GNSO
Post-Expiration Domain Name Recovery (PEDNR) drafting team
24 May 2011 at 18:30 UTC

Note: The following is the output of transcribing from an audio recording of the Post Expiration Domain   Name Recovery (PEDNR) drafting team teleconference on 24 May 2011 at 18:30 UTC. . Although the   transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:
http://audio.icann.org/gnso/gnso-pednr-20110524-en.mp3

Attendees:
James Bladel - Registrar Constituency
Berry Cobb - Commercial and Business Users Constituency
Paul Diaz - Registrar Constituency
Alan Greenberg - ALAC Liaison to GNSO Council, Chair
Tatiana Khramtsova - Registrar Constituency
Cheryl Langdon-Orr - ccNSO Liaison APRALO
Michele Neylon - Registrar Constituency
Ted Suzuki - Intellectual Property Constituency
Ron Wickersham - Non Commercial Users Constituency

From staff:
Marika Könings
Margie Milam
Kristina Nordström

Apologies:
Karim Mohammed Attoumani - Government Advisory Committee
Mason Cole - Registrar Constituency
Olivier Crepin-Leblond - ALAC Chair
Oliver Hope - Registrar
Sivasubramanian Muthusamy - ALAC IDN liaison
Mike O'Connor - Commercial and Business Users Constituency

Coordinator: The recordings have been started. Miss Kristina Nordstrom, you may begin.

Kristina Nordstrom: Thank you very much. Okay hello everybody and welcome to this PEDNR

                        call today on the 24th of May. On the call we have Alan Greenberg, Cheryl

                        Langdon-Orr, Ted Suzuki, Tatyana Khramtsova, Michele Neylon, James

Bladel, Berry Cobb, Paul Diaz, Ron Wickersham. And from staff we have Marika Konings, Margie Milam and Kristina Nordstrom.

Apologies from Sivasubramanian Muthusamy, Mike O'Connor, Olivier, Crépin-Leblond, Oliver Hope, Mason Cole and Karim Mohamed Attoumani. And please may I remind you to state your names before speaking for transcript purposes. Thank you and over to the chair.

Alan Greenberg: Thank you very much. Marika, you sent us a whole raft of documents the other day. And if I have it correct then we need to look at the changes to the comment tool - public comment tool, the specific questions you raised in the email and to the extent we can get into the full version of the report with updates primarily your changes regarding making it a final report and my comments suggesting various changes. Have I missed anything important?

Marika Konings: This is Marika. No, I think that's correct. I don't really know if it's necessary to go through the public comment review tool because I think it just captures the comments from our previous meetings - or I don't know if that was your intent.

Alan Greenberg: Well I have a couple of comments because I can't say I've read any of the documents really well since you sent them but I did look at them and I have a couple of comments on a few things there so...

Marika Konings: Okay so give me another few seconds to...

Alan Greenberg: Sure.

Marika Konings: ...pull it up in Adobe Connect.

Alan Greenberg: It seems to already be there.

Marika Konings: No what is up there is the report.

Alan Greenberg: Oh okay, sorry. From the part of it that was showing it looked like the comment tool.

Marika Konings: Of course now the document is giving me problems.

((Crosstalk))

Marika Konings: You can first talk about something else while I try to...

Alan Greenberg: Okay for those who have their own copy - the first one I have a comment on is Number 19. Marika, I think we can just talk about it without seeing it on the screen; that's okay.

Marika Konings: Yeah, let me see if it works now.

Alan Greenberg: Okay.

Marika Konings: Trying to upload it. Nope, I'm having security restrictions on this document. No idea why because I just converted it to a PDF but...

Alan Greenberg: Okay my first comment and maybe the only one in this section, I'm not sure, is on the response you put in on the why we're keeping the eight day period the same. And you wrote the work group notes that the eight days were a result of long discussions and should be considered a delicate-found balance between the two different viewpoints that existed within the working group. No further changes are therefore recommended.

I would suggest the word found be deleted. Just make it a delicate balance. It could be delicately found balance but I think just delicate balance works. Michele we're looking at the - okay found it - we're looking at the comment tool.

And I added the work group - and I'm not sure the wording here is good but the intent is the work group does note that its recommendation - sorry, I'll back out. I suggested that we add a recommendation that the - that compliance change how it monitors expiration issues so that we can report to Council periodically on how well this is working.

That recommendation needs to be added; I don't think it was added. But assuming we're going to go ahead and add it I would add a comment here saying the working group does note that its recommendation to review results will help ensure that either the eight days is reasonable or should be adjusted. Any thoughts on that?

I think there was general agreement that we do add a recommendation on monitoring. Nobody was (negating) that and I do remember Cheryl and other people agreeing last time so let's assume that recommendation will go in and I think we should make reference to it because it's part of the rationale for leaving it at eight days is that maybe it's not right but the future will tell us that and we have no basis for considering 10 to be better than eight today anyway.

