Registration Abuse Policies Working Group
TRANSCRIPTION
Monday 06 July at 14:00 UTC

Note: The following is the output of transcribing from an audio recording of the   Registration Abuse Policies Working Group meeting on Monday 06 July 2009, at 14:00 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-rap-20090706.mp3
On page:
http://gnso.icann.org/calendar/#july
All recordings and transcriptions are posted on the GNSO calendar page:
http://gnso.icann.org/calendar/

Present for the teleconference:

Greg Aaron - Registry C. - Working Group Chair
Nacho Amadoz - Registry C.
Michael Young - Afilias
James Bladel - Godaddy Registrar C.
Richard Tindal - Registrar
Mike Rodenbaugh - CBUC
George Kirikos - CBUC
Martin Sutton - CBUC
Philip Corwin - CBUC
Mike O'Connor - CBUC
Roland Perry -
Berry Cobb - CBUC
Greg Ogorek -
Jeff Neuman - Registry constituency
Robert Hutchinson -
Frederick Felman - Registrar
Evan Leibovitch
Faisal Shah - IPC
Rod Rasmussen - individual

ICANN Staff
Margie Milam
Marika Konings
Glen de Saint Géry - GNSO Secretariat

Coordinator: This is the operator. This call is now being recorded.

Greg Aaron: All right.

Glen DeSaintgery:I can do the roll call for you quickly Greg too.

Greg Aaron, Mike O'Connor, George Kirikos, Roland Perry, James Bladel, Martin Sutton, Greg Ogorek, Jeff Neuman, Richard Tindal and Evan Leibovitch.

And for staff we have got Marika and Margie Milam. And actually Philip Corwin has just joined the call now.

Greg Aaron: And we also have Berry Cobb who's just joined through Adobe.

Glen DeSaintgery: Yes sorry. I didn't see that.

Woman: And Berry Cobb is now joining the call.

Glen DeSaintgery: And Berry's on the call now.

Greg Aaron: Well welcome everyone to our new meeting time. We'll see is anybody joins in 30 minutes, the old time.

                First some housekeeping. We have a new member with us today, Evan Leibovitch from ALAC. Do you want to say hello Evan?

Evan Leibovitch: Hi there. I think those who were at the Sunday meeting I think knew who I was.

Greg Aaron: If you'd like, why don't you just take a brief second to tell everyone your background.

Evan Leibovitch: Okay. Just first thing I'm not speaking for ALAC nor representing them here. I'm chair of the North American region for At Large but speaking in a personal capacity.

Anything that - I'm still in the process of going back to ALAC for some guidance on some of the issues that we discussed at Sydney. But right now I am still here to learn and listen.

I'm a little bit groggy because I had another conference to go to after Sydney. And I got back yesterday. So I'll probably be just more listening than talking today. Though from the meeting in Sydney I think a lot of people have an idea of where I'm coming from.

Greg Aaron: Thank you. Evan. You're joining about three months into the project. So what I'm going to do is I'm going to send you some notes about what we've discussed so far and some documents that you'll need to get caught up on.

Evan Leibovitch: Okay.

Greg Aaron: The expectation is that you'll get caught up pretty much immediately. It'll be your responsibility to read those materials. We've done some work already and we won't be going back and reviewing it basically or revisiting some of the topics we've already done. So there is some water under the bridge and we'll expect you to get up to speed.

Evan Leibovitch: Understood.

Greg Aaron: Okay. So look for that in the mail today.

Okay a brief - let's see a brief recap of Sydney. We got together for about an hour and then we had kind of open forum for questions from the audience. We had quite good attendance. And I think the great majority of the working group members were there either in person or on the conference.

If you did not have an opportunity to join us one way or another there is of course a recording and transcript which I believe is linked to on the Wiki now.

We picked up basically from the meeting before. So the last topic we got into was cyber squatting. And we'll talk a little bit more about that today hopefully. And then there's various Q&A. But what we'll be doing today is continuing on course.

Let me see here, pull up our agenda. Did anybody have any questions or comments on the Sydney meeting before we go ahead?

Okay (George)?

George Kirikos   I think at the end of the Sydney meeting it was suggested that Mike Rodenbach would go back to the GNSO to clarify the exact scope of the - of this group whether, for example fiber squatting which is often a youth based activity would be covered by the scope of this, the workgroup or not.

I didn't see any vote on their mailing list so we continue to - or I continue to believe that it's out of scope because it isn't really directly related to registration of these.

Greg Aaron: Actually I believe Mike has just joined us.

Mike Rodenbach: Yes I have. I didn't realize I had an instruction to go back to the group but certainly can.

(George) I just think you're pushing this - you're pushing a motion that is really been decided by council already. I know you keep getting hung up on what is abuse versus registration abuse.

You know, that was the task that was assigned to this group to try to sort out. It's perfectly acceptable if the group would come back and say that that's not really possible to do as I've been arguing all along.

But to keep arguing that, you know, things are outside of the scope of group - of the group is really just a waste of time.

So if we do need to get clarity on it, let's do it and let's do it now so we can stop wasting everybody's time with this line of reasoning.

George Kirikos   Well I thought it was understood at the last meeting that you were going to do that. So the ball's in your court now.

Greg Aaron: That wasn't my understanding actually but Marika I see your hand's raised.

Marika Konings: Yes I just want to point out that I did send everyone a development section of the charter that talks about the definition question which I think made outline that is for this group to discuss these issues and come back with a recommendation to the council.

And personally I didn't see any limitation in that discussion. If the group would come to a conclusion in the end that they see certain elements not fitting within the definition that the group agrees is registration abuse, then that's a recommendation to the council.

And I think another reminder is that this is a pre-PDP working group. So I think there's more scope for discussion here as well if this group is not going to make any recommendations yet on policy or policy changes.

So I think that's something that - to take into account in this discussion. And I think as Mike said, might not be a need at this change stage to go back to the council to change that definition here.

Greg Aaron: Okay. James, I see your hand's raised. Thank you Marika.

James Bladel: Yes, just to echo what Marika was saying, one of my last contributions to the group in Sydney was that Mike is correct, we do tend to get - we do tend to

get into circular discussions about scope. And so I thought that since this was just a pre-PDP and not yet going through the formal PDP process -- and I'm still struggling with the difference in the definition -- but we could just, you know, acknowledge that there may be questions of scope and move on and then possibly make a note to address those in the formal PDP.

Greg Aaron: Okay, anybody else?

I think what Marika says is makes a lot of sense. To me reading the scope is that this is in scope. So I'm kind of with Mike on it.

Mike Rodenbach: I just feel like we need to all agree on that and stop raising the issue with every topic we discuss because it really is a waste of a lot of people's time.

Greg Aaron: Well Mike one of the things we are charged with doing is trying to figure out whether some of these issues are in scope or not. I don't think we're going to be able to make a blanket statement that we're going to look at everything. We have choices to make.

