ICANN Transcription
New gTLD Subsequent Procedures Sub Team Track 5 – Geographic Names at the Top Level
Wednesday 19 September 2018 at 2000 UTC

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Operator: Hi. The recording has started.

Julie Bisland: Thank you so much. Well good morning, good afternoon, good evening everyone. Welcome to the New gTLD Subsequent Procedures Sub Team Track 5 Geographic Names at the Top Level call on Wednesday, the 19th of September, 2018. In the interest of time there will be no roll call and attendance will be taken by the Adobe Connect room. And if you're only on the audio bridge, would you please let yourself be known now?

                     All right. Hearing no names, I would like to remind all participants to please state your name before speaking for transcription purposes, and please keep your phones and microphones on mute when not speaking to avoid any background noise. With this, I'll turn it back over to Martin Sutton. Please begin.

Martin Sutton: Thank you, Julie Bisland. And welcome, everybody, to the Work Track 5 meeting. We circulated the agenda beforehand, so I hope you've had a chance to read through that and in front of you, if you're on the Adobe Connect, you can see that we'll be going through the standard start and then we'll be focusing on the terms that require a letter of support or non-objection. And we'll go into a bit more detail on that and how that will feed into the draft initial report. And then we will spend some time towards the end of the session, so for the last 20 minutes, we'll cover

next steps and explore the revised work plan and leave just a few minutes for any other business.

So before I go any further, does anybody have any questions regarding the agenda or anything to consider? Okay, hearing none, so before we go any further, just the regular practice of checking for any statement of interest that may have been updated, if anybody has done so in the last couple of weeks, just to come forward now and declare that. Another quiet week then, okay.

Let's move on to the main agenda then. So we'll work through this. So I know we've got a number of absences and apologies for today's call. But I'm pleased that we've got all of you today to run through this particular section. Now the aim is at the moment, we are preparing and already considerably built a draft initial report. But there are some areas that we really do need to try and focus in on and identify any areas where the group can agree either preliminary recommendations at this stage or options that we might want to present to the community for their response in the initial report.

So this particular focus, as we set out last time, was to hone in on those terms that were required to have documentation of support or non-objection from a government or public authorities. And just as a reminder, I know that you're probably all familiar with this. But just to be clear for us all on the call today, there's four specific areas. So it's capital city names. Second one is city names where it's declared that the intent of use is for the purposes associated with that city name. Thirdly is the sub-national place names such as a county, province or state. And fourth is the items just as UNESCO regions or appearing in this list of composition of macro geographical continental regions, geographical sub regions, and selected economic and other groupings list. It's a bit of mouthful. Perhaps ICANN can come up with an acronym for that one.

But those are the four areas that we want to focus in on today under this section. And we'll split that down into two chunks. Because from experience and with the conversations that we had on this work track over the many months, it seems to be that there's more concerns probably relating to city names. So what we'll do is focus in on the other three items first of all.

So if we move to the next slide please, and draw our attention to (inaudible) explore for this. So this is where we're trying to really dig down into areas where we think that we can get agreement amongst the work track. So this is not at work group level. This is just our work track, any areas of agreement that we can apply to the initial report. And going through all of the comments, the working document that's been built up over the months, we've managed to draw out some early -- not conclusions -- but ideas of where this is going.

And what I would probably say to start with, before I read through this page in front of you, is just a bit of a health warning. Is that we have been tackling a difficult subject. So where you see the term status quo, and perhaps either a preliminary recommendation or some level of agreement towards maintaining a status quo for whatever (inaudible) talking about. I would have to say that that should not be looked on or frowned upon as a lack of achievement from this work track. Instead, because it has been a difficult topic and one that's been explored

many years before Work Track 5 was kicked off, is the fact that well, maybe it wasn't so back in the 2012 guidebook as perhaps some of us thought early on.

And as coleaders, we've been trying to work with the staff to extract our certain points of view into the initial report. Please note that this is not individual coleaders' positions or anything like this. We are agnostic to all of that. What we're trying to do is sift through all of the conversations that we've had over the months and work out where we can see any directions leading. And as we've gone through this, what we're trying to explore here is these three particular items, which is the city, capital city names, the subnational place names -- the UNESCO regions; is to see whether amongst us we can agree what could be applied as a (inaudible) initial report, or an alternative point of view or option that we might want to present instead, if we cannot come to a preliminary recommendation.

So I want to go through these to make sure that we're clear what we're trying to suggest is teased out from the working document that we've built up over the months. And so first of all, looking at the capital city names, what we're trying to find out from the group here today is that some members have expressed that they are either happy to support where it make sense the status quo that was offered in the 2012 applicant guidebook (inaudible).