Not hearing any objection I'm either assuming that everyone else has been dropped or I've been dropped or I'm on mute.

Cheryl Langdon-Orr: You're not dropped.

Alan Greenberg: Or you're all agreeing. And I'm just...

Marika Konings: This is Marika, I assume you'll be sending me the language as it sounds like you have already written it up?

Alan Greenberg: I could do that.

Marika Konings: Oh it sounded as if you were reading from your notes.

Alan Greenberg: I was and I could send it to you or I could...

Marika Konings: Okay.

Alan Greenberg: ...send it to you or I could keep it a secret and let you have to try to reinvent it.

Marika Konings: Right.

((Crosstalk))

Alan Greenberg: And that was my only comment in the thing. And whatever we put there should go into 21 also which is a carbon copy of it. Now one of the questions I had which is not addressed in the new version of the report is what are we doing with this document when we finish it?

Currently I don't think the report even points - it's not included in the report obviously and I don't think it even points to it. I think we probably need to do that somewhere.

All right I would suggest we go to Marika's questions that were addressed in the - in her email. Some of them refer to new recommendations and we can defer those until we - until we go to the recommendations one by one. But okay most of them are - the first four bullets are on recommendations and we'll defer those.

The next is on implementation of the RGP and do we need to specify anything? I did some review on that - I don't know if anyone else did any. I looked at the document Marika pointed to and I did some review of what current agreements say.

The VeriSign agreements both point to an internal - or to a VeriSign document which doesn't seem to be public. That is a specific version of the

registrar manual of some sort. The other agreement that I found made reference to the RGP simply said they implement the RGP.

So I think ICANN needs to do some work and define just what the RGP is in detail whether that's a copy of what's in the VeriSign manual or a synthesis of the various documents that Marika points to. I don't see how we can require that it be implemented - ICANN can require that the RGP be implemented without specifying what it means.

Now I don't think we need to do a lot more work but I think our recommendation needs to be worded to make it clear. Marika.

Marika Konings: Yeah this is Marika. Did that implementation note - did that provide any further guidance - the one that I shared on the mailing list or...

Alan Greenberg: I looked at them all and none of them seemed to be at the level of detail that I thought would be needed. But I honestly can't - I glanced at it very, very quickly. Has anyone else had a chance to look at those? Those are the things that were pointed to in your email, is that correct?

Marika Konings: Yes that was an email I sent directly after the call last week I believe. Let me dig it out and I can post it in the chat.

Alan Greenberg: It's also in your email you sent out yesterday though I think.

Marika Konings: No I think I'm just referring to the actual comments and...

Alan Greenberg: Oh okay.

Marika Konings: ...I think or maybe - maybe I did.

Alan Greenberg: Well you pointed to an - I don't know. In any case I think there has to be some formal document which a contract can refer to. And, you know, I'll leave it up to the ICANN people to be able to define that.

Marika Konings: This is Marika. I just found the link to the implementation note. And it does seem to go in quite some detail or at least...

Alan Greenberg: Okay.

Marika Konings: ...you know, from my perspective. I'm just putting the link in the chat so people can have a look and...

Alan Greenberg: Okay.

Marika Konings: ...you can, you know, it talks about the different elements, the creation of a new restore capability, interaction with (unintelligible) grace periods, at grace period exception, registry transparency requirements for deleted names...

Alan Greenberg: Okay.

Marika Konings: ..registrar transparency requirements for restored names, registry fees. Oh it actually talks as well about inter-registrar transfer during the delete pending period but I think that's where they actually said that, you know, at this stage they wouldn't allow that because they thought it was complicated and...

Alan Greenberg: Okay. Well this may be all the substance that is needed. Currently this is a technical steering group proposal so I think it needs to be transformed into a document that a policy can point to. But that again - that's an internal issue and I don't think we're - any of us are quibbling over the details of the RGP. But I'm presuming that ICANN will have to formalize the document if it's now a requirement.

Do we need to say anything more than that?

Marika Konings: This is Marika. So in the actual recommendation or the notes do you just want to recommend, you know, to suggest that ICANN staff look at this specific document and as part of their implementation plan, you know, provide the details of the RGP?

Alan Greenberg: Yeah, I think we can say that that...

((Crosstalk))

Alan Greenberg: ...particular document seems to include all of the specifications necessary which ICANN will need to incorporate into a formal specification or something like that.

You know, I feel we're telling them how to do their job but I can't imagine - well I can imagine. Right now we have contracts which say we implement the RGP which is not defined anywhere. So I guess I can imagine that we could require it without specifying it. But I presume that people will do their homework properly.

All right the next one is do we include the registrar survey and the PEDNR working group survey in the body of the document? My feeling is the working group survey certainly not. It's huge and it's not the clearest document because we refined what we were looking for as we went through this whole process.