And maybe in this particular one we can agree. But we've been asked in our charter to also decide whether certain things are in scope or not. So but I don't think blanket pronouncements are going to be possible.

So anyway, the current topic is cyber squatting. Now Fred Feldman had sent in some text but he is not with us on the call. And Fred didn't send it in directly. I think he just posted it to the Wiki.

Did anybody - was anybody in discussion with Fred as he created this material?

Man: (I had) one email exchange about it.

Greg Aaron: Okay and (Martin) I know you were also on that little group working on this. Did you guys have any discussion?

(Martin Sutton: No, not on this specifically. But no, I've read the posting. But I know he was just going to try and extract some of the definitions from other areas.

Greg Aaron: Okay. Well let's look at what would have from Fred so far. And I wish Fred would - maybe he'll join us at 30 after. We'll see.

But on screen we have two standard definitions, the ACPA definition. And Mike, can you tell us about ACPA?

Mike Rodenbach: The United States federal law, the Anti-Cyber Squatting Consumer Protection Act been in place for six, seven years now I think and basically is designed to deter and punish cyber squatting.

Greg Aaron: Okay. And then the UDRP definition which is probably familiar to most defines the three criteria that are needed to establish cyber squatting and then transfer cancellation of the name.

So they're not - cyber squatting - the UDRP one is kind of more functional three criteria. ACPA strikes me as something a little more difficult or a little more morphis to define.

Mike, basically ACPA is something you would bring a suit under is that correct?

Mike Rodenbach: Yes.

Greg Aaron: Okay.

Mike Rodenbach: Also this is not, I mean this may be one definition of cyber squatting. This is not what the elements of the cyber squatting claim are. And those might be more helpful deciding just exactly what is a cyber squatting offense.

This is really sort of a general definition that Congress worked out by which they would, you know, they said this is a problem. But this didn't really defining what is the activity that is illegal.

There's a separate set of factors to that effect which I'm surprised that they were in here. But they - I can't scroll down and see if they're at the bottom. But that would be more helpful than what we have here.

Greg Aaron: Okay Jeff Neuman?

Jeff Neuman: Yes I would agree with Mike. I think the ACPA definition here is really no different than ordinary, or could be ordinary trademark infringement. It's just using a domain name.

So I think it's going to be important if we use the ACPA as Mike said to look at the actual factors because cyber squatting is very different than just ordinary trademark infringement.

Greg Aaron: Okay.

Marika Konings   Greg, can I make a comment? It's Marika.

Greg Aaron: Please go ahead.

Marika Konings: Yes no, I just want to read out because Fred did leave a statement on the Wiki as well in addition to the document in which he says I've included two alternative definitions for cyber squatting in the attachment which you can see in Adobe Connect.

I'm recommending that we used that definition based on UDRP because this is the commonly agreed upon definition in the DNS.

If there is agreement on that I'll begin a draft on the issue and background for this discussion in this group and the full RAP, just add that to the discussion.

Greg Aaron: Got you. James?

James Bladel: Hi. Just to remind or to refresh where we were when we were asking for - I think it was myself that was asking for us to get some different definitions was that the definition that we had in Sydney that we were discussing, many of us felt had an element of intent that was assumed or needed to be discovered. And so we were just looking for other models that were pre-existing.

And, so I think that, you know, we're looking for something to help us push off on defining cyber squatting that takes away that element of intent. At least that was my recollection.

Greg Aaron: Okay. All right well we have a couple of definitions here to play with. But the bigger question that'll come before us is, you know, obviously this is a well-known domain name, a registration issue. It's actually - UDRP actually defines it as an abuse. So it's pretty - I think it's pretty clear that it's an abuse issue.

The question is what should be done about it if anything? What is our group really concerned about and what might we recommend?

So, you know, there's definitional issues can be settled and agreed to I think. But the bigger question is so what next?

Is somebody proposing that something change or something be different or that a policy be created other than the UDRP? Mike?

Mike Rodenbach: I guess the question I've got is how does this conversation relate to the new IRT recommendation? And should we include that in this conversation?

Greg Aaron: Well, we had a discussion a couple months ago about the new TLD process. IRT certainly does touch upon some of the same issues. But we're not necessarily tasked with creating a work product or making recommendations for the new TLD process. That's never been requested of us.

I also see Jeff's hand's raised.

Jeff Neuman: Yes thanks Greg. Well I think - and I don't want to speak for (Phil). He's on the call here. But I think one of the recommendations that could be made certainly is for a review of the UDRP. I mean I think, you know, I know that (Phil) has spoken about that. And I know that there are registrants that would like to see certain things change. I know that certain registrants think that it's skewed towards trademark owners and certain trademark owners feel otherwise.

But I do think that one of the recommendations we could make or should make is that look, it's been in place now for ten years. I think it needs to be reviewed.

Greg Aaron: Okay. (Phil)?

(Philip Corwin Yes well two thoughts here. One, the IRT and particularly the URS I think was evidenced in Sydney as controversial and it's not clear yet what's going to happen with that.

So far as the UDRP, the organization I represent has said that we would prefer a uniform dispute process across those incumbent and new gTLDs and would - the letter we'll be filing today on the IRT advocates a expedited PDP to do just that to get a new process in place prior to the opening of any

new TLDs in the last quarter of 2010 which addresses both trademarks and registrant concerns about various aspects of the UDRP.

But having said that, I'm not sure how we would factor that into what we're doing right now. I think we have to deal with abuse as it's presently defined and not as how it may be defined at either new gTLDs or new and incumbent gTLDs at some point in the future whether that's the near future or further down the road.

Greg Aaron: Evan?

Evan Leibovitch: Hi there. I just want to say...

(Philip Corwin   Well and one more thing. Also I think we need to keep in mind that we're not just, that registration abuse at least when we started out was far broader than trademark concentric. We were talking about the (where) registration of domains with the intent to use them for illegal activities, distribution of malware -- that type of thing.

So we started at least with a much broader purview than just trademark infringement.

Greg Aaron: Yes. Okay. Anything else (Phil)?

(Philip Corwin: No. That's it.

Greg Aaron: Okay. Back to you Evan.

Evan Leibovitch: Okay. I mean I'm coming into this, you know, for this particular agenda item realizing we're talking about cyber squatting which, you know, as I said before isn't necessarily the only form of abuse.

But as we're talking about this I'm perfectly happy with the UDRP definition acknowledging some people have said there's an issue of use. But I mean there's a clear bad-faith component of the UDRP definition. I'm perfectly happy with that.

Greg Aaron: Jeff?

Jeff Neuman: Oh actually I didn't have my hand up again.

Greg Aaron: Okay, all right. Well what are some of the things that people perceive as being inadequate about the UDRP? What are some of the things that people have raised over the last couple of years?

