Registration Abuse Policies
TRANSCRIPTION
Friday 16 January 2009 15:00 UTC

Note: **The following is the output of transcribing from an audio recording of the Registration Abuse Policies meeting on Friday 16 January 2009, at 15:00 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-20090116.mp3
http://gnso.icann.org/calendar/#jan

Present for the teleconference:
Greg Aaron - Registry C.
Mike Rodenbaugh - CBUC
Kristina Rosette - IPC
Olga Cavalli - NCA

Absent apologies:
James Bladel - Godaddy RRc

Staff:
Marika Konings
Liz Gasster
Glen de Saint Gery - GNSO Secretariat

Man: Go ahead.

Glen DeSaintgery: We have on the call Olga Cavalli, Greg Aaron, Mike Rodenbaugh,
                Kristina Rosette and for staff Liz Gasster, Marika Konings and myself
                Glen. We have represented in constituencies, Intellectual property,
                business constituency, registry constituency and the nominating
                committee. Thank you.

Liz Gasster: And we do have a couple of other people who have signed up for this group who are not on the call today. I guess Zahid Jamil is not scheduled for - is not able to join today.

Also James Bladel from the registrar constituency and Beau Brendler from the ALAC so they may join us.

And as I said but I'll just restate for the recording, we did distribute both Steve Crocker's indication and background on the SSAC work and updated or a draft charter that just attempts to encapsulate the discussion we had last week.

And I think I'll just throw it open, why don't we start with the charter and see if it captures what the discussion that we had last week and if there are suggestions or thoughts for improving it or doing something different.

And then we can talk about Steve's activity as well. Anyone have any thoughts they'd like to start with on the - Marika, why don't you take us through the charter, just basically what's in there?

Marika Konings: Okay. Well basically the charter starts of with some standard language that I tried to look up in a previous charter, you know trying to align what the draft team was tasked to do and what we've discussed.

And as well as (unintelligible) we've discussed this option of instead of having a working group but looking at the possibility of doing it a pre-PDP working group which would really have the objective to prepare the ground for the launch of a PDP on registration abuse.

And basically highlighting there that if Pre-PDP group would have the objective to really ensure the focus and definition of the policy issues if any that would need to be addressed in the subject PDP.

So basically following that you know there's one issue that we probably as well need to discuss is like the timing.

Do we need to give such a working group a timeline within which they need to respond to the council? And then I tried to follow the three different topics that we discussed in our last call, what this PDP working group would look at.

So first of all the scope and definition of the issue of registration abuse, so trying there to figure out what belongs within this category and what would fit within the definition of ICANN's mission and GNSO council policy making scope.

Secondly looking at additional research and identifying complete policy issues. I took a number of items that were as well highlighted in the report where there is probably a need to do further research in order to be able to actually identify what those specific issues are.

It will need to be considered rather - this kind of research can be undertaken by the working group itself or whether the working group sees the need for a study or you know another group that would need to look at these specific issues.

I'm not sure how much guidance this group can already give on that. And that would then form as well the basis for really working out what

the specific policy issues are that would need to be addressed in a PDP.

And then thirdly a workshop at the ICANN meeting in Mexico City on registration abuse policy that could already look into some of these issues that are outlined here and possibly as well be some kind of takeoff meeting for this pre-PDP working group.

That's the idea and then I hope this translates what we discussed in the last conference call and I'm happy to discuss it further. I don't know if we want to already talk about the workshop as well or we leave that for later in the call and we now first focus on the charter itself.

I don't know if there's a preference.

Liz Gasster: Yeah, I'm inclined to stick with the charter but I think we should - for now, and then but I think we should also talk about the workshop and obviously use the thoughts of this group to help shape what that should look like.

I'm inclined to think that we should be more specific about the research that we're envisioning here or be as specific as we think about both what should be researched and if we know or we have strong ideas how that research should be conducted.

It may be that that's beyond the scope of this group and better done by the working group, but I think that's worth some discussion here. But let's stop there because this is intended to just encapsulate your thinking from the last call and see if you think we've succeeded or what more we should do.

Mike Rodenbaugh: On the charter?

Liz Gasster: Yes please. Unless you want to go somewhere else, but that's where
                  I'd start.

Mike Rodenbaugh: No, no, no. That's probably a good start, I've got some edits and
                  just finishing up a red liner I'm going to send around. But it's definitely
                  a good start. Obviously I love the idea to have a workshop and
                  hopefully we can have a working group, an actual working group
                  meeting in Mexico City.

Liz Gasster: Are you thinking that those should be separate Mike?