So I would think that one either should be included as an appendix or an attachment or perhaps just pointed to on the Web. I'm not sure giving it all the pages it warrants even if you go down to single spacing it is worth it. Other thoughts?

None. I'm speaking on behalf of everyone? In terms of the registrar survey I think that was core to what we did. And it was what we found there which

gave us the motivation for doing a lot of what we did, you know, the fact that the vagueness is there.

Michele is yelling at me because I'm not reading the chat while I'm talking. I suggest we speak up. We are giving you feedback, okay.

Paul says move it to an annex. All right I'm happy to move it to an annex. My preference is just move it out of the report altogether but annex is fine. What about the registrar's survey? Paul.

Paul Diaz: Hey Alan. Yeah, just in the interest - this is Paul - just in the interest of - if not making it more readable at least a little shorter I thought move the first to an annex for the survey, agree with you single space it, do whatever formatting necessary so that it's provided there. But whatever we can do to make the overall report less bulky...

Alan Greenberg: Okay you're talking the registrar survey or the working group survey?

Paul Diaz: Probably both.

Alan Greenberg: Okay the registrar survey I think already is, you know, the other one is in the table format which makes it huge.

Paul Diaz: Agreed.

Alan Greenberg: Okay my inclination would be to keep the registrar survey in the body but I can easily move that one into an annex if everyone feels that way. Is that a general consensus? I don't agree with linking to documents unless they're very secondary. Michele, I tend to agree but I think the working group survey is almost secondary at this point. It was part of our trials and tribulations but I don't think it really gave us a direction.

Marika.

Marika Konings: Yeah this is Marika. Just note that the actual registrar survey is just six pages. And where indeed the working group survey was a lot bigger and over 20 pages so I think it absolutely makes sense to move it to an annex. And like we've done for other working groups it's also possible to - when we publish the report to actually make it different parts as well downloadable in a separate...

Alan Greenberg: Okay.

Marika Konings: ...manner so people can choose to just to download the main body or only the annexes or...

((Crosstalk))

Alan Greenberg: Okay. And does it violate any rules if we make it all single spaced or most of it single spaced?

Marika Konings: I think that's more readability question. I think for readability purposes it's - some people prefer...

((Crosstalk))

Alan Greenberg: Okay, all right then let's - so we're moving the working group survey, the registrar survey. I didn't get any sense of anyone. Still not getting any sense of anyone - move both to an annex. James says I'm willing to do it if everyone's happy. Okay they both go to annexes.

Marika Konings: And this is Marika. What I can do then is point in the - either in the introduction or somewhere to the registrar's survey to highlight indeed that was, you know, the basis of our work...

Alan Greenberg: Okay.

Marika Konings: ...and discussion so it's not, you know, forgotten.

Alan Greenberg: That's good, okay. Decision making - standard decision making methodology I think you're in essence referring to how do we designate what level of support this got. Is that the intent of that bullet?

Marika Konings: Right because basically - this is Marika. With the adoption of the new GNSO working group guidelines this working group is supposed to follow as well the designations that are outlined in the working group guidelines which I think differ slightly from what is actually in our charter.

The reason why I also pointed to it that, you know, I think we spoke before about maybe having a poll and being able to set the different levels of consensus. But the working group guidelines actually, you know, talk about polls as a last resort kind of mechanism.

A preferred way that is described in the working group guidelines is more, you know, go through the different recommendations and for the chair on the several occasions say well I think we have consensus. Do we have consensus? Do people agree? And if there's, you know, people don't agree, you know, continue working on it so there is consensus.

And then, you know, once - on calls people feel there's consensus as well put that out in the mailing list saying look we think, you know, we assess that there's consensus on these different recommendations, do people agree? If you disagree, you know, state your reasons...

Alan Greenberg: Okay.

Marika Konings: ...or file a minority report. But that might do away with the need of doing polls which is often seen as a kind of voting mechanism which I think the objective

of the working group guidelines is to move away from that and really focus on consensus.

Alan Greenberg: All right. I think at this point on the people who actually have participated in the recent calls we have unanimity in supporting these recommendations at least no one has spoken against any of them at this point.

What if we put out - once we have the text finalized what if we put out a statement saying we appear to have unanimity of those who have participated in the calls. If there is anyone on the mailing list who wants to object and submit a minority report please let us know within a certain deadline; does that meet the requirement as you see it?

Marika Konings: This is Marika. Yes, I think so. And I would encourage everyone as well to actually look at the GNSO working group guidelines because it's also described if you disagree the designation by the chair where kind of, you know, processes are available and as well the, you know, importance of submitting a minority viewpoint in cases where you feel, you know, your view hasn't been expressed correctly.