And Jeff, I'm asking that one also to you since you had mentioned a couple cases.

Jeff Neuman: Yes, so I think a lot of it's come up in the whole IRT discussions. And probably if you review a transcript of - there were so many meetings. I think it's the transcript of the general - the Wednesday afternoon session on trademark abuse.

I believe that some had raised issues of - issues of catalyst and issues of bias that may be within panelist decisions. I've heard some of that.

I've heard, you know, issues of cost, from the trademark side, issues of cost and issues of, you know, 70% of them result in default and why should it be so expensive to bring those actions.

I mean there's definitely issues on both sides some of which have been raised - you could find in the transcripts from that Wednesday session. And I'm sure (Phil) actually has a bunch more issues that he could talk to as well.

Greg Aaron: Okay. Mike Rodenbach has his hand raised.

Mike Rodenbach: Jeff did a pretty good job of saying what I was going to say. But basically just coming in from the other side if you will, the trademark owner side, the UDRP has certainly been a good step better than having to go to court every time but certainly has not been a deterrent to cyber squatting particularly since the rise of pay per click advertising.

And so basically we - what trademark owners believe is that the UDRP is too cumbersome, too expensive, too slow to provide an effective remedy against the domain cyber squatting which only costs, you know, $8 to register a name.

Greg Aaron: Okay. Let's see. (George), I think you're next.

George Kirikos Yes I think Jeff covered most of the issues. I think also from a registrant point of view a lot of the process is cumbersome to defend a UDRP. The amount of time given to defend a UDRP is a lot less than that for a complaint and too has, you know, unlimited time to prepare a case whereas a registrant has only 20 days to respond. And then that goes to the issue of the speed and the cost on both sides.

Greg Aaron: Okay. Thank you. (Phil), I see your hand up.

Philip Corwin Yes, adding to that - and again, I'm not quite sure where this fits in with our mission. But as there was an open process to discuss everyone's problems with the UDRP, complaints I've heard from registrants include some were similar to trademark interest, the expense and time involved.

We see increasing evidence of forum shopping between the various arbitration groups, the lack of any binding precedent, the lack of an internal low cost appeals process.

And more and more we're hearing reports of folks who have had domains for a long time. We're not infringing. And someone goes out years after the domain's been established and takes out a trademark in the same term and then brings a UDRP. And in some cases they're actually winning those cases when they should not be.

So there's a lot of problems going on. And all we've ever said is let's have a process that addresses everyone's concerns, not just trademark concerns.

Greg Aaron: Okay. (George)?

George Kirikos   Yes, just back to the (Phil)'s points, many on the trademark side are using UDRP in a way that it wasn't intended. They're using it as a lottery ticket in order to go after high value domains.

I think if there is going to be UDRP reform the number of cases that are covered needs to be refined.

So for example as (Phil) said, you know, if you register a trademark after the domain name and it's, you know, long after like ten years, that's obviously not a case for the UDRP. That's not one of those clear-cut cases that people were talking about when UDRP was originally created.

Greg Aaron: Jeff?

Jeff Neuman: Yes, so I don't know how we accomplish this but my request is that this is the type of issue that should be sent out for public comment to hear from people that maybe aren't necessarily participants in the (ITN) process day to day, you know, to get it out there so that we can ask them what they perceived are there good things and bad things about the UDRP.

Because I don't think we're going to be able to brainstorm them all but I think that would be something that's valuable for public input, you know, for anyone

who's lost the UDRP case or awarding the case it would be very valuable to hear from them.

Greg Aaron: Yes. Well in this process that we have for this PDP working group is exactly for that. I mean if we do make a recommendation about UDRP then the recommendation plus any others would go out for public comment.

And then if there was a PDP after that then that would go through the usual process also with inputs.

So Mikey, go ahead.

Mike O'Connor: I was just going to sort of wrap-up this little part of the discussion by bringing us back to Jeff's original idea which is it seems like everybody's speaking in favor of the notion of recommending a review of the UDRP.

And maybe we could just check for folks who don't want to do that and if not go ahead and chalk that one up as something...

Greg Aaron: You spoke my mind. I was going to do a little straw poll here.

Mike O'Connor: Sorry about that.

Greg Aaron: No, quite all right. We could phrase this a couple ways. I mean we started discussing this as cyber squatting. But do we want to make this a referendum on kind of the UDRP as it stands?

So I'll tell you what, do we want - let me phrase it this way. Let me type this in here for just a second.

Marika Konings: Greg, while you're typing can I say something?

Greg Aaron: Go ahead Marika.

Marika Konings: No, I just wanted to point out and echo what you said. I mean this group can make recommendations but those could be recommendations as well as saying, you know, we want to do a public comment period or we would like to have a workshop on this issue or so I think as well this group should, you know, think broadly in that sense that, you know, it shouldn't be - the only recommendation this group can make us like whether to initiate a PDP or not.

If the group feels that there are other avenues that should be explored first I think it should be open about that and include that in its recommendation so that counsel can take an informed decision and see as well why, you know, with the argumentation's why the group felt that for example, the first should be a public comment period or a workshop or whatever being organized before, there is a decision on reviewing the UDRP for example.

James Bladel: Greg, Marika, this is James.

Greg Aaron: Go ahead.

James Bladel: A point of administrative order, I'm not able to read the chat window on Adobe Connect. I'm wondering if that's something I'm doing or something everyone is seeing. I can only see about two lines there.

Greg Aaron: Is that better?

James Bladel: Much, yes. Thank you.

Greg Aaron: All right. So anyway, I'm sorry I lost my train of thought. Just a second. I'm typing in straw poll topic.

All right, so I'd like a straw poll on this question. And if you like the idea, use the green check mark. If you disagree you can use the red X.

Man: All right, where's the questions? Oh (unintelligible). I'm just looking for what he typed in.

Greg Aaron: Can you see the chat box?

Man: It's in the second window on the left, the middle window.

Man: Says change topic from cyber squatting to review of UDRP?

Mike Rodenbach: Yes, can I speak to that Greg?

Greg Aaron: Go ahead.

Mike Rodenbach: Mike. That's I guess a little bit out of scope, changing the topic I suppose. I mean cyber squatting to review the UDRP, what you're doing is you're really narrowing the scope of the topic. UDRP is one specific remedy used to address cyber squatting.

                  Cyber squatting, you know, there's thousands of cyber squatting cases that never go UDRP because it's so expensive and slow. So that's why you have the URS proposal from the IRT to throw in a few more acronyms.

Greg Aaron: Okay. So what you're saying is there are other ways to address cyber squatting?

Mike Rodenbach: That we should be at discussing, yes.

Greg Aaron: Okay. Would you like to throw some out?

