We didn't define it.

Avri Doria: I thought we defined two things. We defined developing nations and we defined emerging nations/markets.

Tijani Ben Jemaa: Yes.

Avri Doria: Those were the two things we defined earlier in the meeting correct? For those two we pegged a definition to. So if I understood what you were saying and I guess I probably didn't is that we should always use one of those two phrases whenever we want to speak to this (unintelligible).

Tijani Ben Jemaa: I do think so.

Avri Doria: So in this case which of those two phrases would you recommend we use the developing nations one or the emerging markets/nation - emerging markets/nations one? Which one should we use?

Tijani Ben Jemaa: Emerging market perhaps in this case.

Avri Doria: Okay. Anyone object to substituting developing economies with our defined phrase emerging markets/nations. Hearing no objection is that okay Karla?

Karla Valente: Yes. So do you want me to use emerging markets/nation throughout the whole document where we refer to it?

Avri Doria: Well we have the two terms. So we've defined two terms we've defined the developing nations term and we've defined the emerging...

Tijani Ben Jemaa: Emerging...

Avri Doria: ...markets/nations term as equivalent terms. So I think throughout the document we need to use one of those two.

Tijani Ben Jemaa: Not as equivalent as having the same reference to the UN...

Avri Doria: Right.

Tijani Ben Jemaa: ...and the G77 definition.

Avri Doria: Okay. I apologize for making a deviation in linguistic philosophy that said if two things have the same definition they're equivalent but that's my mistake. So yeah using one of those two always and never going for a third term that we haven't defined.

Tijani Ben Jemaa: Exactly.

Avri Doria: But we don't always have to use the same one. So I guess one will work better in some circumstances than others and often it'll be just the phrasing of the sentence that'll dictate which one works better. Okay. Is that okay Karla?

Karla Valente: Yes.

Avri Doria: Thank you. Any other objections, issues with 42 as it stands? We are now at 53 and I mean our (.53). Okay 43, "The gTLD program should be self-funding." Is there any yellow? Any objections to the answer as it stands? No issues.

Four-four, "Solutions proposed by this working group are proposed to be sustainable." Any objections to the answer that's there? Four (unintelligible). Yellow in it? No objections? No X's? No hands.

On 45, "How does the Working Group decide on the ten million proposed?" Six eighty three, Row 722 there's a yellow. Developing regions but we've already covered that issue. It needs to be - which one the emerging market...

Man: Developing countries, developing countries.

Avri Doria: Okay developing countries. Okay in this case in 718 developing regions would be defined by, replaced by developing countries. Any other issues or objections to this possible scenario explanation for why ten million is not just taken out of a hat? No? No issues? Okay. And then we're at the end of the document.

Any issues with any of the end matter -- Appendix, Annex A? We need to fill in the dates of when the final milestone report is posted. Good time for me to come back to that question. Is it final milestone report or is it milestone report? Anyone object to dropping the word final? So we're okay with dropping the word final. Please put a big X if you want the word final not to be

dropped. So the word final will be dropped. Okay throughout this document Karla can you just call it the milestone report?

Karla Valente: I think that...

((Crosstalk))

Avri Doria: Okay I Elaine has a hand up -- Elaine.

Karla Valente: I think that (unintelligible) throughout the document wherever...

((Crosstalk))

Avri Doria: Okay let me get Elaine's hand - Elaine's hand came up late perhaps it's to this subject.

Elaine Pruis: No for the first time this morning I'm early it's for something else.

Avri Doria: Oh okay. So yes Karla sorry. So this will just be a milestone report and we drop the word final. I don't think it's in too many places. I think it may be in the abstract and such. Okay Elaine.

Elaine Pruis: Yeah. So you asked about any issues with the...

Avri Doria: The other end matter, yeah.

Elaine Pruis: Yeah. So on the key milestones the tasks, the goals and the dates I think at one point the call for support from the community was added and now it's gone, the blog postings.

Avri Doria: Okay. Yeah. So I know it was added, I know I saw it added to the list of - you're right it's also not in the Annex C is that what you mean? It's not in the Annex C and it's not in the milestones. Yes it should be added back. What

Elaine's referring to is the work that was done with the posting going out to I guess it was Registered Service Providers predominantly...

Woman: (Unintelligible).

Avri Doria: And so yeah that was done on a particular date so that should figure into the milestone dates. Any objection to that? And then also a copy of that needs to be included in the list of Addenda. Yes (Eric)? Are you muted (Eric)?

(Eric): Yes I am. I wanted to make sure that the actual text itself was available to the reader.

Avri Doria: Of the blog page?

(Eric): Yes. Whatever went out to the RSP is available here.

Avri Doria: Yes and that was the second point that in Annex C and I thought it had been included at one point but I guess it fell out. Annex C needs to include a reference to that particular posting and then of course the list of Addenda need to include the text. Is that okay? Do you have those two notes Karla?

Karla Valente: So what I have is to include the June 14 which was the call for input blog on the key milestone list. What was the other, I'm sorry?

Avri Doria: And then the other thing is in the Addendum and thus in Annex C we need to include the text of that blog posting.

Karla Valente: Oh that's already there.

Avri Doria: Okay I guess it doesn't show up in the Annex C listing. So then I guess it needs to be included just in the Annex C list. The Annex C list should include a list of everything that's in the addendum. Okay? Is that one okay? I see Tijani's hand up.

Tijani Ben Jemaa: Yes I see that you put the cover letter to the - cover letter of the second snapshot but I don't see the second snapshot listed here.

Avri Doria: Well it says cover letter and text of second snapshot.

Tijani Ben Jemaa: And text, oh excuse me.

Avri Doria: Right okay.

Tijani Ben Jemaa: I am old that's why. Sorry.

Avri Doria: You're not old but anyway - because if you're old I'm ancient. But anyway so okay so that's - so this document - am I correct in assuming that we are fine with this document? We're at the hour now. We're not making it to go through the objection documents I guess that's going to have to wait until Thursday.

But do we have consensus - do we have full consensus on this document going out subject to the changes we've talked about today? Is there anyone that feels that we do not have such full consensus on this document going out on - with contingent on today's changes?

In which case what I recommend is once Karla has made those changes people review them quickly on the list, I will ask the question again about full consensus on this document. And also I'll ask her to change the area where is says, "We have full consensus on the document," if that hasn't been changed already so that we have a document that says we have a full consensus.

I will ask people to do a quick review of it on the list and once we've given a 24 hour period for people to say yay - is 24 hours good or should it be 48? Okay if anyone objects to 24 please say either now or on the list and we can do it for 48 just to make sure that everyone's had a chance to read it and to

say yep I am - it reads as it should because then we'll start the translation process. And then I guess Thursday we'll need to finish the overview of the Addenda and especially specifically the comments. Is that okay with everyone?

I am totally excited that it looks like we've gotten to the - this document, this final recommendation with full consensus and I thank you all for a wonderful meeting today. And I'll talk to you all Friday but hopefully I'll talk to people on the list sooner. Evan do you have anything to close with? I guess not.

Evan Leibovitch: Sorry. No I don't. No I'm pretty happy.

Avri Doria: Okay.

Evan Leibovitch: Thank you Avri. You're a (unintelligible).

Avri Doria: Yes you guys and thank you for, you know, accepting me back after two weeks absence. So I'll talk to you all again soon. Bye-bye.

Man: Bye.

Man: Thank you.

END