

**GNSO
Rights Protection Mechanisms (RPM) working group teleconference
21 August 2007 at 15:00 UTC**

Note: The following is the output of transcribing from an audio recording of the RPM wg teleconference on 21 August 2007. 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/rpm-ad-hoc-20070821.mp3>

<http://gnso.icann.org/calendar/#aug>

Present on the call

Mike Rodenbaugh - CBUC - GNSO Council

Kelly Smith - IPC

Kristina Rosette - IPC - GNSO Council

Greg Shatan - IPC

Margie Milam - Registrar/IPC

ICANN Staff

Denise Michel - Vice President Policy

Liz Williams - Senior Policy Counselor - absent- apologies

Glen de Saint Géry - GNSO Secretariat

Operator: Hi there Glen?

Glen Desaintgery: Hi.

Operator: Hi there. My name's (Luce) and I'll be the operator for today's call.

Glen Desaintgery: Hi (Luce), it's Glen, yes I'm just trying to log in, I'm sorry. I am late.
Is anybody on the line?

Operator: We do, we have a (Margie Milam) on line at the moment.

Glen Desaintgery: Oh good and...

Operator: I understand it will be (Liz Williams) today.

Glen Desaintgery: And (Liz Williams) yes. Is she on line? I don't think she is. She might not be attending the call. In any case, I'll tell you when to stop the recording.

Operator: Okay, that's perfect, thank you.

Glen Desaintgery: Hi (Margie) how are you?

(Margie Milam): Good how are you?

Glen Desaintgery: Fine thanks. Hi (Greg), oh you're on holiday, you're very brave.

(Greg): Well I seem to miss the calls when I'm in the office, so I figure I'd make a call when I'm on vacation.

Glen Desaintgery: So...

(Greg): (Unintelligible) I'm back in my hotel room for the moment so I might as well be here.

Glen Desaintgery: So they're only three of us so far on the call.

Operator: Excuse me (Mike Rodenbaugh) now joins.

Glen Desaintgery: (Mike Rodenbaugh) hello.

(Mike Rodenbaugh): Good evening Glen, how are you?

Glen Desaintgery: Fine thanks, how are you?

(Mike Rodenbaugh): Doing okay, thanks.

Glen Desaintgery: We have got (Margie Milam), (Greg Shatan) and yourself (Mike).

(Mike Rodenbaugh): All right. Well it's more than last time already.

(Margie Milam): I was on vacation last time.

(Mike Rodenbaugh): No problem. We've got to figure out how to jump-start this group, myself included.

(Greg Shatan): Yea, I think it's the summertime blues.

Glen Desaintgery: We may not have (Liz) on the call because she's on vacation.

(Greg Shatan): Okay, I'm sure she's thoroughly disgusted with us anyway.

Glen Desaintgery: Are we going to, who're we going to leave the call over to then?

(Mike Rodenbaugh): Well, that's a good question; we may not even have a call if it's just the three of us.

(Greg Shatan): Who is the leader of this group.

Glen Desaintgery: Liz has been taking the lead and on the 7th she sent out a volunteer to drafting the descriptions of potential referencing (unintelligible)

Operator: (Kristina Rosette) now joins.

(Kristina Rosette): Hi Glen, hi everyone.

Glen Desaintgery: Hi Kristina . We've got on the call (Margie Milam), myself, (Gregory Chatten), (Mike Rodenbaugh) and yourself (Kristina).

(Kristina Rosette): Okay.

Glen Desaintgery: But we are looking for somebody to take the lead.

(Mike Rodenbaugh): Sounds like Liz is on vacation.

Glen Desaintgery: Have you been on holiday Kristina ?

(Kristina Rosette): I have. And I came to my senses during vacation, so I'm now volunteering.

Does anybody have to report? I haven't seen anything.

(Mike Rodenbaugh): No. This (unintelligible) has been very, very quiet.

(Kristina Rosette): Well I know, I know, (Jeff), is (Jeff Newman) on the call?

Glen Desaintgery: No.

(Kristina Rosette): Okay, I spoke to him a short time ago and he was hopeful to get joined but wasn't sure and he and I have actually just kind of developed our IP claim game plan. So...

Glen Desaintgery: So you mean he might be coming on the call?

(Kristina Rosette): He might be, but he, he was cautiously optimistic.

(Greg Shatan): Aren't we all.

(Mike Rodenbaugh): Yea, seems more cautious than optimistic at the moment.

(Kristina Rosette): Is there actually, do we have any registry people on the call?

Glen Desaintgery: No, we have business constituency, IPC and Registrar.

(Kristina Rosette): Okay. (Kelly) you're on right? Did I hear that correctly?