Mike Rodenbach: Sure, better registrant verification up front, a sunrise process that involves some sort of an IP claims service as was recommended by the IRT, and of course some sort of quick suspension process for when abuses do happen similar to URS (unintelligible).

Marika Konings: Greg, this is Marika. If I can take the discussion a second back as well to the original document because where this comes from is our listing of the different abusers going to the definition process.

And I think we did have a category in there as well as recommendations from the working group on those specific issues which then for example could include like review of the UDRP or some of the other elements that Mike mentioned.

So I'm not sure whether we're now jumping ahead talking about recommendations and moving away from the original document of different abusers and first defining them, deciding whether they are considered registration abuse where they have legitimate purposes and then move to what do we want to do about them or what is the recommendation from the group to the council to...

Greg Aaron: No. I think what we're doing right now is the topic that came up with cyber squatting. And what I think we're assessing out now is that review of the UDRP is one topic of interest.

But there are other aspects of cyber squatting or other potential solutions, what have you, that would like to be discussed because we've got a mixed result on the poll.

So as Mike said, there might also be other things that we should add to our list for discussion.

So the topic is still cyber squatting. The question is what do you do about it? What are some of the potential issues or solutions that should be discussed? (George), go ahead.

George Kirikos   Well in some ways by setting the failures of the UDRP we come up with some solutions. Like I'm fully in agreement with things like registering verification. That acts, you know, proactively to reduce all kinds of abuse, not just cyber squatting. But it would be nice to have that study of, you know, what the failings of the UDRP are so that it kind of narrows exactly what the fixes are going to be.

Because, you know, if it's already perfect which everybody agrees it's not, then, you know, you can be able to fix what's wrong with it.

Greg Aaron: Okay, Mikey?

Mike O'Connor: Well I just want to pick up something that went by in the chat which I thought was a good idea and maybe frame the poll a little bit differently. Rather than change the name of cyber squatting which I think good points have been made, but that's not necessarily the right thing to do.

Maybe what we ought to do is frame this as just are we in favor of the notion of review of the UDRP as part of our recommendations but just, you know, instead of changing the topic.

Greg Aaron: Yes, yes. That's what I had said basically. Yes.

Mike O'Connor: I mean in (mine) then.

Greg Aaron: Yes, okay. Evan has his hand raised.

Evan Leibovitch: Well or have we moved on from reframing the topic or are we going on to what are we going to do about it?

Greg Aaron: Well we're going back to the topic of cyber squatting.

Evan Leibovitch: Right. But there was a mention a few minutes ago of okay, if we have something beyond the UDRP, what do we do about it? So if that's still on I have an idea or two.

Greg Aaron: Okay. Go ahead.

Evan Leibovitch: Okay. Can we not possibly work with the search engines with the Google's and Microsoft's so that they can restrict their offering of pay per click services to offending domain names?

Greg Aaron: Does that get beyond ICANN's scope and what it should be doing?

Evan Leibovitch: Well as I heard at the beginning of this call, one of the things this group can do is define its own scope. And this might be something worth investigating.

Greg Aaron: Well to clarify, we do have an obligation from our charter to consider whether ideas are in ICANN scope or not. We're not freeform.

Evan Leibovitch: Right. Hey, you're asking for ideas.

Greg Aaron: Sure. And I'm asking a question in return.

Evan Leibovitch: And so it might be worth debating whether this is within the scope or not. I think it's a concrete way to discourage cyber squatting. If people know if they take a domain that's in bad faith that they're not going to get any pay per click revenue out of it, that may affect things very significantly.

Greg Aaron: (George)?

George Kirikos   Just to follow up on Evan's idea. That's really not what - something that ICANN can say. It's really left up to the trademark holder Yahoo! and Google. And both Yahoo! and Google already offers such programs where if you have

a trademark you can file to have, you know, a domain locked from pay-per-click on that trademark. So...

Evan Leibovitch: So maybe...

George Kirikos   ...kind of already in place.

Evan Leibovitch: ...as a matter of information ICANN can facilitate that.

George Kirikos   Other than finding accurate who is like what would they do like?

Evan Leibovitch: Well do you want me to go into detail later? I mean you - look, you guys are asking for ideas, I'm coming up with them. And rather than just bashing them right away, how about figuring out maybe how we can make it work?

Greg Aaron: Well it doesn't make sense for us to spend a lot of time debating an idea that is clearly outside of ICANN's responsibilities or powers. So I think that's the question in front of us. (Basel)?

Man: I mean just following up on Evan's thought, I mean it's something ICANN could do for example is require (WIPO) and NAF and the other arbitration centers to provide a list of cyber squatting names to search engines. You know what I mean?

I mean I wouldn't dismiss his idea is completely out of hand. There are things ICANN could do if ICANN wanted to.

Greg Aaron: (Basel)?

(Basel): Yes, you know, maybe I'm going to go off a little bit here, but I want to go back to what Marika Konings was saying which is basically why. I think we might be jumping ahead of ourselves with the whole review of the UDRP and whatnot.

And so we bring it back to just coming up with the definition about cyber squatting, decide whether it is or isn't - there's registration abuse here and then move onto others as opposed to trying to focus really - focus in on, you know, remedies at this point.

Because I think we can do that for pretty much every single one of them. And then it could be pretty cumbersome task.

Greg Aaron: Well I - the UDRP actually defines cyber squatting as an abuse. We already know it's an abuse don't we?

(Basel): Right.

Greg Aaron: So given that, what do you suggest again?

(Basel): Just I guess my suggestion is that we, you know, we do what we did for the previous, you know, demonstration registration abuses and come up with a definition here for, you know, cyber squatting.

And then we could move through all the other potential registration abuse uses that we have, you know, in our - that we originally come up with in (Martin Sutton). And then we could come back to this as opposed to going through each of these and trying to figure out whether there was a - the - a remedy that is adequate or not.

Greg Aaron: Okay, that's an interesting question. All right. I mean on one hand everybody is saying yes. Everyone thinks that the UDRP needs re-examination. Okay. Let's see James, you're next.

James Bladel: Yes I'm just coming into this a little belated. But I just wanted to concur with (Basel) that we should probably draw a box around some of these and move on. And I'll just leave it at that circling back on some of the other topics.

Greg Aaron: Okay. So your proposal is (Basel) and James to finish up the definition of cyber squatting and then come back to ideas for dealing with it?

Man: Yes.

Marika Konings: And Greg, what I can do in the meantime as well, in the document we have, I can already add a box in saying recommendations and at least note some of the points that have been discussed so, you know, when we come back to them, you know, we have reminders of some of the things that were raised throughout this discussion if that will be helpful.

Greg Aaron: Yes. Let's do that then. Okay. Now we had a group that was working on definitions. That was Fred, James, Mike Rodenbach and I'm forgetting someone.

Man: Phil Corwin

Greg Aaron: (Phil), okay. Thank you.