Now I think we have to (inaudible), so that we can go through them. And if there's any need for a conversation, we can come forward to the (inaudible). So first of all, does anybody completely disagree with that point that there's been expressed support or acceptance that status quo for capital city names is reasonable? And I'm happy to open up the queue for that, or the chat. But you might have to type quicker.

Yes, Javier Rúa-Jovet , just to really emphasize the point here, so Javier Rúa-Jovet has put a point in the chat room really that there's been a lot of debates and discussions on these terms. So what we're trying to do is just really focus in on actually what we can do as a work track team as input to the initial report, is looking at where preliminary recommendations can be identified.

So Paul McGrady, in terms of the capital city names, as per the AGB, it's any capital city name, whether or not it's being used in any particular way. I've missed your comment there. Hang on it's just -- I don't think the AGB cites city names being used as city names. But if we could -- we have got access to that quickly to post into the chat. That would be helpful.

Javier Rúa-Jovet :   This is Javier Rúa-Jovet . I wonder if Paul McGrady's question -- there's something about that in the previous slide, maybe, on language.

Martin Sutton: I don't know if somebody in staff could just help us -- would do that or try and just pull out the specific term for the capital city names. If we just reference, I think it was -- and David's got a process question. Must we have preliminary questions or can we simply pose questions?

Yeah, we can pose questions. And I think we've detailed that also as an option. But ideally, if we can come up with preliminary recommendations, we should aim

for that first. If that's not achievable, then yes, certainly we'll push down to more select options or questions to put to the audience.

I think it would be helpful if the work track themselves could try and achieve as many preliminary recommendations as possible. But having said that and what we've experienced with work tracks 1 to 4 that we can anticipate this will be required for some of the areas of Work Track 5.

So I've got Christopher, a hand is up. Please go ahead.

Christopher Wilkinson: Hello, good evening.

Martin Sutton: Hi, Christopher.

Christopher Wilkinson: Is that okay? Yes, Martin, thank you. ICANN agreed to this bullet. We've discussed this a lot, but on the clear understanding that it is for geo use only. I do not agree to any names, particularly capital city names, being used for non-geo purposes. And as we proceed through the rest of this agenda, we are talking about criteria and procedures for releasing geographical terms. If we cannot agree to criteria and procedures to release them, then they remain excluded. I do not accept the view that has been expressed in the past that names that are not protected are open to sort of a free-for-all for open registration by any registry anywhere in the world. That will not fly. So I'm going to make it very clear. We are picking groups out of the pool of geographical names in order to define the criteria and procedures whereby they can be used for the geographical purposes that they represent. Thank you.

Martin Sutton: Okay, Christopher. So thank you. And thank you, Emily, for posting the full text, which I've confused with the non-capital cities as well. So this is specifically city names where its intended use is for to be used as city name. And this is where in any language of the capital city name of any country or territory listed in the ISO 3166-1 standard. So I'm hoping that clarifies your requirement. Paul McGrady, and I see your hand up. Please go ahead.

Paul McGrady: Thanks, Martin. Emily, thank you for posting that text. That answers question number one. And then question number two was, you're asking for sort of the general onboarding of the notion of the status quo from the current applicant guidebook. And I just wanted to make sure that that means that it's as written, not as it was -- from my point of view -- misapplied. We're talking about the text, not the history after the fact where much of the text was ignored, right? Is that what we're talking about? Thanks.

Martin Sutton: Thank you, Paul McGrady, and useful clarification, yes. So this is saying that the text for the capital cities -- so let's stick with capital cities. We'll do this one at a time. That's what we're looking to say that can we as a work track agree as a preliminary recommendation that's carried forward as future usage, but if we can't do that then we'd probably need to start then teasing out, well what are the options. But what we've tried to do is looking at the imbalance of all the comments around capital cities that we've seen and heard, we feel that there is a useful way forward for the group to consider putting forward a preliminary recommendation to keep status quo for capital city names.

So Annebeth Lange Lange, please go ahead. You might be on mute still, Annebeth Lange.

Annebeth Lange: Here I am. Can you hear me now? It's Annebeth Lange here. Can you hear me?

Martin Sutton: Yes, loud and clear. Thanks.

Annebeth Lange: Yes, good?

Martin Sutton: Yes.

Annebeth Lange: I think we are mixing the categories up a little here, because Paul McGrady was asking about the city names and Julian (ph) asked about the city names. So if we try to take one category at a time, so we start with the capital city names and then finish that if we could agree there. And then go on to the city names, because the description or the explanation that Julian posted, that was for the city names and the different use of a city name. And I agree with Paul McGrady that of course it's important that if we end up with an AGB text, it should be followed. It's a text that should be used. So I think we should just go through first the capital names and then we go to the other. I think it will make it a little easier. Thank you.