Glen Desaintgery: No (Kelly).

(Kristina Rosette): No, okay, all right. (Mike) which (R-Cams) are you doing?

(Mike Rodenbaugh): Well at least rapid takedown and I was hoping also to have time to do some of Peter's proposals since he's out, brush those out a little bit.

(Kristina Rosette): Well while we're on the call one of the things that (Jeff) and I were talking about was, you know, given the (key wrote) IP claim, you know what exactly it is that I can contribute to that. And what we ultimately

agreed would be most helpful to him was a short summary of the things that I thought could be done differently based on my experience and I was just wondering while we have everybody on the call, I mean, what was everybody's experience with IP claim? I mean, if you were going to, if you could reinvent it, what would you do differently?

(Mike Rodenbaugh): And I almost forgot (biz) right?

(Kristina Rosette): Yep.

(Mike Rodenbaugh): I just don't recall off the top of my head but I'm doing a little quick desktop research here.

(Kristina Rosette): Because I know, you know, just from my experience what clients found terribly confusing was the fact that they, the claim process and the registration were not linked, so there was no way to cross check a claim against a registration application. So in other words, clients would have their own IP claims sited against them, when they were trying to register the name.

(Kelly Smith): This is (Kelly Smith) joining. I don't think we have that problem what I had to go back to a file and check so, since I didn't do it firsthand I couldn't tell you for sure.

Man: Well of course the same thing happens in U.S. Trademark prosecution sometimes too and you just have to show that you're you.

(Kristina Rosette): Yea, no, no, no. I realize that, I just think that a lot of people thought it was confusing.

Man: That certainly can be avoided in that system that's being hopefully designed from scratch as opposed to a system like, you know, PTO prosecution which has, you know, grown, you know bizarrely through accident over, you know, decades of government activity.

(Kristina Rosette): Right. Because I know in talking (Jeff) previously about it I had said well, isn't there a way to cross check the claims against the registration applications and he said well, there is, but the easier thing to do is to just make people submit a registration application at the same time that they file a claim. So that, so A, they don't have to do it separately and B, it minimizes the likelihood that it would get sided against them. But what about, what about Sunrise, are you having any luck (Kelly)?

(Kelly Smith): Any luck with?

(Kristina Rosette): With the Sunrise writeup, are you getting input that you need from...

(Kelly Smith): To be quite honest I just got back from a week and a half vacation and so it's not finished yet.

(Kristina Rosette): Okay.

(Kelly Smith): Input from...

(Kristina Rosette): Like one of the registries that did it?

(Kelly Smith): I, I didn't know that was part of our process, I thought we were just writing up, for some reason, not necessarily going to the registries.

(Kristina Rosette): Well, no, I think part of the goal was to try and have, and I thought we had somebody from (DotInfo), the goal being that, you know, gee they've done this before.

(Kelly Smith): Right. I have not contacted them. I will. It was (Jay Scott) and I doing Sunrise.

(Kristina Rosette): Oh okay. Yea. Do we have somebody from (FLES) on the group? I thought we did. I don't think that they're on now, but I thought we had.

Glen Desaintgery: (Mac Tenage).

(Kristina Rosette): Yea, that's who it was.

Glen Desaintgery: And yes. Because I think (other people) just got (unintelligible).

(Kristina Rosette): All right well, I would just, you know, I don't really have anything to say, so I don't know if anybody else does or has questions or whatever.

(Greg Shatan): Well this is (Greg). I have to admit that I haven't really done much yet and I think I was supposed to do something with (Margie) so I'm kind of volunteering to restart whatever it is I'm supposed to be doing.

(Kristina Rosette): Why don't we do this. You know, to the extent that, you know, maybe what would be helpful to everybody is everybody just kind of pose to the lists, you know, if you were going to do Sunrise from scratch, what would you want to change, if you were going to do IP claims, what would you change. You know, what was the thing that, you know, and conversely what were the things that you thought were

most valuable. In other words, lets identify, make sure that, you know, we've identified the core utility and to the extent that we can identify the things that perhaps were most problematic? Do that? Does that sound like it would be, I mean, only the people think that would be helpful?

(Kelly Smith): I think it would.

(Greg Shatan): Yea I think that would be a useful exercise to jump-start some of the processes here.

(Kristina Rosette): Well why don't we do that, (Mike), have you been in touch, have you heard from (Mike Polase), I haven't heard from him lately.

(Mike Rodenbaugh): No I haven't. I need to get in touch in touch with him. I'll, actually I'll ping him now and hopefully get to chat with him later today.