                We decided that the ACPA factors might be needed to be added to the document that we have so far on the Wiki.

                By the next meeting can the four or five of you get those ACPA factors and have a definition for us to discuss at the next meeting?

Man: Yes.

Greg Aaron: Okay. And...

Man: Can you tell me who's on the list again, Fred, (Basel)?

Greg Aaron: No. Let's see, it was Fred, (Martin), let me see.

Marika Konings: It noted on the Wiki page. So it's Fred, Mike, James, Michael Young, (Basel Mura) and (Phil Cloren). Those are the ones that volunteered in the meeting in Sydney.

Man: Did they add (Cloren)? Okay got it. Thanks.

Greg Aaron: Okay. Who would like to volunteer to speak with - from that group to speak with Fred and get him caught up?

Mike Rodenbach: I will do that.

Greg Aaron: Okay that was Mike.

Okay all right. Now Marika you had mentioned that you were - were you jotting down some of the ideas that had come up?

Marika Konings: Yes. And my proposal was to add a box to the document where we now have high definition and primary target and legitimate use requires being a system (REP) working with scope to add a box there saying possible recommendations just to note down ideas that have come up so we can take those down that were discussed now.

Greg Aaron: Yes. And what I'd like to do is let's have that list of recommendations also put in, yes, underneath the definition.

Let's work from the Wiki at this point because that's where the existing definition material is so far. And let's capture all that so we can go over it at the next meeting. Does that sound okay?

Okay. That is an okay then. Tell you what, Mikey, do you still have the (mic). Do you need it?

Mike O'Connor: I don't know how I got it. No I don't, sorry.

Greg Aaron: Okay. Evan, your hand is raised?

Evan Leibovitch: No.

Greg Aaron: Okay. All right. I'm going to decline that then. All right Mike and Evan, if you could clear your Xes and checks. Do you have an action for the next meeting?

Evan Leibovitch: No.

Greg Aaron: Evan, your hand is gone.

Evan Leibovitch: Yes, sorry.

Greg Aaron: All right. So our action is (Marie) has got the list. We'll be adding that to the definition on the Wiki. Mike Rodenbach will speak with Fred and you'll have material for us to look at the next meeting.

                  When you guys post that revised material can you also post it to the list? Actually the sooner you can get it done the better because then we can kick off some discussion on the list and maybe we can get some discussion going before the next meeting.

Mike Rodenbach: I was going to send a note out to the small group immediately is what I propose to send to the list.

Greg Aaron: Okay. We are still meeting only every other week so it would be good to have discussion on the list to the extent possible.

                  Okay. So that's cyber squatting. And I've got leads for it. So, on my - hold on a second. Okay. Now we can do two things now on the agenda. We can go

on to the next thing on the list. But there's also another topic that I want to remind everybody about that we have to work on.

And that is that in the charter we're asked to understand if registration abuses are occurring that might be curtailed or better addressed if consistent registration abuse policies were established.

Basically this is a question about uniformity across registries. And Mike Rodenbach, I'm going to ask you to kind of speak to this one. So I think this is one of your main questions that led to this working group.

Mike Rodenbach: Yes, that's correct. It stems from the fact that the VeriSign Registry units for (Colin & Met) are very different than all of the other GTLD registry agreements I believe on the point of dealing with abuse.

So all of the other registry agreements very clearly provide the registry the opportunity to take names out to suspend names in the event of bad behavior whereas the (Con & Met) agreements do not specifically allow VeriSign to do that.

Greg Aaron: Okay. So one of the questions is can things be curtailed or better addressed if things are consistent?

Mike Rodenbach: But we should note they're not just talking about the registry agreements. They're certainly also talking about the registrar agreements and specifically the registrar registrant agreements which are often not consistent or are completely inconsistent really.

Marika Konings: And Greg if I can maybe add to that because it's though, I think on the research for the issues report we had limited time and we felt that, you know, one of the questions this group would need to ask is what would more uniformity have as a result, to do some thinking or some investigating as to, you know, whether that would benefit the end outcome or not.

Because at this point, you know, are we - at least we couldn't find any evidence of that being the case or not being the case. So that's why that issue was raised as well in the issues report and needing further discussion.

Greg Aaron: Right. And that's why I'm raising this question at this time because it's something that will require some work and looking into.

So if we want to do that we should probably bite off some of that work now because it may take a little bit of, you know, research.

So but what we have in the issues report that Marika Konings created was an overview of what it exists, registry to registry. And then there are notes about what registrars have I believe.

And we - this topic may also be more informed as we go through our individual issues. Because we'll get to understand those issues a little better and whether or not, you know, we may get a better understanding what those issues are, how widespread they are, where they occur -- that kind of a thing.

So how should we approach looking into this issue? There is some inconsistency. The question is what does it mean?

We're going to need somebody to take on this issue and start outlining, you know, departing from the issues report, what the issues are and whether - I mean what does it mean? Does it make a difference or could it make a difference? They are obviously differences in what all these entities do.

So I'm suggesting that we need a sub team to start working on this issue. The only question is who wants to start looking at these diverse policies outlined in the issues report and try to figure out for us what it actually means?

Do I have any volunteers?

Mike O'Connor: This is Mikey. I'll volunteer but I'm jammed up. I can't lead it.

Greg Aaron: Okay.

Mike O'Connor: I could participate.

Marika Konings: And this is Marika Konings. I'm of course - I'll have to provide staff reports for this sub team.

Greg Aaron: Okay, so Mike and Marika. Berry, is your hand raised?

Berry Cobb: Yes I just like to - I'd be a part of this little subgroup. And some of the work that I kind of started on is collecting registrar, registrant agreements across every country kind of like the top ten of registrars out there and looking at what kind of agreements they have set in place.

I've acquired all of those different contracts so to speak. And now I'm trying to coordinate how we can compare one against the next and again by countries. So anyway I'll help out with this little subgroup.

Greg Aaron: Okay, thank you Berry. Anybody else?

We're going to need at least one or two more in addition to Mikey and Berry. Mike Rodenbach, this is a topic you were interested in. Would you be willing to volunteer?

Mike Rodenbach: It is a topic I'm interested in and certainly when I'll be watching. I can provide a little bit of time but not a lot.

Greg Aaron: Okay, so is that a yes?

Mike Rodenbach: That's a yes with the condition that I can put in a lot of time on this. I'm already putting in way too much time for ICANN these days.

Greg Aaron: But you love it man.

Mike Rodenbach: I do love (doing it).

Greg Aaron: Okay, I'm going to put you down on the list. So we have Mikey, Marika, Berry and Mike. I'll keep abreast of it. Anybody else? All right, we'll also need to poll the people who are not with us today. So let me take that as an action item for myself.