Alan Greenberg: Okay. So I'll - we'll word something. But once we have the final recommendations, the final as decided within the teleconferences and any email discussions then we will put it out to a call for level of consensus on the mailing list.

And the public review tool it says review all the things. I think we've already done that. I for one need to go over it again and make sure that, you know, because I haven't read in detail all of our comments so I reserve the right to make some additional comments but I think in general we're happy with the level with where it's going.

Anything else before we dive into the report? Does the group want to look at the recommendations first or the body of the report? My preference at this

point is to go jump into the recommendations and see if we can come close to closure on that before we go back and look at the specific edits. No disagreement? Then can we do that?

Marika Konings: This is Marika. The report is on the screen if you go to Page 76 that's where the section with the recommendation starts so if you then scroll down to Page - I believe it's 79 is where you find Recommendation 7 and 8.

Alan Greenberg: Okay now I had made a suggestion that we reorder the recommendations. I didn't hear any objection but I assume we'll do that once the text is finalized. Is that your intent?

Marika Konings: Yeah, this is Marika. I haven't moved anything around. And what I did as well with any, you know, the new recommendations I just basically added them at the end...

Alan Greenberg: Yeah.

Marika Konings: ...not to, you know, mess up the numbering and get people confused over, you know, the old number. So indeed my idea would be at the end once we've finalized all the language and all the recommendations then to, you know, regroup, you know, whatever in a way the working group sees fit the different recommendations.

And that maybe just refer, you know, each recommendation to which charter question it relates so there's way as well to, you know, to track that back to the actual charter questions.

Alan Greenberg: Okay. Has anyone else had a chance to look at these already or do we - do people want to sort of go through and have Marika explain what she's done in each case? Silence. You can interpret that whichever way you want, Marika.

Marika Konings: Yeah, this is Marika. So I'll basically go over what I did again. So basically Recommendation 7 and 8 this just captures the changes that Alan suggested in an email I think you sent before the previous call so basically I just incorporated that here. And, you know, Alan, maybe you want to talk to the changes you made.

Alan Greenberg: Oh okay. Well I don't think I really need to talk to them. What I did is try to identify the, you know, separate them into the act of creating the text and then how it's used. And I think we talked about it at a fair amount of length the other day. And I'm presuming you made the modifications that we did talk about then. I didn't check word for word.

I have no other thoughts. No one else is raising a hand. No one else is typing. Let's go onto 10 then. And I do have some comments on other recommendations but let's do the ones you highlighted in the email first.

Marika Konings: Right, so this is Marika. So Recommendation 10 this is the one where we initially mentioned an exception policy or the possibility of the (route) being one. Following review of the comments I recall that there was discussion or a sense that people felt there was actually no need to actually develop an exception policy so I've stricken that language out and just wanted to confirm that is indeed the intent of the working group not to provide any exceptions in relation to the sending of notices and timing.

Alan Greenberg: Yeah, the rationale for exceptions came from a concern that some registrars would feel that these new requirements were - just did not fit into how they did business and some level of exception was necessary. There was pretty well unanimity in this call certainly among the registrars on the call that exceptions were a bad thing and were going to add a level of confusion and that were not needed.

And I can certainly live with that if they feel that their stakeholder group is not going to react to this change from the proposed final report in an adverse way. James.

James Bladel: Yeah, I was agreeing with you.

Alan Greenberg: Okay.

James Bladel: You know, I think as we've discussed exceptions are complicated. They believe it or not create uncertainty whereas things...

((Crosstalk))

Alan Greenberg: Yeah. I agree with all that. The question is...

((Crosstalk))

James Bladel: ...clients something to shoot for so ICANN knows what they're imposing.

Alan Greenberg: Okay. And you don't feel there's going to be any strong pushback from registrars for good reasons?

James Bladel: Right. I think we discussed this pretty thoroughly amongst ourselves and this is what we came up with.

Alan Greenberg: Okay fine. Then we scrap the exceptions. It's one less piece of work to do. We take seven whole words - six whole words out of the report. Next, 15 and 16...

Marika Konings: So this is Marika again. So 15 and 16 those basically reflect the discussion we had on the basis of some of the public comment that we received. So Recommendation 15 talks about the best practice recommendation that basically suggests that registrars should provide in the explanation of the

notification method that, you know, they should - that registrants should state the registrar's email address as a safe sender so it doesn't get stuck in the spam filter.

And then the Recommendation 16 talks about this - the best practice recommendation in relation to providing a secondary point of contact at the time of registration.

Alan Greenberg: Okay a couple of comments. The implication in your first wording in 15 is that the address that this communication comes from is the address where expiration notifications will come from. And I'm not sure that's a fair assumption or one that we can make on behalf of all registrars.

So I would suggest that we change the wording that the suggestions that the registrar include what address expiration notifications will come from and that the registrant save it.

Marika Konings: Okay.