Martin Sutton: Right. That's my fault. I do apologize. I can't keep track of all the dashboards here with comments, et cetera. So I mixed it up as well. So apologies there. So the first point was focused on capital city names. So whether we need the text for that as well, if that's handy we can post that into the chat as well. In the meantime, does anybody have any concerns with taking that forward as support for and/or acceptance of status quo for capital city names? So Emily has kindly posted that in. So an application for any string that is a representation in any language of a capital city name of any country or territory listed in the standard. So that would require support or non-objection from the appropriate authority.

Calling once. Calling twice. I could do this as an auction. So let's close that one off then. I think I'm not hearing anything --

Cheryl Langdon-Orr: Martin, I know you meant -- you've got a hand up, Martin. It's Cheryl Langdon-Orr. You've got Dev's hand up.

Martin Sutton: Okay. We've got a late hand to the call. Please go ahead.

Dev Anand Teelucksingh: Thank you. This is Dev Anand Tellucksingh. I recall that some of the discussions earlier talked about the language of representation in any language. And I think (inaudible) discussion -- and I could be wrong -- was that we should be restricted to the same languages, a local language of the territory involved. Maybe I'm wrong.

Martin Sutton: That's an excellent point. And I think that's why we weren't putting the text up initially is that this is looking at whether we need support, letters of support or non-objection is really what we're focused on in here is that you haven't had sight of what's been drafted in the initial report thus far. So I do acknowledge, not

having shared that with you that that doesn't make it sensible. What we're looking to do is to separate that out as a question to ask out to the community at this stage. So what we're looking to do is wherever the language scenario is applied in the current guidebook is to tease out the question as to what extent. And out of these options, perhaps, what would you consider to be a good option, what else should we look at?

So excellent point and thank you for raising that. If I could ask us to park the language scenario to one side and focus on this being that those terms that are requiring a letter of support or non-objection, and it's that kind of principle that we're just trying to cover off. But we will capture the language issue as well in the draft report. So thanks for that. Okay. Good.

All right, well let's move on to the next one, which is the subnational place names. I'm happy for anybody to come forward on that one if they've got any specific comment or if not we will take that one as potentially forward as status quo.

Javier Rúa-Jovet :   This is Javier Rúa-Jovet . There's a comment earlier on in the chat by Robin Gross. She said I could agree to not allowing city names or subnational places when the intended use would misrepresent its authority over or in connection to that place. That seems like a reasonable compromise that recognizes there are multiple legitimate uses of a word. Just to flag that out, it was a comment earlier on.

Martin Sutton: Okay. And I'll note -- Robin, you put your hand up as well. So did you want to add to that or just emphasize that point?

Robin Gross: Yeah, no. That's the point that I wanted to raise and I appreciate Javier Rúa-Jovet raising it there. My audio hadn't been connected. So I wasn't quite sure I was going to be able to get in there. So thank you very much.

Martin Sutton: All right. Thank you, both. Does anybody have any comments to that point then? So it's been posted in the chat. But I'll just repeat it again for the sake of everybody on the call. So Robin is saying, I could agree to not allowing city names or subnational places when the intended use would misrepresent its authority over or connection to that place. It seems like a reasonable compromise that recognizes that there are multiple legitimate uses of a word. And specifically Robin, I just want to check -- city names and subnational places is what you're focused on. We've gone past the capital cities. So I just want to make sure that this is just the names that we're referring to.

Robin Gross: Yes, yes.

Martin Sutton: Okay.

Robin Gross: Yes, that's right. I'm sorry. Can you hear me okay?

Martin Sutton: Yes. Thank you, Robin.

Robin Gross: Okay, yeah, I mean I just wanted to point out that the harm that we're trying to prevent, if you will, by cornering off some of these words for people to use is that we're concerned that there may be some kind of misrepresentation about authority over or connection to. And that's the harm that apparently we say we're trying to prevent by restricting the use of these words. And so it seems to me that this would be a more narrowly targeted rule, a slight change to the existing one that would be a little bit more narrowly targeted, such that it addresses the harm that we're trying to prevent while also allowing for other legitimate uses of a word to go forward. Thank you.

Martin Sutton: Thank you. Okay, I'm not seeing anybody else in the queue. If I could just see that one more question (inaudible) on that; in terms of the existing language for the subnational place names then, would that require an adjustment? And if so, is there any recommended language that we could consider to put out for the group?

Or if not now, if there is something that is useful to consider, I think what we're -- when the coleaders and the staff have been going through all the different comments and discussions over the months, is that we're trying to send it back towards what is already in existence in the guidebook. So if there is any recommended tweaks to that that would be useful to consider now, we can put that out to the group or if not, add that in as a question or option to the initial report.