Mike Rodenbaugh: Probably, yeah.

Liz Gasster: We would recommend - so maybe that would be a - you know a fourth
                  recommendation that this group...

Mike Rodenbaugh: I just edited yours a bit but I think that you know we should have a
                  public workshop and then the working group should meet and you
                  know take the input from that while it's fresh in some of our minds,
                  those that are there.

                  Hopefully obviously we'd have telephonic access too. But yeah, so that
                  the actual working group can meet face to face and talk I think would
                  be useful.

Liz Gasster: Now we talked about the council acting before Mexico on this charter hopefully approving it and then convening the working group that would then meet in Mexico.

And I'm assuming that all of you, you know are interested in being participants in that working group so there would be sort of a logical migration there you know with the obvious likelihood that others would join as well.

You know but it does I guess assume that the council approves this charter and accepts that proposal.

Mike Rodenbaugh: Right, well I think that we can get this in the state that the council can approve it on January 29th and we could have the group formed and the workshop ready by - you know within a month.

Liz Gasster: We were actually talking about doing it on the 19th of February, that we probably wouldn't make the 20...

Mike Rodenbaugh: I don't still see why not, but...

Liz Gasster: Well we'd have to get the charter ready by the 21st - remember that's what we told the council, that's what we decided on the last call. So it doesn't matter, if we're faster than that, so much the better.

Mike Rodenbaugh: Exactly.

Liz Gasster: No one's going to object to being faster. But that does presuppose that we can be done by the 22nd. Next call's on the 29th Mike?

Mike Rodenbaugh: Yes.

Liz Gasster: Okay, thanks. In order to give the council the, you know requisite week to review the proposal. So I think what that would mean is that we'd either have to finalize our edits online between now and the 21st or 22nd and get everyone's buy in including those that aren't on the call which is doable.

It's just things have to come together.

Mike Rodenbaugh: Yep.

Kristina Rosette: Can I - while we're waiting for Mike's redline can I - I just have a couple comments if I could.

Liz Gasster: Please.

Kristina Rosette: In the third whereas clause I think as much I would like to think we're ultimately going to end up with a PDP I think not making that kind of conditional could create some issues or objections.

So I would suggest something along the lines of whereas the pre-PDP working group would have the objective to prepare the ground for the possible launch of a PDP.

Mike Rodenbaugh: Yeah, I've suggested an edit there.

Kristina Rosette: Yeah, and then in the scope and definition of registration of use, in that last clause of the first sentence, and thereby separating it from domain name use abuse, to me one of the things that seems pretty clear is that

in many cases it will be extraordinarily difficult to clearly separate something.

To separate the use - the abuse in the registration from the abuse as the use and I'm not saying that if it's solely - I'm not saying that the use automatically means that it was - that abusive use means it was abusive registration or however we want to define it.

But I just think that the wording there suggests that there's kind of a black and white line that you can clearly draw and I am not confident at this point that there is.

Marika Konings: This is Marika. We had a bit of conversation on this language as well with legal council and we have some suggestions on how to modify that so that we can introduce it as well in a new draft.

Because we are aware as well that it's you know it's not going to be black and white for sure, but at the same time we will need to respect you know what is within ICANN's mission and GNSO policy making scope.

So we can also work on that and see if we can come up with something that works better for everyone.

Kristina Rosette: Yeah and I have a - I think that's a great idea and I think in terms of the additional research areas I haven't - you know I'm assuming those just track within the issues report.

But one thing I think would be helpful to put in the charter to the extent that Steve Crocker and his folks are okay with it is to actually put some

reference in there to the fact that we would like a liaison from the SSAC to participate.

Marika Konings: Okay.

Kristina Rosette: Or that you know the pre-PDP working group should you know consult with the SSAC on the - however you want to phrase it. But I think that would be - I think if we don't take the opportunity to get the input in the SSAC at the pre-PDP working group, we may end up going too far down a path.

Marika Konings: Liz, how was that done for the Fast Flux working group? Because there we had Dave Piscitello representing SSAC in...

Liz Gasster: Yeah, and he actually was - the way I saw his role was there as a staff, not really representing SSAC so which is being you know a staff technical expert, you know add his technical view.

I think Kristina is right that we should affirmatively include an SSAC role if that's the consensus of the group to do that that would be appropriate and also makes it not - because sometimes Dave's role can be ambiguous, is he staff or is he something else?

And I think making it clear that that's the involvement that we want from that perspective. And then it may not be Dave, it could be anyone from the SSAC, right or from group, small group or something.

So I like that idea Kristina.