James Bladel: Wait, what? I'm sorry, which line are we on?

Alan Greenberg: We're on Recommendation 15.

James Bladel: Okay.

Alan Greenberg: It currently says...

((Crosstalk))

Alan Greenberg: ...we suggest that the registrants save the email address. It's not clear what email address it is that they're saving.

James Bladel: Okay, okay.

Alan Greenberg: Okay? I mean, your notice saying welcome to the Go Daddy family maybe a
                   different from address than where notifications come from.

James Bladel: That's fine. And, you know, we can say, you know, save it and white list it
                   although, you know, when this come up in three years that spammers are
                   using white listed - they're spoofing white listed registrar email addresses just
                   remember we heard it here first, okay?

Alan Greenberg: Spammers will figure it out anyway.

James Bladel: They will - absolutely they will but...

Alan Greenberg: I'm not sure - in Number 16 I'm not sure we could specify a best practice for
                   registrants. I surely - I think we all would like to but I'm not sure that's within
                   our power therefore I would think the best practice is that registrars ask for a
                   second contact - request a second contact.

                   Not seeing any comments I'll - or is - Michele is that your (A) what from
                   before or this time? Michele, go ahead.

Michele Neylon: Sorry I was - what was this about asking registrants for what now?

Alan Greenberg: Recommendation 6 says we suggest a best practice that a secondary point of
                   contact should be supplied by all registrants - potential registrants.

Michele Neylon: Okay.

Alan Greenberg: And I'm saying I'm not sure it's within our power to recommend best practices
                   for registrants. I would think we should word this that the registrars should
                   ask for a second point of contact.

Michele Neylon: Okay are we specifying what a point of contact is?

Alan Greenberg: Probably not. I think the intent, Marika, wasn't the intent of this one when we talked about it that they specify a second point of contact which does not use the domain in question?

Marika Konings: Yeah this is Marika. I think this is - this follows from a comment from the ALAC where I think they actually suggested to make it mandatory that, you know, registrars ask for a second point of contact which indeed I interpret as being a second email address to which notices could be sent.

Alan Greenberg: But presumably a second email address that doesn't use the same domain which will not work anymore I think that was the intent of the ALAC one or at least that's how I read it.

Michele and then James.

Michele Neylon: Bazinga.

Alan Greenberg: Which means?

James Bladel: I think that's my cue, Alan.

Alan Greenberg: Okay.

James Bladel: So I think - we did have talks about this and I think everybody generally agreed it was a good idea. And you're absolutely we can't force registrants to do this so I'm concerned that requiring registrars to ask for them then, you know, inverting that means that if the registrant says thanks for asking I choose to disregard what you're asking me to do, you know, I just - I'm concerned that that's going to be a backhanded requirement for registrars and that's not what we're intending to do here; we're trying to control registrant behaviors.

So what I would recommend is - with this language here is that - it says something like registrars should advise registrants to provide, you know, registrars provide a secondary email that does not resolve to the same email address of the domain name. I think that's fine but when we - I'm just concerned that, you know, we don't want something we want registrants to do to turn into a backhanded requirement on...

((Crosstalk))

Alan Greenberg: I love your wording if we caught it.

James Bladel: Did we catch it? Something - I think, Marika...

Marika Konings: Yes.

Alan Greenberg: It's on the recording I guess.

((Crosstalk))

James Bladel: Registrars should advise registrants to include a secondary point of contact - email point of contact or a secondary email address for notification that is not associated with the domain name itself.

Alan Greenberg: If we...

James Bladel: Something like that.

Alan Greenberg: There may be some cleaning up on that but I'm happy with that in placement of what Michele had - what was in the document. Michele.

Michele Neylon: I'd agree with James.

Alan Greenberg: Good. Anyone disagree? We've made a decision. Number 17, the work group recommends that - and I think the document - I've made a change, yeah, the document said that it should not be allowed; I would replace the word it with transfer. Other than that I'm happy with as it's worded.

No other comments? Okay can I insist we go back to the top of the recommendations? I have a few other comments of what I found as I was reading the new text. We're at the top of Section 10.

And I had made a comment that I think we need a - we need a paragraph before the recommendations reinforcing the issue. And essentially the - in longer form the answer that Marika gave in the comment tool - in the comment tool on Number 20; that is this was a difficult process. There were a lot of compromises made. We believe that what we have ended up with is something that will be adopted by the GNSO Council and the Board.

And I think - because that frames a lot of the recommendations that we've put here. You know, not everyone is happy with them but perhaps everyone is equally unhappy although I don't think we should use those words. Comment? Do we - is that reasonable? Seeing no unreasonables I'll assume that that was agreement.

In Recommendation Number 2 - Michele, yes, go ahead.

Michele Neylon: I'm sorry I'm just trying to - which is the actual wording that you're referring to, Alan? Sorry, I'm...