Marika Konings: And something to note may be here for the group, I mean I'm not sure how much research this group wants to do itself, but something they could consider as well that's, you know, not a public comment question or maybe a question directed to some of the constituencies like the registries and registrars will have, you know, day to day experiences of these issues to get some feedback or input from those groups is something to consider. So not to make it too work intensive for...

Man: Yes, and also from the groups they're trying to deal with abuse on the Internet.

Marika Konings: Yes.

Mike O'Connor: This is Mikey. Can we ask the registries and registrars to just send us copies of the agreements to fill out the work that's already been done?

Man: They're all on the...

Marika Konings: That information...

Man: ...Web site.

Marika Konings: ...is already in the issues report.

Greg Aaron: The registrar agreements are always posted on their Web sites.

Marika Konings: We've put some samples of the registrar registrant agreements in the issues report because we of course we cover all of them and we covered I think the (elements) from the registry agreements. So those can already be found in the issues report.

Greg Aaron: Okay. (George), did you have a question?

George Kirikos   Yes, just going to make an observation. That is if these subgroups tried to post, you know, between meetings, all their discussions on the mailing list may be with a special subject then that might draw in more input from members who might not have volunteered but who are following the issue.

Greg Aaron: Absolutely.

George Kirikos   Because if we just hear about things two weeks from now, you know, it's all out of the blue, whereas if we're, on an ongoing basis the chance for more input is much greater.

Greg Aaron: Absolutely. That - yes, as a reminder to everybody is one of the reasons why we chose the Wiki is because we want to have material up there all the time that people can react to.

And since we are meeting every other week we need to get work done between those meetings. So posting to the list and posting changes to the Wiki is actually both - those are both good things to do.

Posting to the list will let people know that you've done some work and just stuck it up there on the Wiki and then people can go look at it.

Okay. All right good. All right. So that's another track we have underway now. And we are coming up at the top of the hour. Would everybody like to take a very brief break a couple minutes? And then we'll come right back.

So I'm going to call a break until the top of the hour. It's about 4 minutes from now according to my clock. Okay. All right. So if you want to hang out on the call for just a minute of course please do so.

Okay we're back. All right. So moving on next on our laundry list so to speak after cyber squatting is mass/automated registration abuse which is defined as automated tools used to register bulk (mate).

So first question is, "Is this a legitimate use or not or both?" Opinions?

(George)?

George Kirikos   I would say definitely has the potential for (typo) squatting but on the other hand it can actually be used for legitimate purposes.

Let's say I'm starting up a new company selling widgets. I might want to get all variations of that name and these mass automated tools could help me register those in bulk. And so it can both be used to protect a company's name but also (typo) squat existing mains.

Greg Aaron: Okay Mikey O'Connor?

Mike O'Connor: I'd just like to chime in behind (George). In fact the variances names are often suggested by registrars when going after a specific name. It's very helpful. So maybe the (assignment) to that is - comes back to the trademark abuse, you know. It's abuse when those tools are used to register variants of trademarked names. I agree with that. But I don't think the tool itself can be indicted with a blanket statement.

Greg Aaron: Okay, thank you. Mike Rodenbach?

Mike Rodenbach: I mean I think no question that it can be used negatively. And we made big steps forward to illuminate that sort of use with the domain (taking) working groups and the outcomes from that groups which have now been implemented.

As far as, you know, registering names on a massive scale, an automated scale, I mean it's just something that would be really hard to prohibit even if we wanted to. At this point it's just sort of been done, been done to death and doesn't seem like there were other stops.

And, you know, certainly some players in the system have built technologies that allow them really superior access to the domain pool, both expiring domains and new registrations really.

But on the new registration side again, I think the domain tasting remedies have more or less taken care of that although we're certainly monitoring the implementation of that policy.

And then I would just note that on the expiring domain side, that is also being looked at. So there's another working group that has just been kicked off from the GNSO on the post expiration domain name recovery policies and the inconsistencies that people have seen and how those policies are applied.

Greg Aaron: A couple of questions for you Mike, post expiration or P-E-N-D-R. Is that it?

Mike Rodenbach: PDNR, yes.

Greg Aaron: NDR. The - is that about how domains get back into the pool of availability?

Mike Rodenbach: Yes.

Greg Aaron: Okay.

Mike Rodenbach: So and more specifically how they never get back to the pool availability.

Greg Aaron: Right. And then the - my recollection is that the council is going to be
                   following up on the domain tasting question now that the policy's been
                   instituted. There was going to be some sort of a follow-up to see what effect it
                   was having. Do you know anything further about that?

Mike Rodenbach: Yes. There's been one very brief update from staff that came right before the
                   Sydney meeting from Craig Schwartz, basically said we don't have the stats
                   yet because they're not public because all the registry operators keep their
                   statistics private for three months.

                   So basically what Craig said is come October so he'll have another report
                   that looks at the statistics.

Greg Aaron: Okay. So it sounds like what they're going to do is - see what they do is they
                   get the monthly reports from the registry operators and then ICANN doesn't
                   publish them for three months.

Mike Rodenbach: Right.

Greg Aaron: Once those are published it'll basically tell us what happened.

Mike Rodenbach: That's right. And but clearly we saw a really dramatic shift last June even
                   when the 25 cent ICANN fee became nonrefundable.

                   And Craig put out a note that time showing how, you know, I think the number
                   was 86% drop in deletes month over month which, you know, there were still
                   a couple of players in the system at that time that I've pointed out. And
                   maybe that drop is bigger than it should have been because there was a lot

of gaining going on right up to that point, a lot more tasting before the fee kicked in.

But anyway, it shows that there was a significant drop. And we can go and look at that now if we really wanted to.

Greg Aaron: Okay, Evan's hand is raised.

Evan Leibovitch: Yes. I just wanted to concur with what was said before. If the purpose of the - if the action is okay, having an automated tool to make it more effective, efficient or do it more in scale should be the issue. I think it's more the purpose of what's being done than how fast or how many get to be done.

Greg Aaron: Okay. So my question is mass registration tools is a means but it's not the problem necessarily. I mean we saw a similar issue with name spinning.

                Name spinning wasn't - it was just a tool but it was - the issue was what it was being used for.

George Kirikos   Can I make a comment? It's (George) here.

Greg Aaron: Go ahead (George).

George Kirikos   Would this be used also overlap of the issue of having a bulk number of registrars in order to go into - go after expired names or sunrise periods? Would that cover the automated registration abuse that people were thinking about?

                Because for example some registrars have hundreds of cloned registrars or phantom registrars that are all working in order to improve their bulk access to the resources. But that's covered by this topic then conceivably that could be an abuse in the sense that it's anti-competitive that people are basically buying resources and increasing the compliance burden on ICANN.

Conceivably the registry operators would be better off if they were able to separate out their pricing for example to charge, you know, let's say $100,000 for X number of requests per second and then, you know, allow an existing registrar just buy more instead of forcing registrars to create clones of themselves?