So any suggestions or particular questions that we could put out to the community would be helpful in that respect.

Javier Rúa-Jovet : This is Javier Rúa-Jovet . There's a conversation going on in the chat a bit that I think Robin is going answer Annebeth Lange right now. But it's I guess to clarify whether -- I mean Robin's intent in her language I think -- yeah, I was recommending we narrow the words. Okay, so she clarifies that she's recommending to narrow the words other than capital names. So Robin, does that mean that are -- you're not excluding subnational categories here from your statement, right?

Robin Gross: That's right. That's right. I'm really only saying with respect to capital names could I accept the status quo and then with respect to these other categories, I could accept it with some slight tweaking, this slight narrowing, which targets the harm a little bit more directly. Thank you.

Javier Rúa-Jovet : Robin, this is Javier Rúa-Jovet . Are you suggesting an extension of intended use provisions and this type of approach?

Robin Gross: Yes. Yes, I am. I'm suggesting we look at the intended use to look at whether or not there's an intent to misrepresent or to imply something that isn't true, some kind of connection to or authority over a region, a name. We would look to the intended use, just like we do with other words, communities and trademarks and that sort of thing. Thanks.

Javier Rúa-Jovet : Thank you, Robin.

Martin Sutton: Okay. I think we'll need to take that away. But if anybody else has got any other supporting comments to add to that or whether they disagree with it, there is an opportunity to raise that now. Otherwise, I suggest that we have a look to either incorporating that into something that could be circulated around as an adjustment for the work track members to view or as an option we still hone in on status quo. But what about these options that were put forward by members of the work track as potential ways to improve -- intended to improve the existing language and interpretations?

Javier Rúa-Jovet : This is Javier Rúa-Jovet . I just want to flag out a comment by a member of my community, Alberto Soto. He says in the chat, I think the greater or lesser number of citizens of a place should not give greater or lesser rights. And this is something that I have talked about coming from a small island. It's always something to consider. Thanks.

Martin Sutton: Okay. And thanks for keeping track in the chat. I am struggling a bit to keep up with that as well. Okay, so we will move on to the next one. So we've spent some time on subnational places. The final one on this list is UNESCO. And then I think we'll need to move on to the next one, which will probably be a wider debate.

So the final one is do we feel that we're comfortable with supporting or accepting the status quo for names related to UNESCO regions. So this is again focused on requiring a letter of support or non-objection. So happy to take a queue on this one. Okay, I'm not seeing any. But that's fine.

Now just as a reminder for everybody here, what we've just been talking about here is that going through something like accepting a status quo, the existing language in the applicant guidebook for these terms is something that we could put forward as preliminary recommendations in the initial report. But these can still be changed and there's still the final report that has to be based on taking the feedback from public comments, which is across all the community, and any further deliberations within Work Track 5 and obviously the actual SubPro working group.

And beyond that, if we feel uncomfortable or unable to present preliminary recommendations, we do have the ability to put in questions or options that we would like the community to provide feedback on. So I've got Christopher with a late hand on this topic. But go ahead, please.

Christopher Wilkinson: Yeah, hi. Christopher Wilkinson again. Just a caveat, I have no briefs (ph) of UNESCO regions or any other region. But my experience is that there are quite a few countries who think of themselves as part of this or that region for certain purposes. And I don't think that this particular clause helps us politically. It will not help us to avoid downstream questions or even problems from individual regions.

Martin Sutton: I've lost you, Christopher, unless you finished. Okay --

Christopher Wilkinson: (inaudible)

Martin Sutton: So Christopher, I think you got cut off there at the last sentence. But I think I gather your point from your perspective. And just to probably emphasize the ability to keep everybody happy is going to be an impossible task. But we certainly have the opportunity to try and make changes where relevant on where the work track wants to try and push forward any recommendations.

Christopher Wilkinson: Thank you, Martin. I think that's a fair interpretation. Earlier I was describing our process that (inaudible) was trying to find a compromise between the impossible and the absurd. Yes, you're right. But don't think that we've solved any long-term political problems just by picking on the UNESCO regions. Thank you.

Martin Sutton: Okay, thanks. And David, regarding your comment in the chat regarding process and those not on the call, a very good point in terms of that which we will come onto in the work plan where you'll see the stages. This is kind of a stage to help us draft the initial report in a way that we can present it back and based on the fact that those that have been unable to join us today will have the call recordings and content of the meeting to go back through, as well as the opportunities to read through draft reports and revise those draft reports before they get anywhere close to delivering out to the community. I hope it will enable us to cover that aspect as well.