Alan Greenberg: It was in - it's in the comment at the bottom of the first paragraph immediately after Heading Number 10.

Michele Neylon: I'm trying to actually read this. I'm having problems; I think I'm going blind. Hold on a second. Oh there is a zoom option. Oh okay you're saying so how would - so what is the wording that you're recommending that goes in there?

Alan Greenberg: I didn't try to word smith it I just was trying to say that we want a paragraph which says functionally what I put in that comment.

Michele Neylon: Okay so where's the wording going to come from?

Alan Greenberg: I will be glad to write it or Marika will write it.

Michele Neylon: Okay.

Alan Greenberg: Or we'll get together and write it. I mean, if it's the intent of the work group that we say it we'll try to say it in a politically nice way.

Michele Neylon: Let's see...

Alan Greenberg: You'll always have the opportunity to say no.

Michele Neylon: Okay the main difficulty I have with that comment, Alan, is I'm not particularly - I think - how do I word this? I think that the focus should be on the fact that we reached a compromise not so much on that certain individuals within the working group may not like the outcome.

Alan Greenberg: Okay.

Michele Neylon: You know, that's in...

Alan Greenberg: That's implied by compromise; I'm happy with not saying it explicitly.

Michele Neylon: Yeah I'd prefer it to be - I'd prefer it to emphasize the fact that this is the working group's deliberations were long and detailed and that the end result is a good compromise or words to that affect. But I'd be wary of making any kind of comments about individuals not liking things that's all.

Alan Greenberg: That's fine. I said - the comment was added as a comment not as an attempt to word smith it but to convey, you know, what - functionally what we wanted to say but I'm not wedded to the individual words so that's fine. James.

James Bladel: Yeah, something similar. I thought that maybe we should just be more upbeat a little bit in that comment if we were going to include something I think saying what Michele said that focusing on the, you know, the positive aspects of what we were able to come up with as opposed to the negative aspects of the, you know, what it took to get there is always a plus.

I think we discussed also in other forums and contexts that it would be wise to say that we - the working group feels that these recommendations are interdependent and should not be, you know, that they are - they are all predicated on one another passing as a package. And I think if we've included that somewhere else that's great but otherwise we can always introduce that here.

Alan Greenberg: We included that about three lines before - or Marika included that about three lines before.

James Bladel: Yeah, I think that's enough along with what Michele said about just, you know, this was a long and detailed process but in the end we have - we were able to come up with the following recommendations.

Alan Greenberg: Yeah, and I think we can be positive. I mean, the working group feels that this is a good set of recommendations which address the initial problem and, you know, so on and so forth. Okay.

James Bladel: But nobody got everything they want which just kind of describes everyday that I wake up in the morning when it comes to ICANN stuff so...

Alan Greenberg: One day we're going to have to work hard to give you everything you want.

James Bladel: Oh yes, yes, just for one day; just on my birthday maybe.

Alan Greenberg: One day. Marika, do you have enough guidance? And I'll be glad to work with you if you feel the need to pass it by me.

Marika Konings: Yes I do.

Alan Greenberg: Okay. No hands. In Recommendation 2 you added the words - this was covering the .tell situation. And you used the terms domain should be interrupted by the registrar to the extent that it has the possibility to interrupt the DNS.

And I'm not sure the possibility is - conveys the right details. I would have put - like to the extent the registry allows such modification by registrars because it's really the registry rule that controls this not whether the registrar has someone who's technically proficient in doing it for instance.

Any disagreement with that? Paul, we're on Recommendation Number 2, the text that Marika has added in the third line of recommendation. Sorry, I don't have line numbers on my - the version I'm looking at. And I'm just suggesting change the possibility to the extent that the registry allows such modification by the registrar I guess.

Michele.

Michele Neylon: Look we're talking about something more - it's more technical than that I suppose. So, I mean, I would look at something - how would I word this - constructed by the registrar - well it should be to the extent not extend - should be E-X-T-E-N-T not -E-N-D - by the registrar to the extent that the registry permits such interruptions or something?

Alan Greenberg: Yeah, I - that's close to what I said.

Michele Neylon: I'm just...

Alan Greenberg: I don't want this to be read as it's a registrar action - a registrar decision based on their skill levels or something like that.

Michele Neylon: No, no, I - no I totally get that. I mean, I - the thing I was having a problem with was the concept of allow was - just for me semantically I see a difference between the two which opens up another nasty can of worms if you follow me.

Alan Greenberg: Yeah, well can you suggest something that uses better words?

Michele Neylon: Well I just did.

Alan Greenberg: Oh. I hope Marika caught it because I didn't then.

Marika Konings: I did catch that.