(Kristina Rosette): I guess if you could ask him to just, you know, if he's still available to participate with regard to the Sunrise part of this. If you could ask him to just kind of post something to the list so that (Kelly) and (Jay Scott) can kind of coordinate with him.

(Mike Rodenbaugh): Okay.

(Kristina Rosette): That would be awesome.

(Mike Rodenbaugh): Easy enough.

(Kristina Rosette): All right well, I don't think there's anything else to talk about if nobody posted anything.

(Mike Rodenbaugh): And I think that's right. I think we need to get stuff posted by the next call and have a discussion at that point because this is exactly what happened of course, with our last call.

(Kristina Rosette): All right, well.

Glen Desaintgery: The next call is scheduled for 4 September.

(Kristina Rosette): Okay, right. And what's our deadline again; didn't we say it's like October 18?

Glen Desaintgery: Something like that. Yes.

Man: So we're getting close.

(Kelly Smith): Now that I'm back I probably will have something posted (unintelligible) by next call, sorry.

(Kristina Rosette): No, no, no apologies, I think.

(Kelly Smith): I feel bad about this one because obviously we've had two deadlines that we've missed so.

Glen Desaintgery: I see actually October 9.

(Kristina Rosette): October 9.

Glen Desaintgery: As the deadline yes because we've got the LA meetings in the week of 29 October, but there could be another call before then. She would make it very short before the meeting.

(Kristina Rosette): Right. Does everybody have the proof of concept report? That the Registries had to submit?

(Greg Shatan): I'm not sure that I do, this is (Greg).

(Kristina Rosette): If you have it, I would go into the ICANN site and see proof, just search for Proof of Concept, and all of the last two rounds of TLDs the registries had to basically submit reports kind of validating their Proof of Concept. And some of them have some very useful information about, gee, this is what works and gee this is what was a huge headache. And similarly I think Summit Strategies, there's a Summit Strategies report which I have and if anyone doesn't have it I can dig it up and e-mail. I don't think I can post it to the list because I think it's too big to do that but...

Glen Desaintgery: Yes it is.

(Kristina Rosette): I can e-mail it to you directly. And then, when I was talking with (Jeff) earlier today he mentioned something about (Wipro) had done a report on (Stop) or something like that, so. But I think those are, you know, all really good starting points.

Man: Could you just say for (unintelligible) that it's (Kelly) and (Jay Scott) that he needs to get in touch with?

(Kelly Smith): Yes for Sunrise.

Man: Okay.

(Kristina Rosette): Well, and I guess if he doesn't think he's going to be able to participate to let me know because then we may need to reach out a (Afilias) or (DotMovie) and actually (DotMovie) might even be better because I understand that they had some screening in place, you know, and see if we can get somebody from (DotMovie) to at least, you know, agree to review what (Jay Scott) and (Kelly) have done just to make sure that it meshes.

(Greg Shatan): Well they've been pretty willing to be talkative and participate (Caroline Greer) and

(Kristina Rosette): Do you know somebody over there (Greg)?

(Greg Shatan): Yea, both (Caroline Greer) and (Pinkie Brand) who probably a number of you may know.

(Kristina Rosette): Would you mind reaching out to them anyway, maybe that would just kind of jump-start things.

(Greg Shatan): Yea, if you could just sent me an e-mail off list just so I kind of have a good sense of what I'm asking them for I'd be happy to reach out.

(Kristina Rosette): Yea, I mean, (Kelly), what would be most helpful to you?

(Kelly Smith): Let me send an e-mail along with some questions.

(Kristina Rosette): Okay, all right. All right.

(Greg Shatan): Yea, I was kind of following, or have been following (DotMovie) for the, you know, the NS subcommittee of the Internet committee Avinta, so...

(Kristina Rosette): Right.

(Greg Shatan): They've been my, I'm watching them.

(Kristina Rosette): All right, well then I guess I ran the call without wanting to run the call, but oh well.

Man: It was not recorded so no one will know.

Man: And some people have greatness thrust upon them.

(Kristina Rosette): Oh, I don't know if, I'll take that and run with it, but I don't know that I deserve it.

Man: Your 15 minutes of greatness.

(Kristina Rosette): Yea exactly. Okay, times up. All right, well then I would just encourage, you know, everybody to kind of do whatever it is that they want to do kind of keeping in mind that the new gTLD report is essentially silent on rights protection mechanisms other than to talk about the fact that this group exists. So, it's kind of up to us.

Man: Yep, we better blow some life into this.

(Kristina Rosette): All righty everyone, have a swell week. I'm sure I'll be talking to some of you tomorrow.

Man: Okay.

(Kristina Rosette): All right. Bye.

END