And as Javier Rúa-Jovet says, if nobody is completely happy it means that we're getting towards consensus. A good way of thinking about it. Okay, so thank you. I think we've covered off those three points. We've got a chunk of time now to go on to the next slide and look at the non-capital city names. This is -- we're all aware that that had a lot of discussion. But essentially when you do boil it all down and go through comments, suggestions, ideas; we see that there is still some members so they're happy to support or can accept what we've got in the AGB for non-capital city names as it is, others that think that the current restrictions or requirements are too restrictive or not restrictive enough. So we start to get to different extremes. And the different proposals that have been put forward also there's several members that have done that and that's greatly appreciated.

The drive to push any of those forward needs to really be a compelling argument from the work track itself. So what we're trying to tease out here is whether the work track would be comfortable to continue to support or accept the status quo for non-capital city names, as prescribed in the 2012 guidebook.

So actually, I'll leave it there at this stage. I wonder if we can encourage some discussion on that first of all. I'm happy to take a queue, but I can fill the gap if need be. Again, I'd probably just go back to the point here that this has been debated greatly. We've got some that would consider the existing terms to already be a representation of a compromised solution. So trying to move the needle either way is very difficult when you interpret all of the comments and concerns raised by Work Track members.

So in essence, what we're asking here is does the group as a whole think that they are comfortable with putting forward a preliminary recommendation for

continuing the existing terms for non-capital city names? So Christopher, please go ahead.

Christopher Wilkinson: Christopher Wilkinson again for the record. Martin, I just refer back to what I said a few minutes ago. I think this language was too open and it resulted in not to belabor the point, it resulted in the Amazon problem and others. All geographical names should be used for the corresponding geographical purposes with the authorization or agreement of either communities or public authorities in those regions; regions and countries and places. Otherwise I can't go forward with this. Because there are other aspects of the PDP which would have taken place with the 2012 round, would actually facilitate extra territorial registrations and non-geographical use, which I could not accept. Thank you.

Martin Sutton: So Christopher, thanks for your comment. You know, we have to appreciate that it is your comment and we've had other opinions expressed by the work track members and so there is not one easy route through on all of this. And so as a work track, what we're trying to make sure is that everybody has listened to the different arguments put forward and is there a way that we can sensibly put something forward as a preliminary recommendation. If we find that that is not achievable, then perhaps that gives us the ability to then select some questions or options that would be useful and helpful for the work track to put out to the community.

And let's just please focus on the actual term that we're trying to cover here. Because it is important that we transfer the information relative to the topic, the term that we're referring to. So this is non-capital city names and the treatment as applied to in the applicant guidebook. So this isn't something referencing, I think, one of the -- you referenced Amazon. It's not an Amazon-related matter, this one. It's non-capital city names that we're focused on here.

Now there's lots of activity going on, on the screen. Have I missed something? What are we moving towards? Emily?

Emily: Hi, Martin. This is Emily from staff. Sorry to make you seasick. Just pulling up the working document so that everyone can review. It's now unsynced. But I'm just grabbing the page number. It is page 33, I believe, where the proposals start. And so those are proposals that people put forward with respect to -- I'm sorry -- it's 34. So if folks want to refresh their memory about some of the proposals that were put forward as alternatives that would be something that we could put in the initial report as questions, options for community feedback. So essentially it's not in the preliminary recommendations themselves, but an opportunity for the community to see those proposals and respond to them so that the work track can consider that input and discuss further after the initial report is published.

So again, that's page 34 for those who are interested in just refreshing their memory about what those proposals are. And if folks think that those proposals are not useful to put forward, it's fine to hear that as well. But that's something that we're looking for feedback on at this stage. Thanks.

Martin Sutton: Thanks, Emily. We haven't -- we're not listing those on the slides though, are we? I haven't missed something there, have I? This is for anybody to refer back to the

actual content of the work document. So this is essentially where we are working through what's been -- the key points raised and this is why I say that we've got different extremes, including some that we've heard on the call already. Others during the conversations that we've had on call and across the email lists for over many months. So to take anything forward from the work track deliberations in connection with the term of non-capital cities is what we're focused on at the moment. And then really the question is, can members of the group feel comfortable in putting forward a preliminary recommendation that essentially keeps it as it is in the 2012 guidebook. Or if there is strong feelings not -- that we will not be able to achieve that sort of agreement, we can start to articulate questions or options that we want to present. And those, we've got quite a list of those. And I think we've got to be able to then prioritize and see which ones the group feels would be worthwhile putting out to the community.

So I have Kavous in the queue. Please go ahead.