Alan Greenberg: Okay. All right and I have a highlight on the word or at the last sentence of that paragraph for a domain name suspended under uniform rapid suspension URS the informational Web page needs not be interrupted or is exempt from this recommendation. I'm not quite sure what you were saying. Aren't those two sort of synonymous?

Marika Konings: This is Marika. I think I just copied and pasted that language from the comment there that actually suggested it so...

((Crosstalk))

Alan Greenberg: Okay I think they were giving either or of how to implement it so it either should be that such domains should be exempt from this recommendation or we specify that they not be interrupted. Anyone with real knowledge of how this works to prefer which wording? I don't care which.

Again we're trying to give guidance to the people who are going to have to write the actual policy within ICANN so I'm not sure there's a big difference in either or - or we could even leave the or. If we leave the or it's or be exempt. Michele.

Michele Neylon: Why are we referring to the uniform rapid suspension which is something which doesn't exist?

Alan Greenberg: I guess technically it should be the proposed uniform rapid suspension.

Michele Neylon: If we're going to include it at all...

Alan Greenberg: Yeah.

Michele Neylon: ...I mean, I'm personally speaking as for myself, not for anybody else just so we're 100% clear, I'm personally not overly happy with the idea of us trying to include policy recommendations for policies and processes that are currently alpha at best...

Alan Greenberg: In flux.

Michele Neylon: You know, it's not - it's actually - it's pre-alpha, I mean, it's kind of on the drawing board. While I'm cognizant of the fact that some form of URS type thing maybe implemented at some point I think that that's some - any impact that may or may not have on existing policy at the time of implementation is something that should be dealt with with that not here. We have enough difficulties with what we're dealing with involving existing mechanisms.

Alan Greenberg: Okay thank you. Paul.

Paul Diaz: Thanks Alan. I just wanted to back Michele up and as I was trying to type in the text box below. I thought when we went over the public comments that we

agreed that we would not include references to something like URS since it wasn't here now.

The working group can't anticipate things that god knows when this will come to pass, things in the future. So I'd just as soon drop that sentence and, you know, if and when it becomes an issue it can always be addressed but I don't think we - we owe it to any particular constituency group to try and imagine and foreshadow things that are absolutely not here with us now today.

Alan Greenberg: Yeah, I don't disagree with that at all. We - I think when we were talking about the UDRP which does exist today I thought we said we would not include it in these particular recommendations but put an overriding one that all of the implementations must - should be done, you know, with full cognizance or awareness of UDRP issues and not try to identify the particular exceptions that we needed in our process.

We were - we're not attempting to pretend that we're UDRP experts and certainly not...

Michele Neylon: Okay here Alan - Alan, I'll give you an out on this one, okay?

Alan Greenberg: Oh good. Go.

Michele Neylon: I would put - new paragraph - if a URS or similar process is implemented in the future then this - then the working group recommends that this topic be revisited or words to that affect.

So you're basically acknowledging that such a concept may, you know, come to be or may even add something like we are cognizant of the possible - possible implementation of a URS in inverted commas but a such such beast does not currently exist we cannot, you know, make recommendations on it. Either that or let's drop it completely.

Alan Greenberg: How about a paragraph at the end of all the recommendations which say that the working group understands that some of the recommendations - and we may want to list which ones or may want to omit it all together - will be impacted with rules of the - of UDRP and then we can add words like you just had if we want of the future possible URS and, you know, they have to be taken into account in the implementation.

So it's a global one. We're not trying to identify all of the ifs, buts and ands within this working group but we accept the fact that there will be constraints due to UDRP and similar processes. Marika.

Marika Konings: Yeah this is Marika. I think you should know because the way Michele described it seemed as if another working group would then need to specifically look at that issue again. I think it would make more sense indeed once the URS, you know, is implemented, you know, that effort should take into account, you know, what has been done here and make sure that they are compatible.

Alan Greenberg: Yeah, I'm happy with that but for UDRP...

((Crosstalk))

Alan Greenberg: ...I would suggest that we don't try to identify all the ifs, buts and ands but...

Marika Konings: Right so...

((Crosstalk))

Alan Greenberg: ...statement for that.

Marika Konings: Yeah so I'll try to capture that at the end...

Alan Greenberg: Okay.

Marika Konings: ...as we discussed.

Alan Greenberg: And there's another possibility at the end of the rational which would be adjusted with whatever words we use at the beginning - four or five words from the end of the rational paragraph for Recommendation 2. Marika your hand is up again or just left up?

Marika Konings: No sorry I'm just trying to - oh you mean so it's just like the registry language...

Alan Greenberg: That's right.

((Crosstalk))

Alan Greenberg: Same wording we used up on the top. Recommendation 4 was the one where we made reference to unsponsored gTLDs. And you added a footnote but I think in fact the wording must be - has to be changed. And I would suggest wording like with the exception of sponsored gTLDs - and a footnote can't define it - all gTLDs shall - because we're trying to include the new gTLDs.