Kristina Rosette: Thank you.

Liz Gasster: Kristina back just briefly to the scope thing, do you have a suggestion about a phraseology that you think makes sense to you?

Kristina Rosette: Not yet, I've been kind of scribbling down some language and each variation seems to have a little - it's not 100%. So if I come up with something I will - if I come up with something I come up with that I'm comfortable with I'll post it to the list.

Liz Gasster: Okay thanks. We have a very similar experience. So Mike, should we be looking for...?

Mike Rodenbaugh: It should be already - it's already been sent. It hasn't show back up in my inbox either.

Liz Gasster: And mine is notoriously slow, so...

Marika Konings: Has the attachment, has the size of it for some reason increased? Because that sometimes is a problem for mailing lists.

Mike Rodenbaugh: Well it's just you're - I mean it's not a very long document.

Marika Konings: No, but I know it didn't introduce any graph or anything like that, it suddenly has blown it out of proportion or something like that.

Mike Rodenbaugh: No.

Greg Aaron: I haven't seen it yet either.

Mike Rodenbaugh: Yeah, it went at 7:15, it went from the proper address but I haven't see it yet either, so it really just tries to make it more readable and take jobs with something about you know pre-PDP and basically takes out mention of PDP, because that's all kind of in flux right now anyway and cleans up the language.

So (unintelligible) everybody needs to have a chance to review it and provide edits. I'd forgotten that we had kind of agreed to take our time with it.

Liz Gasster: Well we don't - I mean again if we're close and everyone's - you know can take the time between now and next Thursday I'm all for accelerating. So it really just depends on how close we are.

Of course we don't have the advantage of the couple of people that are missing from our group and that's unfortunate. We need to get their view as well.

Well why don't we wait a couple more minutes for that and let's - do others have suggestions, edits who haven't spoken up, Greg or Olga?

Marika Konings: One thing we might want to discuss as well if we want to give this group a deadline, there's one paragraph in here that talks about in how many days it needs to report back.

I don't know if that's - anyone had any particular view on that, I know that certain working groups I think didn't have this clause in it and basically followed our own time, and I set that time line.

That might be something the group wants to discuss as well.

Greg Aaron: I'm assuming that timeline would be after Mexico City and we've had a chance to have this work shop and work on understanding what kinds of issues, specific issues might be before the exact reps.

Marika Konings: I think as well the reporting back doesn't necessarily mean that they have to be you know finished, but it's a way of building in a mechanism that there's you know some kind of milestones I think in there.

Liz Gasster: One thing we could do though because that's a good thought, that we're going to learn things from the workshop that are going to help size this and possibly from the research as well that perhaps the - well actually I have a question.

I'm not totally clear on how much the working group would actually do, the pre-PDP working group would actually do versus consider doing.

Like if you look at our language right now we say the pre-PDP working group would have to consider the following things. They're not necessarily going to engage in - the way it's written, we can change this.

Kristina Rosette: Well I think they should, what's the point otherwise.

Liz Gasster: Right, so let's take out the word consider from that sentence and say would be tasked to you know accomplish or perform or you know the right active verb, you know the following tasks, or explore you know maybe that's the better word.

Marika Konings: So make it address, address the following issues?

Liz Gasster: That's good. Some are issues and some are tasks because the....

Mike Rodenbaugh: What page are you on?

Liz Gasster: On the first page, half way down where we say the pre-PDP working
                    group would be tasked to. And I was noting that it said consider but I
                    think address is the right word.

                    And then we'd want to leave enough time you know if that group is
                    actually going to be directing research for example including the
                    potential for an RFI, then that could be time consuming and we may
                    not know the amount of time it would take until the group meets and
                    factors in the input from Mexico.

                    So what we could do is maybe a two step process where the PDP
                    working group, pre-PDP working group would be tasked to give an
                    initial assessment of you know the following things within you know
                    what ever the right time frame is, six weeks.

                    And then you know would then at that point tell the council when they
                    think the work could be complete by.

Kristina Rosette: Well I just getting back to kind of what they would be tasked to do, why
                    couldn't we just rephrase it so the pre-PDP working group should act
                    as identified below and report back to the GNSO council within da-da-
                    da.

Mike Rodenbaugh: Yeah, then maybe why don't we just say I think we could fulfill the charter maybe within 30 days after the Mexico City meeting or 45 days after the Mexico City meeting, phrase it that way?

Kristina Rosette: Yeah.

Liz Gasster: Yeah, sounds good.