Kavous: Yes. I think ICANN has a lifetime of about 20 years. I am coming from an organization that has at least many, many, many more years than ICANN. I personally have 2.5 times experience than ICANN. Whenever there are proposals and there is no agreement, it has been a tradition, a custom, that we take the status quo, no change. If we couldn't agree, we don't try to go to the voting. We say, okay. No consensus, so existing situation prevails. Thank you.

Martin Sutton: Thanks, Kavous. And I think that's where, if you go through the working document, as we've gone through to try and prepare the initial report, this is where we tend to head towards in a number of cases. Notwithstanding the fact that there are still many other ideas for improvement, but more or less in the process rather than the policy. Then that is a fair assumption that we'll probably be drawn towards status quo. But we want to give the opportunity to make sure as we're building out the initial report that the work track has the opportunity to flag anything where we might be able to move the needle a little bit either way. Otherwise, as you say, it will probably be more status quo.

Okay. Is there anybody else that wishes to say anything on this? In terms of really is there any strong reluctance to (inaudible)? And I hear Christopher's comments. But is there anybody else strongly against going forward with the 2012 non-capital city names status quo?

Okay. Well maybe we'll need to provide some time for those that weren't on the call to be able to digest what we've gone through today and be prepared for our next call. And in the meantime, hopefully, exchange anything over list. I certainly think we will -- we've got some comments from Robin that we will need to try and see how they can be worked in, either as a suggestion for a tweak or something that we put in as an additional question or option against a preliminary recommendation.

If nobody else is wanting to discuss, we can move on.

Javier Rúa-Jovet :   This is Javier Rúa-Jovet . In the chat, there was a short conversation by Olga and Robin. Olga asked Robin what she meant by tweak. And Robin answered

that she means to prohibit uses that are misrepresentations of authority over or connecting or connection to a place. So questions and answers.

Martin Sutton: You're so efficient, Javier Rúa-Jovet . Thank you so much. I appreciate that. Okay, I'll just look out for any other comments being typed at the moment before we move on to the next section. Okay, fine. Just general conversation now by the looks of it. Okay, so let's move on.

If we could move on to the next slide, please? I think people are wanting an early finish. So I think it's important that we keep track of things here and we keep adjusting the work plan, what we've been listening to and taking feedback on. So at this stage, we want to just give you an introduction as to what will be happening in terms of the initial report and then I'll go through the timelines that we're hoping to achieve for delivering the initial report.

So what's going on at the moment? Well, what we've been doing is taking a lot of the information and we're starting to populate an initial report very much in line with the work track 1 to 4 style content. So it's broken down into the sections that I highlighted in front of you. So there will be an initial A point, which is what is the relevant policy and/or implementation guidance that was provided. B, how was it implemented in the 2012 round? And then more of the content will be drawn out from C, what are the preliminary recommendation or implementation guidelines that are presented by the group? D, what the options under consideration along with the associated benefits and drawbacks? So it's important that we are clearly able to identify benefits and drawbacks where we're suggesting changes to be considered. E would be what specific questions does the work group seek community feedback on? And then it will draw in on F, more of the content of the deliberations that we've had within the work track. And G, are there any other activities that we can see in the community that may serve as a dependency or future input to this topic?

So for the purposes of drafting up the initial report, we're focused on items C, D, and E for any of the aspects that we've been looking at and exploring. So that's what we are busy doing at the moment. And we want to share that with you as soon as possible. So there is some reviews being undertaken at the moment and refinements before we circulate that to work track members. But what you will see is just the items C, D, and E. We'll populate the rest as we go along the next few weeks. But it's more important that we ask you to focus in on the content that we'll be populating under the items C, D, and E for each of the areas that we've covered within Work Track 5. So I just want to make sure it's clear and understandable. You won't see the whole thing straight away. You'll see the core content and then we'll be building out the peripheral information really based on the content of the working document that we've had going.

So is that clear or is there any questions anybody would like to ask regarding the initial report preparation? Okay.

Javier Rúa-Jovet : There are some -- this is Javier Rúa-Jovet . There are some questions in the chat. Steve Chan is asking Robin to clarify her statements a bit, whether a misrepresentation -- there's something unclear apparently. Maybe Steve Chan, could you maybe ask it out loud so we know what you're talking about?

Steve Chan: Sure. Thank you --

Martin Sutton: Let's --

Steve Chan: Go ahead, Martin.

Martin Sutton: No, go on.

Steve Chan: No problem. This is Steve Chan from staff. And I guess that was just a little unclear for us and for the purposes of making sure we capture things accurately in working documents, we were trying to get a little more clarity on what Robin meant by the misrepresentation standard. And so we might be misinterpreting. But what we're thinking it meant is that unless there is misrepresentation on the part of the applicant, then they would be allowed. And I'm not sure if that's right or not. And then the secondary question to that is whether or not a letter of support or non-objection would still be needed. So Robin, I'm not sure if those questions make sense. But if you can help clarify for us, you can make sure it's captured accurately. Thanks.