Greg Aaron: Well are we conflating two different topics? Because I think originally when this came up it was basically about registrants who go out and register large numbers of domains. The issue of multiple accreditations is perhaps a different issue.

George Kirikos Well that's how they're often achieving those, that automated.

Greg Aaron: Well what - and it's not so much bulk which is what we're talking about. Like people who drop catch, in other words try to get expired domains, they're actually going after one specific domain usually, not bulk.

George Kirikos Right so that's true, although sometimes they go after all of them. They go after the entire list.

Greg Aaron: Yes on occasion. But they're going after a specific, usually...

George Kirikos Prioritize them.

Greg Aaron: So I mean back to the definition here it's - it seems to be more about bulk stuff. James?

James Bladel: Where there a couple of folks ahead of me in the queue or...

Greg Aaron: I think their hands have been out for a while.

James Bladel: Okay. Well I just wanted to respond to (George)'s question that I think one, in practical terms I don't know how you would limit something like that because they, you know, could for example be all different legal entities.

And two, they may be established for different purposes. So, for example those folks who are familiar with GoDaddy as a retail registrar but we also have Wild West domains as a resale or only registrar.

And I think that, you know, I understand what you're saying and I think I understand the specifics that you're mentioning. But it is a little more complex than just, you know, buying additional connections or resources to access registries.

But I think that getting in to, you know, why that is done or how we could mitigate that would be problematic.

Greg Aaron: Okay, Jeff?

Jeff Neuman: Yes I guess just to respond to James, I think in your circumstance James it would be easy to tell that that for GoDaddy, that those different entities are legitimate purposes. I think there are stats that we would have as registry operators to show that there certain registrars are clones of registrars that are much easier to tell if they're not really for purposes other than the expiring domains.

But I do want to just agree with Greg in a sense that I think I'm not sure it's an issue of registration abuse. I certainly would love someone to look into ICANN's practices of accrediting registrars and transferring accreditations and things like that, you know, registrars that's basically have registrar in a box model where they get accredited and then sell it off to someone else.

I'm not sure how much of that's stressed by that REA. But I think that's a whole other topic outside of this group. But otherwise I think what Greg said, you know, this is really talking about bulk registration.

Man: Yes and Jeff I just want to point out that that is part of the new RAA. Or at least it's mentioned in there what you just described, accreditation through acquisitions and things of that nature. So...

Greg Aaron: Okay. So my question is is this topic - this topic seems to describe a tool but not a problem. And we're more interested in problems first. So this and name spinning, should we be discussing them or should they kind of be subtopics of some other problem?

What's the problem with mass registration tools?

Man: I mean really they're just tools. It's kind of like fast flux hosting. They're just tools that could be used good or bad. It's not really in my opinion they're not abuse in and of themselves. I haven't really heard anybody say differently.

Greg Aaron: Should this be on the list then of issues?

Man: I think not. I think maybe we could categorize them as a list of tools that people use for good and evil.

Greg Aaron: Yes. And did - does anybody have an objection to removing us from the list of issues? And it could always be brought up as a sub topic of a problem. But this doesn't seem to fit with the major abuse categories or problems that we have here on the list. (George)?

George Kirikos Well I was going to say we could keep it in and just say that it does have - if you treat it like name spinning where it does have a legitimate use and then just not deal with it. So the fact that we actually did discuss it should be noted somewhere.

Greg Aaron: Okay, definitely. So I think it needs to be kind of - not deemphasized but demoted.

Is that okay? And we'll have a note and we'll keep track of it just like we did with name spinning but say this is not a major abuse issue but it's more of a tool.

George Kirikos   Well actually just to play devil's advocate I think whoever added it might have used like the telephone database analogy where somebody goes and registers all the combinations, you know, 1-800-555 and then takes 10,000 domain names.

Plus some consumers might dislike the notion that somebody registered, you know, 10,000 names or hundred thousand domain names. That reduces the availability of so-called quality names. But I don't necessarily consider that abuse. I'm just playing the devil's advocate.

Greg Aaron: Okay.

George Kirikos   But there are definitely people out there that would consider it an abuse.

Greg Aaron: Well in a first-come first-serve environment somebody got there first.

George Kirikos   Well you're preaching to the choir. I agree with you.

Greg Aaron: Yes okay. I'm the devil to your devil then. All right so I think we can move on from that one unless there are any additional comments. And hearing none we scroll down to WhoIs, registrations using false/incorrect contact information.

Especially for the benefit of Evan whose new, I'm going to recap what we discussed early in the working group which was that WhoIs who's had a long

history at ICANN has been a subject that's been discussed - in discussion in the GNSO on various forms for quite a while now with an up and down history I guess.

There's currently a set of questions that's going to be studied on WhoIs. I would have to go back and look at the current list. But there's basically what's called a study group that's going to commission some work on a few specific WhoIs questions.

Mike Rodenbach, is there anything else you'd like to add to the history there?

Mike Rodenbach: To the history? Well I mean it's definitely a long history. But I guess I wouldn't add to that. I would just say that doesn't preclude this group from discussing WhoIs and how abuse or use or modification to WhoIs policies might assist in dealing with any or all of these other forms of abuse that we're talking about.

Greg Aaron: Okay Evan?

Evan Leibovitch: I just had my hand up to thank you for the explanation just to let you know this has also had a good go round within that large the whole thick versus thin WhoIs, the privacy versus access to information. We've been around the block on it as well so I'm happy to be a part of that.

Greg Aaron: One of the things maybe that I should do is let me find and send out the links to these WhoIs study questions. My suggestion is that we not try to duplicate the work that the other folks are doing there. Does that seem reasonable?

Man: Yes certainly. I - those questions are really focused - are pretty broadly focused. And we're not going to have answers to them for four to six months I'm sure.

So bottom line, it's good to know what they're doing but I feel like this group should be looking, you know, with each of the abuses we're looking at we

should look at specifically how WhoIs is implicated or not in those forms of abuse and how changes in policy might be helpful in dealing with those sorts of abuse.

Greg Aaron: Okay. I see that two Fred Feldman's have joined.

Man: A clone.

Greg Aaron: Fred are there actually two of you or is there just one of you?

Fred Feldman: Might evil twin somehow got in.

Greg Aaron: Okay. Well we'll circle back to you in a second because we've assigned you some work in your absence.

                But let's see I've got Mikey O'Connor next.

Mike O'Connor: I guess I want to come in behind Rodenbach on that one. The questions in the WhoIs study group are mostly about existing behaviors and statistical analysis.

                But I think that this particular topic is fine for us to continue with. And I think we should.