Kristina Rosette: Yeah, and you know Mike, correct me if I'm wrong, but I think we probably spent two weeks in the domain tasting group getting the general - the wording of the general RFI down.

Does that sound about right? And then it took about another week to get it on to (big pulse) and out and going, does that sound right?

Mike Rodenbaugh: I don't know, I think I recall it taking longer than that, but...

Liz Gasster: It involved (big pulse), it had to take longer than that.

Kristina Rosette: Well I know that the sub (unintelligible) IPC one was a nightmare for a lot of reasons I'm happy to talk about offline, namely - well never mind.

But that took a long time. But I don't know, I mean who was that, was that Olof? Would he remember? Was he the policy staff person assigned to that Mike?

Mike Rodenbaugh: Domain tasting was...

Kristina Rosette: Yeah, I think he was. Yeah, he might...

Mike Rodenbaugh: And Patrick Jones.

Kristina Rosette: Yeah, they might be better plac4e to kind of tell you generally.

Liz Gasster: Okay.

Kristina Rosette: And I know that in the pro working group it took maybe a week and a half, just you know assuming you can get everybody to focus on it and people use the list as opposed to waiting for the calls.

Mike Rodenbaugh: Yep. Who else is on the call other than Kristina, Greg, Olga and Liz and Marika? No one, okay. I'm just going to go ahead and send it directly to you, I don't know what's going on with the list.

Liz Gasster: Yeah, it could be a sub server problem.

Mike Rodenbaugh: Here it comes. Then we need to talk about Steve Crocker's thing today.

Liz Gasster: Yeah, I want to talk about both the workshop in Mexico a little bit and Steve's proposal.

Mike Rodenbaugh: Yeah, I didn't edit the charter to incorporate Steve's proposal, I think that's something we might want to do though, include something specific to....

Liz Gasster: The only think I did do with Steve, I think I copied everyone was just to make clear that you know this group can't accept the invitation to a collaborative effort.

We're just not in a position, I think you all would agree, right, that it's something that we just have to go through the formality at least of...

Mike Rodenbaugh: Right, that's what I was suggesting, we should recommend to council that we participate.

Liz Gasster: The other thing is that I - you know they're not - we have the same scope issue, etcetera with what they want to address, you know which may be both broader and narrower because we may have other issues beyond the response to abuse that you want to deal with in this context.

So I have your email now, do others?

Kristina Rosette: I have it too. Oh yeah, it's just come through.

Woman: Oh yeah, I have it.

Liz Gasster: Looks good Mike.

Kristina Rosette: You know Mike I like your language in the scope and definition but one tweak that we might want to add just to make it really clear what we're talking about is to talk about as distinct from abuse arising solely from use of the domain name.

Would that...

Mike Rodenbaugh: Sure, a little bit more clear I think. It's - you know I think we all recognize that this is going to be quite a challenge.

Woman: Could you repeat that Kristina?

Mike Rodenbaugh: (unintelligible) black and white, but...

Kristina Rosette: Well just in Mike's proposed, what's wrong...

Woman: Yeah, you want to introduce solely, I'm just trying to figure out where you wanted to introduce it so I just...

Kristina Rosette: Arising solely from use of a domain name, so between arising and from.

Woman: All right.

Greg Aaron: So Mike, this is Greg, I have a question.

Mike Rodenbaugh: Yep.

Greg Aaron: You changed the terminology from pre-PDP working group to just working group which would be a PDP working group I guess.

Mike Rodenbaugh: It's just I think we're trying to get away from that from the PDP and to the working group model, so...

Liz Gasster: Well I don't think the - I think we're trying to get away from task forces to the working group model. What I took your edit to take pre-PDP out to mean is that you're not presupposing a PDP.

Mike Rodenbaugh: That is accurate.

Liz Gasster: But, and I think that probably makes sense because this is our you know third clause that was a whereas clause. The working group would have the objective to prepare the ground for the launch of a PDP on registration abuse.

Greg Aaron: Yeah, I want to communicate to the community that this is a working group that is not - when people hear the term working group they think okay, PDP is under way.

                 Sometimes....

Marika Konings: Would it be addressed by what we discussed before to have a possible PDP and registration abuse and date in the third clause? Because that would imply that the PDP is not launched yet.

Mike Rodenbaugh: What's the third clause you're talking about?

Marika Konings: Or the third - like the working group would have the objective to prepare the ground for a possible launch of a PDP because we mentioned before that that might be a way of saying you know there might be a PDP but there's not a guaranteed thing.

Liz Gasster: You know what I think would be helpful is to add a clause that says the drafting team agrees that the following steps need to be done before consideration of a possible PDP, to make clear that this is a - this is not a PDP.