Robin Gross: Yes, you do, sure. And the first question is yes, you had that interpreted correctly that unless there is a misrepresentation then the domain name would be allowed to go forward. And they would not -- and would be allowed to go forward without the letter. So yeah, just to clarify what I meant. It would be allowed to go forward without the need for any kind of support or objection letter.

Martin Sutton: Right. Okay. Steve Chan's busy typing in the chat. So we'll continue that bit.

Annebeth Lange: Robin, this is Annebeth Lange. Could I just interrupt for a moment? As an English speaker, I still have problems to understand what does really misrepresentation mean here. We have the rules to take in the status quo that if you are representing or presenting to represent a city, then you should have a support or non-objection. And if you're not, you should not. But what does misrepresentation mean here? Could you try to explain it for --?

Robin Gross: Okay, well actually I think it's -- I'm sorry. I didn't mean to cut you off there. Yes. Actually misrepresentation is a legal standard. So there is conditions (ph) in law for what this means. And you know, companies are often to be liable for misrepresentation and there are clear definitions of what this could mean. And I think we would want to use a legal standard for misrepresentation.

Annebeth Lange: And that is US law? That is US law?

Robin Gross: Well, it is in US law. But it is also in other countries and international law as well. So again, let's look at the standards and find one that's most appropriate for the situation.

Javier Rúa-Jovet :   Sure. This is Javier Rúa-Jovet , if I may. Robin, are you referring to some standard like a good faith standard, you know, just like clean, like a general principle of law that you have to tell the truth? Is that what you're referring to?

Robin Gross:	Well, I think that's a very simple way of saying if people misrepresent what they are selling, for example, they can actually be found liable if it isn't what they say it is. Because that's misrepresentation for economic advantage. So I think that's sort of a simplified version of what this would look like.
Martin Sutton:	It's Martin here. Sorry. We're kind of running back again to our last topic. So can I just suggest that we finish off? Because I know we've got somebody waiting patiently to discuss what we had moved on to. And then I think because we are doing well with time, we'll be able to come back to this and make sure it's clear. But in the meantime, if there is any way to clarify aspects or ask questions in the chat, please put them forward for now and we'll come back to this and just make sure it's clear so that we've got something that we can talk through on the call that we can actually put into some written format. So appreciate if we could come back to that after we just close off the next steps in the timeframes. Thanks for the questions, though.

So Christopher, I've got you in the queue? |
| Christopher Wilkinson: | Yes. Thank you, Martin. You're quite right to give priority to the misinterpretation of misrepresentation. We'll come back to that in due course. But meanwhile I'll just repeat that names require a prior authorization letter and it relates to its geographical name (inaudible).

But my main point is more media-related. At some juncture, the staff and this work track and the PDP will have to deal with the outside world's reactions to our report. And I come back to what I said months ago about the 2007 documents. They are really a liability in terms of public relations. It is really a bad idea to start presenting an initial report by reference to the 2007 policy. The Work Track 5 working document, the latest version that I've got here, right in the middle it says that the 2007 policy says there should be no geographical reserved names, an absurd proposition. Is that the introduction that you want to give to the whole of our work for the next 45 pages? Come on. You're shooting yourselves in the foot. If we go out to the public and say that 2007 was our starting point, we will get laughter. Please be realistic. Thank you. |
| Martin Sutton: | I think what has been covered from the absolute beginning that as a process for certainly within the ICANN community, there's got to be seen evidence of the policy process taking place to effect change to policy. So what some of the work that we're doing here within Work Track 5, even if we take through some of the examples we've worked on today, moving from saying maintain status quo on a certain term; that then could be adopted as policy. So that shows the line of travel from what was originally in policy, what was adapted outside of policy process for 2012 guidebook, but then embedded into the policy (inaudible). So I think there is some practical process to follow from that respect.

In terms of writing a report, we haven't issued a report. So I'm not sure what you're referring to from Work Track 5. So we haven't started that, so I'm not even sure what you're referring to for the report. But we'll come back to that. So where we are is looking at the initial report next steps, the content that was going to go in there, and I can go on now to the timeframes that we're working to. But before |

I do, does anybody else have any questions? Okay, Christopher, is that an old hand or is that a new one?