And although the new gTLDs are not sponsored they're not unsponsored either. No comments? Then we'll go ahead. That's all I had except for new Recommendation 18 on post-implementation compliance issues which we need to write.

Marika, do you want to try a hand at that first or do you want me to try to draft something or do we have any other volunteers?

Marika Konings: This is Marika. As you want I'm probably able to turn it around tomorrow morning European time so...

((Crosstalk))

Alan Greenberg: Okay then you can try drafting something first. There was a question on the table at the last meeting on whether we believe there was anything else that needed to be reported to allow compliance to do the work. I think that's getting into a kettle of fish that we probably don't want to open at this point.

I'm sure all the registrars will disagree with me and want to provide more information though. All right. All right we are an hour into the meeting. I've had an awful lot of hours on conference calls today.

I'm inclined to say let's cut it short, give people time to look at the other comments I made in the report and give other people opportunities to comment on the report if they choose to and come back next Tuesday and look at the new versions of the recommendations and see if we're happy with what we have at that point and go over the other suggested changes in the report. Marika.

Marika Konings: Yeah this is Marika. I - do we want to talk briefly about timeline for, you know, finalizing the report and - because I think we have a kind of timeline it will hopefully help people actually focus on the report and review it as well in detail.

Alan Greenberg: Well we have how many more weeks before we leave for Singapore? The week of the 15th is going to be probably dubious; for me it's my last day and I don't really want to do one on that call which means we have the 7th and the 31st - we have two more meetings before we leave for Singapore.

I think that means we have to do a pretty clean job next week and come back with one last review before we sign off on it on the week of the 7th. Michele says he won't be here next week. Are you comfortable on us working without you or you - for your information, okay.

I don't think we have a lot of - a lot to do. And I don't think most of what I suggested is controversial but I would like people to have looked at the comments ahead of time and maybe even put a message on the mailing list if they strongly disagree with something I'm suggesting.

Marika.

Marika Konings: Yeah that sounds good to me. Do I still have my hand up? I'll take it down. I also see that James is not available either next week.

Alan Greenberg: Well what do we do? As I say we have two meetings; I really don't want to leave this kind of, you know, this much to review to the last meeting we have before Singapore because I don't think any of us want to miss that deadline. Do we want to try to change the day of the meeting or go ahead without James and Michele? Paul, are you around?

Paul Diaz: Yeah, I will be, Alan, but in truth I would like to have as many of the regular participants available and on the call. Agree that waiting until the very end is probably a bad thing so perhaps we can look to see if another time is available.

Alan Greenberg: I'm certainly willing other than other conference calls...

Marika Konings: This is Marika...

Alan Greenberg: ...my schedule is moderately open. Marika.

Marika Konings: Yeah, this is Marika. I think that will be quite a challenge as I think Monday is a public holiday the US and Thursday and Friday are public holiday in I think most of Europe and a long weekend. So that leaves very little margin to find I guess an alternative time.

Alan Greenberg: Well do people agree that trying to do it on the 14th is probably not a good idea, try to hold a meeting then? I think that's too close to people leaving. Some people may have - Marika, you may have left already by then, I'm not sure.

Marika Konings: No I think I'm leaving the 15th or so.

Alan Greenberg: Yeah.

Marika Konings: I mean, an alternative would be if people really commit to, you know, reviewing the draft we hopefully get out, you know, tomorrow or later this week and having conversations on the mailing list by identifying, you know, issues or where people suggest changes, I mean, that's a way to work through it but I guess that, you know, does require people committed to actually reviewing the report and putting the issues on the mailing list and not waiting until the call on the 7th which then I guess supposed to be the, you know, sign off on the report, you know, plus minus any minor changes.

Alan Greenberg: I think Berry captured it in the - on the chat - the infamous list which we tend not to be using very well. I've already put my stake in the ground of the changes that I'm suggesting so if other people want to veto them, agree, you know, suggest changing wording if we can do that then we should be able to get through it next week even without James and Michele. Well at least if James and Michele do it ahead of time then we at least have their input.

Marika Konings: We'll leave the call for next week as it is for the moment?

Alan Greenberg: I think so.

Marika Konings: Okay.

Alan Greenberg: I mean, the only alternative is try to schedule two calls for the following week and I'm willing to if people really want to. Well let's leave that decision until

next week and go ahead with the meeting next week and hopefully we can get through those changes. There's not all that many of them. And after that I think the report is in good shape.

Any other comments? Then I give you back a half hour. Thank you for your participation and let's finish this up. Thank you all.

Marika Konings: Thanks.

Paul Diaz: Okay thanks guys.

Kristina Nordstrom: Thank you very much, (Theresa), that'll be all for today.

Coordinator: Thank you. Have a nice day.

Kristina Nordstrom: Thank you.

END