                 We're not recommending launching a PDP at this time, that should probably precede the sentence that says...

Mike Rodenbaugh: I think I've got an idea. How about to prepare the council to consider whether a PDP is appropriate. Have the objective to prepare the ground for the council to consider a PDP, how about that? That's easier.

Kristina Rosette: Or to gather facts and define terms necessary for the council to make an informed decision as to whether to initiate a PDP.

Mike Rodenbaugh: I do like that better.

Liz Gasster: That sounds good Kristina. I'm so glad these are recorded so the pearls...

Marika Konings: I'm trying to catch it while typing but I just missed the end of the sentence so I'll listen, do you remember?

Kristina Rosette: No, you're going to have to - I'm sorry, I didn't right it down.

Marika Konings: Yes, for the council to make an informed decision I think.

Liz Gasster: Yeah, to gather the facts...

Marika Konings: No, gather facts and define terms for the council to make an informed decision, I think it was something like that, no?

Kristina Rosette: Yeah, that was the point, (unintelligible) not doing is just kind of going off without all that. So the point of the group is to...

Marika Konings: But I'll try to incorporate all discussion as everyone has a new draft to look at and you know so we don't have to do it all on the phone or re-listen to recordings so I'll make sure everyone has....

Liz Gasster: And Greg, I know we all need to see it in writing but does that roughly sound right to you? Does that accomplish your concern or question? Greg?

Greg Aaron: Yeah, I think I have to see it in front of me but I think that will work out.

Liz Gasster: Okay. Well thank you Mike for helping us and Kristina. And Marika and I will capture those thoughts. Is there anything else or should we move on to - and we can do them in whatever order you want, Steve's document and then the Mexico?

Mike Rodenbaugh: Yes.

Liz Gasster: Details - okay, let's go to Steve's. Has everyone had a chance to kind of look through this?

Greg Aaron: Yes, I think this is coming out of the SSAC, I wonder whether they really have the name usage primarily in mind, although it's unclear, we've run into this old problem of terminology and what the abuse means.

And I don't recall that they tried to define what abuse was and what kinds of things they were really worried about in this paper.

Liz Gasster: It's almost like they leave that aside and focus on the...

Greg Aaron: Because I get the feeling they're really worried about things like if there's a technical problem, if it's - with the web site or something you - or if you want to report spam or phishing or some other you know problem, they are concerned that you can't get to the registrar or people don't know where to report those kinds of problems.

I think that's what they're probably getting at but I wish they would tell us a little bit more about the types of issues that are of concern.

Mike Rodenbaugh: Well they do say here law enforcement, (cert) agencies, anti-crime and anti-phishing community advocates, businesses that provide online reputation protection services, network operators and internet users may contact ICANN accredited registrars when attempts to communicate with the domain registrant using WHOIS services fail.

Greg Aaron: Yeah, now online reputation protection services is probably - has probably the broadest interest.

Because law enforcement is interested in criminal activity, certs are usually interested in criminal activity that's disrupting services. Anti-crime, anti-phishing is with crimes.

Online reputation services, they do things like report phishing but they're also dealing with civil things, like trademark infringement, cyber (slaughting) so they deal with a variety of things.

Network operators are again worried about usage abuses.

Mike Rodenbaugh: You're right but they also deal with criminal things like counterfeiting.

Greg Aaron: True. I mean for the most part this is about the main use and reaching the registrar who's responsible for a domain.

Kristina Rosette: I agree but I know just from a monitoring and enforcement program that we run out of our London office that very frequently the registration itself depending upon you know various formulas, etcetera, can - is what sets up the red flag.

So I think it's something that we should certainly clarify with them. And if they are talking solely about use then I think that this needs to be clear.

Greg Aaron: Yeah, or we might not know. I think it's worth asking them exactly what realms or - prompted the paper. There's also a question we should probably ask then and it's - it goes back years, which is there are even some RFCs that might mention this.

But the old internet practice is to set up an abuse@ address for any domains so people can report problems.

And that's like a social thing that's also like an old engineering practice that's been in place for many, many years. And I think one of the things that they're asking is do registrars and other parties do that?

Should it be encouraged, etcetera. So I would want to ask them about you know are they coming at it from that angle also, because the abuse address was always meant, in my understanding to be a place where people could report kind of operational problems with your network.

Especially if you were running a network or some sort of a service, it was not designed to be a place to report other kinds of things. It wasn't a place to report all the problems that could possibly be associated with the domain name.