Christopher Wilkinson: No. That's a new hand, very shortly. I was referring to page 1 of the working document, which I think reflects in some respects what we're likely to expect in the initial report. But as an ancient drafter of large reports, the staff can (inaudible) this problem by, as we would say in French, (inaudible). You reverse the procedures of the logic of the report. Say first, what we actually advise, then discuss the process whereby this was reached, and finally as an appendix describe to what extent this report reflects or does not reflect the prior efforts of GNSO to produce a policy. Turn the whole logic of the argument upside down in order to -- when people starting reading about 2007 report policy that they know beforehand what has been changed and what the current proposal is. Otherwise, you undermine your position by giving the impression that you base yourselves on the 2007 report as a starting point. Our starting point is the creation of Work Track 5, and its cross-community composition. Thank you.

Martin Sutton: Okay. And any more thoughts or comments from anybody? Okay, I'm going to move on to the next slide, just to make sure everybody is aware of the timeframes that we're working towards and make sure that people are aware of sort of review times to look out for. So we'll start off with today. So this is essentially covered, where we're looking to try to establish recommendations and options to be included in the initial report. So we'll take away -- we'll continue the discussion regarding the misrepresentation shortly after this. But we'll be working this back into the initial report on the back of today's meeting.

The 3rd of October, our next meeting, so this will continue to look at any adjustments and draft recommendations and our options. So again, a good important time to be able to make any final adjustments. So if there are things such as Robin suggesting that we try and work through and include in the initial report, it's important that we get those out now, see if that's acceptable within the work track so that we can put it in as an ideally preliminary recommendation, but also any other options or questions that are important to push out to the community.

So then that will lead us to the 10th of October prior to ICANN63. We'll be looking to then share the draft initial report. So before then you'll see elements of the content that I've explained to you previously. But by the 10th of October, we aim to get the initial report out, the draft initial report that is, to the work track. And that will be a focus of our discussions at ICANN63.

So ICANN63, we've got a morning, full morning essentially dedicated to Work Track 5. So that's the Saturday morning when it kicks off in Barcelona. It might be interesting to check who will be actually in situ or able to call in on that session. Because that will be ideal to cover a lot of this in a face-to-face meeting where we'll be able to go through the initial report and still allow another couple of meetings post ICANN63 to check for feedback, make any adjustments and revisions to the initial report. So we can have a couple of relays of that within November with the aim to publish the initial report on the 20th of November.

So this is quite a bit of a change from when we first started out on Work Track 5. But we've had to adjust it obviously is discussions have evolved and to come towards achieving an initial report has taken longer than expected. But that's our target to go forward with publication on the 20th of November. So I'm happy to open up to any questions, comments that anyone has to raise on our call today. They obviously will be able to share this as well on the slides afterwards for the rest of the group.

Okay. All right, hearing none, well thanks for that. I think we'll now spend a few more minutes -- I haven't been following the chat. But if perhaps I've -- well, could I ask Steve Chan, would you be able to just give us a checkpoint on where we think we are with regards to the Robin's comments and interpreting that into content for the particular terms that she was referring to? And then perhaps if Robin needs to clarify anything after that that would be helpful. Would you be okay with that, Steve Chan?

Steve Chan: Hi, Martin. This is Steve Chan from staff. Sure. I think what we can probably do is speaking for myself and I think for Emily too here, I think we have a relatively decent idea of what she's trying to say. So what we could do is just write it up and get her agreement that we've captured it accurately and then from there, move to get it included into a working documentation. Thanks.

Martin Sutton: That's a sensible way forward. Robin, is that okay with you? Super, okay. Right. So is there any other business anyone would like raise? Otherwise, we're going to sneak off early. And I'll check with the coleaders. Is there anything from the coleaders that they think would be worthwhile using a few minutes to cover on the call? Otherwise, everybody can have minutes back.

Javier Rúa-Jovet :   This is Javier Rúa-Jovet . Just to quickly at this point go back to SOI, I have to get into my SOI because even though I'm still my own employer, self-employed, I have one new client that is probably going to be my full-time employer in the next six months. So I'm very, very -- right now, I'm almost like an employee, even though it's a contract. So it's Sunrun. It's a renewable energy company and it's really exciting and really demanding. But just to flag that, I mean it has nothing to do with telecom or internet or domains.

Martin Sutton: Thank you, Javier Rúa-Jovet . I think for the next call, we'll do everything in reverse. Okay, well thank you very much, everyone, for joining us today. Keep up the good work. We're nearly there. We've just got to get through the next few weeks and we'll have a deliverable to push out to the community hopefully the 20th of November. All right. Thanks very much, everybody and goodnight.

Cheryl Langdon-Orr: Thanks, everyone. Thanks, Martin. Bye for now.

Julie Bisland: Thanks, everyone. Today's meeting is adjourned. You can disconnect your lines and have a good rest of your day or night.