Greg Aaron: There are some I think in the current WhoIs questions, there are some assumptions that may overlap with our concerns in some cases. Some of the WhoIs questions, my recollection is that they actually say we're worried about these things because of abuse, because we don't know who owns these or has registered these domain names or makes it difficult to reach people or confirm identities.

So what I'm hearing is maybe some of the things that we talk about here or uncover during the course of our research may have a bearing on those questions. Is that fair to say?

Man: I think so.

Greg Aaron: Okay. And I see Jeff?

Jeff Neuman: Yes I've always - I love a good WhoIs discussion. But no, I want to agree with Mike in one respect that false WhoIs is certainly involved or is certainly an element in some of the other forms of abuses. But I would certainly discourage this group from tackling WhoIs as a stand-alone subject like it's listed in this chart.

I was a chair of a WhoIs task force back in, I don't know, it was 2003, 2004. And this issue has dragged on forever and will certainly bog down this group.

To note it as a potential form of abuse or to note it as an element of other forms of abuse I think is fine. But to recommend any further work on WhoIs out of this group I would strongly oppose this because it'll just drag the entire discussion down.

Greg Aaron: Maybe we should go a little bit further into the history so everybody understands what's being discussed here. I mean my understanding is that some of these WhoIs groups basically have been in existence for something like eight years in various forms in part because there were not opportunities where consensus could be reached.

Jeff Neuman: Yes I mean there were opportunities. It's just you have diametrically opposed sides, I mean completely diametrically opposed. So you're not going to get a consensus on a number of those issues.

I mean there were - everything was raised from should we even have who is at all? Why do we have who is? What's the original purpose of who is versus what is it morphed into now? Topics like proxy domain registrations, I mean everything has come up in one form or another.

It's not that there hasn't been an opportunity for consensus, it's just that you just can't get groups that are diametrically opposed to come off of their position in any manner at all.

I mean I'm glad we're doing studies to show hard facts and data because much of the discussion in the last eight to ten years has been - ha revolved around rhetoric. I mean, you know, one side makes the overgeneralization that, you know - I mean there's overgeneralization's on both sides.

And so having the facts behind those assertions is going to be helpful. But in the end I mean I'm pretty pessimistic about it that still going to have the diametrically opposed sides. And I'm not sure if consensus will ever be able to reach on those subjects.

But I just would say, you know, you can note in for example in cyber squatting in elements I found a lot in cyber squatting is that there's false (information). You know it's also - I mean you can note it as part of as something you see with other abuses. But I would not address it as a stand-alone topic in this group.

Greg Aaron: Okay Richard?

Richard Tindal: I think we would - I think our time would be better spent on topics that haven't had as much detail study in ICANN the last few years.

Greg Aaron: Okay. Evan, did you have another comment?

Evan Leibovitch: Just a point that the way At Large is tackling this is basically to tell ICANN to get on with it and make a decision one way or the other. The facts are pretty well at hand. We know what both sides have staked out. The board should just make a decision, get on with it.

Greg Aaron: Decision about what exactly?

Evan Leibovitch: Thick versus thin -- that kind of thing.

Greg Aaron: Okay. In the new TLD guidebook by the way, I think there is now a requirement that new registries must be thick.

Mikey?

Mike O'Connor: Just to sort of wrap this up I agree with Jeff's point and others when they say this is sort of a poisonous issue and that we could get sucked into a time waster.

But I also agree with Rodenbach that I think it's okay for us to acknowledge that this is part of many of the abuse issues that we're going to discuss and perhaps just find some language that sort of fits at that end of the scale so that we don't just drop it altogether.

Greg Aaron: I mean personally I'm also in that place Mikey. My understanding is that the study questions are kind of the compromise that was reached after several years worth of work, doesn't make any sense for us to try to start that process over or come at it from another direction.

We may find out some things and we may be able to say some things though about how the WhoIs issue has a bearing upon these other issues. It may inform the work of the other study group.

But I think as we agreed early on, WhoIs is mainly something that is going to be tackled in another forum. And I can't - I see Jeff and Richard's hands up. Do you have any additional notes?

Jeff Neuman: No you just didn't take us down.

Richard Tindal: Yes I do. Just for the record, in our view, thick versus then, there's no relationship on the accuracy of data. If we mandate thick data we're just going to have thick inaccurate data.

I don't think there's any real relationship between the centralization of thick data and the accuracy of that data.

Mike O'Connor: This is Mikey. I agree with that.

Greg Aaron: Okay. All right. So it sounds like my action item is to send out a note to everybody pointing you to those WhoIs questions that are being discussed as in the study group.

WhoIs is something we'll - we may, you know, write about in relation to all these other problems that we're working our way through. But WhoIs, is not going to be a major abuse topic that we will discuss in the group. Is that correct?

Okay. All right. Well that sounds like a fair summary unless anyone objects. All right, we're coming up at to 30 after. So we've gone through several topics today that was very productive.

Fred, just so you know, one of the action items that we're taking away is we're going to work a little bit more than that definition of cyber squatting. One of the things we want to do is take the ACPA factors.

So we've got the high level ACPA definition up there. But then I guess then there are some criteria that are applied kind of like UDRP ha some criteria that you can apply to see if something is a violation or not.

We want to try to finish up a definition in the little subgroup that we have together maybe within a week or so, post that up to the Wiki so everyone can see it. And also then the group can send out a note that the material is up there. We will discuss the definition in our next meeting in two weeks.

And then the - the - basically the issue with cyber squatting is it's an acknowledged problem. After we get a definition the next question is well what are potentially some of the solutions or recommendations that might go along with that?

Marika Konings jotted down a list that came up during the course of today's meeting. And we will work our way through those.

Our next meeting is in two weeks, same time. And I encourage everybody to use the list in the Wikis.

Again, if you're posting to the Wiki and you've got something major, something new, please also post a note to the group list to let everybody know about it. We want to keep discussion going off-line between our meetings every other week.

So next week we'll do cyber squatting and then we will continue down our list.

Man: Hey, I just want to let you know that the meeting in two weeks from today actually, does that coincide with the briefing - actually excuse me, I'm sorry it's wrong. It coincides next week. Monday is the IRT in New York. Sorry.

Greg Aaron: Right, you're right. There's a meeting in New York next week but we'll miss that. So we'll be okay. So we're on schedule for a meeting on the 20th.

Okay good. We got through a lot of material today. Everybody feel good about where we are? Any suggestions about how the work is going? Any feedback? Is everyone generally happy with the way things are going?

Yes, no?

Man: You're reaching.

Man: Well you're doing a good job Greg.

Man: Keep at it Greg. You're doing a good job. We've covered a lot of material here.

Greg Aaron: Okay good, glad to hear it. Thanks for your time everybody and we'll see you on the list.

Man: Okay. All right.

Man: So long great.

Man: All right.

Greg Aaron: Bye.

Coordinator: Thank you for your participation in today's conference call. You may now disconnect.

END