So again this is a place where are they talking about a specific practice that's been in place and is that abuse address really the right place to send certain kind of complaints?

Because as we know there can be a whole host of things that go wrong with the domain name, somebody might have a problem about this or that.

Liz Gasster: And my question is too is it appropriate to sort of micro manage it? Isn't this more fundamental question is there adequate place for all these reports to go in which something actually gets done with them?

And that is you know easily ascertainable by that you know reasonable employment, right? I mean if someone wants to use abuse for everything and think that that's easier, I'm not sure the convention has to be so specific.

Greg Aaron: Yeah, and well I think it is a question of the convention, I think there might be a long standing convention that you know operational or network abusive types of things is where those abuse addresses came into play.

I don't think there were...

Liz Gasster: So there might be a benefit to not having that used for other types of complaints, although...

Greg Aaron: Well yeah, the question you know if I have a legal problem of some sort or if I have a problem with an image that somebody is using on a website, is that what we're talking about and is that the right place to report it?

Open question.

Liz Gasster: Would that be...?

Kristina Rosette: I'm sorry, go ahead Liz.

Liz Gasster: I was just going to ask you know is that something that we just would incorporate into the work effort versus - I mean certainly not trying to solve that here.

Greg Aaron: That would be a question we ask the SSAC and you know might be a question that we work in to, into our work future. I'm just saying when the SSAC talks about abuse it's still a little unclear to me exactly what they're talking about and what angle they're coming from.

Kristina Rosette: I do think though that we need to be careful not to end up being so specific that by the time something's actually - assuming that we end up with a PDP, by the time we actually end up with a policy it's essentially useless because there are different kinds of abuse or there are different ways of going about it.

And I for one would be really curious as to what actually prompted them to do this because that might give us a better idea as to what it is exactly they were trying to cover.

Greg Aaron: Yeah, I agree.

Mike Rodenbaugh: You read their paper, I think they're pretty clear about all that personally, but...

Kristina Rosette: Well but I mean did they just kind of all the sudden say you know we should look at this? I just - I'm just curious how these things work in the land of SSAC.

I mean one thing I do think we would need to do is kind of carve out the extent that you can and there are actually a couple place I think you can where we're actually just talking about compliance issues as opposed to new polices or new best practices or new whatever.

Liz Gasster: So it sounds like there - you know we definitely are interested in collaborating, interested in talking to them more. Do people think it would be useful to get them on the phone, say for another call before we submit a charter?

I mean we have the problem of the timing if we are rushing to submit the draft charter for the vote on the 29th instead of waiting until the 16th.

But if - you know I'd be glad to orchestrate that if you know we wanted to try to do that on our next call. I suppose we could have a special call too, but that's harder of course.

Kristina Rosette: Or we could just say identify what our questions are and send them over.

Liz Gasster: That's true too. Or make that a part of the next step. You know make that a part of the working group. You know just direct the working group to work with them.

Mike Rodenbaugh: That's what I was thinking too, that we should just have something in the charter that the working group should consider the invitation from SSAC for a joint effort and kind of leave it open for now.

And then definitely schedule a call with them as soon as we can.

Liz Gasster: So we'll just maybe draft something that says this charter group notes that yes, that calendar...

Mike Rodenbaugh: Well you know the small group of us was invited. I don't know that they're inviting you know an entire open working group.

Liz Gasster: Yeah, I'll talk to Steve about that. I think they really want to collaborate and I think they're anxious to collaborate sooner rather than later. So I think - and I don't think he means to be secretive at all about the fact that they're looking at this.

I think it's just working on the - you know this is a work in progress for them to so they didn't want to you know share it broadly until their work was done.

Kristina Rosette: Well and while you're talking with them does it make sense to also - oh, sorry about the echo, does it make sense to also talk with them about the possibility of having them included in the potential workshop?

Because as I see the topics and possible speaker's panelists, I don't see SSAC with this.

Liz Gasster: Well that's good, that's a good catch.

Kristina Rosette: And I apologize for all the sirens, it's a little hectic here.

Liz Gasster: We actually - we don't hear the sirens, I don't, and I don't hear any echo either.

Kristina Rosette: All right.

Liz Gasster: All right, so we will include, including a second Mexico workshop and in the working with the working group. Marika is that - you've got that too?

Marika Konings: Yeah, I did.

Liz Gasster: Great. So anything else on SSAC, do we have questions we want to ask them or did we decide that we just want to include them in the effort?

Mike Rodenbaugh: I think we want to make a mention of them in a charter so that the working group considers the invitation and a joint collaboration with SSAC.

Liz Gasster: Okay.

Mike Rodenbaugh: But not requiring you know anything.

Liz Gasster: Sure. Okay, do you want to look at Mexico then next? We have 12 minutes or something like that.

Mike Rodenbaugh: We could probably track the language in section one, from the change that we all liked in the scope and definition of registration abuse on page 1 and track that into section one here.

Liz Gasster: So you see where it says...

Mike Rodenbaugh: You know what, I'm sorry, this is quoting the issues report, never mind. I guess the sentence right after it might just replace that sentence that starts community discussion with the language from page 1.

Liz Gasster: Got it. What about do we want to offer other speakers in the - do we have other thoughts about that?

Kristina Rosette: What do you mean?

Liz Gasster: Other speakers, do we want to go this far in our planning in you know suggesting possible speakers and if so do we have more thoughts about....

Kristina Rosette: I would be reluctant to identify anyone specifically unless and until we've consulted with them ahead of time.

Liz Gasster: Yeah, I kind of feel the same way and I feel that bad about (Dan) too in that regard.

Mike Rodenbaugh: So that's fine, just replace it with generic you know ICANN legal counsel representative and then number two just tie the registry and registrar representative and constituency representative.

                 Who actually plans this?

Liz Gasster: We would. We would staff but with your...

Kristina Rosette: We staff or we...

Liz Gasster: We staff.

Kristina Rosette: Okay, thanks.

Liz Gasster: Sorry, we staff with you know a lot of input and guidance from...

Mike Rodenbaugh: From the drafting team.

Liz Gasster: Yes. Does that sound okay? Because we're making this up as we go along, so...

Mike Rodenbaugh: Yes, wonderful to me.

Liz Gasster: On best practices and current experiences, so best practices I agree about the registry registrar current experience as it seems like we need some people who submit abuse complaints.

Mike Rodenbaugh: Exactly, that's why I put BC ICC representatives there.

Liz Gasster: Okay. One thing that's on my mind is getting word out to about this in a way that we have some good participation and people are prepared, you know they've done some maybe research within their organizations and such.

Mike Rodenbaugh: Right.

Liz Gasster: To be able to offer, you know just to be open about our planning and what we're thinking enough so that you know we give people a chance to scope it out a little before coming.

Kristina Rosette: I agree, and in reading over the best practices current experiences although Mike have you made changes to that?

Mike Rodenbaugh: Yes.

Kristina Rosette: Okay, let me look at that. Because the one thing that occurs to me is that we may want to make that a little more open than it currently is in the sense of not limiting it solely to registries.

And I guess what I mean by that is again just drawing from the experience in working with our enforcement program out of London, most of the action that is taken by the investigators there is actually taken at the ISP level.

But they would very much love to have it dealt with at the registrar/registry level because obviously the ISP level it's just a matter of time before the bad guy gets a new ISP and they're up and running.

So I think maybe what might be helpful is to identify when we're talking about current experiences to the extent that the mechanisms that are currently available are inadequate to be able to cover those two.

Because I think what may be unclear to a lot of people is well why are we doing this? You know can't you do X, can't you do Y.

And the point is well yeah sure, but that's not necessarily the most effective most efficient most productive most secure way to do it.

Liz Gasster: So is there like an expert that you're thinking who we could...

Kristina Rosette: I mean you know I would actually think...

Liz Gasster: Okay now we hear that.

Kristina Rosette: That was not me, I have no idea what that was. I'm not talking about an expert, but I think in terms of identifying the scope of what we would consider to be current experiences, I don't think we necessarily want to limit that to current experiences with the two new registry level abuse policies.

Mike Rodenbaugh: Right, I agree. That's why I included some registrar representatives here and we should say you know number of registries and registrars have already implemented abuse policies.

Liz Gasster: Right.

Mike Rodenbaugh: Probably could also mention that abuse polices are incorporated or provisions addressing abuse are incorporated in several registry agreements.

I guess that doesn't matter here, never mind. Just say number of registries and registrars have already implemented abuse policies.

And then what I said mark monitor representative I was thinking both of having you know a corporate registrar and also someone who does takedowns, phishing and other abuse take downs at other registrars.

So some of my surveillance or mark monitor or internet identity, they have a very good perspective on what the best practices are out there.

Marika Konings: And I guess that something that might be interesting to hear as well whether any of you feel that there are measures that you know could be applied across the board or whether this is really too specific and you know cannot be done.

I would be interested to hear as well what they would see as you know could help the working group to get you know further into the issue. But you see where policy could help in facilitating some of these things.

Liz Gasster: Okay.

Greg Aaron: We're coming up on five of, some of us will step away for another working group meeting unfortunately.

Liz Gasster: Yes, most of us. To the same next call. Okay, well is this good to start and Marika and I will try to capture your latest input and we'll circulate it on the list.

                 Now should we strive to do this on list for the 22nd, because if so I want to get a pretty pointed note out to those who weren't able to participate to let them know that that's what we're trying to do and try to get their participation online.

Kristina Rosette: So in other words we have to finalize it by the end of our next call in order to have it on the council agenda on....

Liz Gasster: We'd have to do it online before the next...

Kristina Rosette: Right.

Liz Gasster: So we'd have to do it...

Kristina Rosette: I mean I will promise to do my best but as I think everyone on this call is probably aware there's a lot going on here in four days.

Liz Gasster: Well to be honest there is a lot going on everywhere, we're all just - and we keep promising ourselves we're not going to make ourselves crazy before these meetings and we shouldn't do it to ourselves where we have the control not to.

                 But I'm pretty mindful of all of that myself. Look, I mean I'm not really sure it changes what we're planning for Mexico to have the council vote on the 16th, it creates a little more of an unknown in the sense that we if for some reason they were to object, you know we'd have to

cancel our plans for something we would be you know already really planning as we go.

But I think we could give them - a, we could give them a heads up on what we're thinking and b, I think it's likely they would approve so I'm not sure there's that much to lose I guess by waiting, you know by doing this with our regularly scheduled calls targeting for the - a vote on the council meeting on the 16th of February and savings us all some anxiety in the process.

And taking - and recognizing that there are a couple (unintelligible) from the call.

Mike Rodenbaugh: The downside there of course is that we won't have a working group formed basically in time for Mexico City. If we can do it, if we can get approved on the 29th, then we would easily be able to have a group formed and ready to meet face to face which I think could be valuable.

Kristina Rosette: Well but wouldn't there be kind of a - something in the middle, namely to try and get the word out. Because I think I mean do we really have a question as to whether or not the council would vote to approve the working group and the charter?

Or are we just kind of concerned about not having something that's exactly worded the way we want it. Because if we think it's just kind of the wording thing that we think the council's likely to approve it as a practical matter, then there's really no reason why we couldn't get the word out within our respective constituencies, look you know there's likely to be this working group.

If the kickoff meeting is - assuming everything gets taken care of, the kickoff meeting will be in Mexico City and we're planning you know da-da-da-da-da-da-da.

Mike Rodenbaugh: That's absolutely right except that we're probably supposed to publicize that we're starting the working group and allow anybody to join.

Liz Gasster: Well I think we would still do that and we could still do that right after the 16th.

Kristina Rosette: I mean I will do my very best to kind of review and comment on my you know before the 22nd. The sooner I get something the easier it's going to be for me to do that.

That's the best I can do right now.

Liz Gasster: Well and I just am acknowledging that we have James, Zahid and Beau who are missing.

Kristina Rosette: Right.

Liz Gasster: So they have a lot of you know - to catch up on online.

Kristina Rosette: Yeah, well.

Liz Gasster: Which is fine.

Kristina Rosette: I'm happy to kind of do whatever, if people want to shoot for the 22nd, I will do what I can.

Liz Gasster: I need the consensus of the group because I'm just the coordinator, so...

Kristina Rosette: Well what do you all think?

Mike Rodenbaugh: I just think it's worth a try.

Liz Gasster: All right, look, let's try it. When we do the draft change we'll highlight the fact that we are working to try to finish this on list by the 22nd and if anyone thinks they can't do it, let us know right away.

And we'll try to get the changes you know out Monday, the update. I'm not sure we can do it today. In fact I'm sure we can't do it today.

Kristina Rosette: Fine with me.

Mike Rodenbaugh: Yeah, I mean it's a small group, so you know we only need to get okays from folks that have to look at a three page document.

Liz Gasster: Okay, let's give it a whirl and if it starts making craziness we will retrench.

Olga Cavalli: Liz, this is Olga. I think if you send the document by Monday or by today I think we all can do some reading and some changes and I think it's feasible.

Liz Gasster: Okay, great.

Olga Cavalli: ...for next Thursday.

Liz Gasster: It does make it more convenient to then plan Mexico City. So full throttle. So I do see an advantage to trying and look for the draft from us on Monday and we're going to jump off to our other call.

Mike Rodenbaugh: All right.

Kristina Rosette: All right, bye.

Greg Aaron: Thanks everyone.

Liz Gasster: Thanks.

                              END