
ICANN Transcription

The Review of all Rights Protection Mechanisms (RPMs) Sub Team for Sunrise Data Review

Wednesday 24, April 2019 at 1800 UTC

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JULIE BISLAND: All right. Good morning, good afternoon, good evening, everyone. Welcome to the RPM Sub-Team for Sunrise [Registrations] Review call on Wednesday, the 24th of April, 2019. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. If you're only on the audio bridge at this time, could you please let yourself be known now?

JASON SHAEFFER: Hi. This is Jason Shaeffer. I'm only on audio.

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UNIDENTIFIED FEMALE: All right, Jason. Thank you so much. Okay. I would like to remind all to please state your name before speaking for recording purposes. Please keep your phones and microphones on mute also when not speaking to avoid the background noise.

With this, I'm turning it over to David McAuley. You can begin, David.

JULIE HEDLUND: Actually, let me just go ahead and first quickly run through the agenda, and then there's a little administrative item I can take care of as well if that's okay with David.

So the agenda is the updates to statements of interest. We have a note on the timing of the next meeting for next week, the development of preliminary recommendations and review of individual proposals, Question 1 and Question 5A and Proposal #9, and then, if time permits, moving on to remaining charter questions, starting with Question 6. Then also, at the end, a reminder again about the next meeting.

Let me ask first if there are, back to Agenda Item 1, any updates to statements of interest.

I'm not seeing any hands or seeing anything in the chat. I'll move to Agenda Item 2. So, next Wednesday, the 1st of May, is a holiday for many in the community. It is also a holiday for many of the ICANN offices, including in the U.S. Thus we do need to move the call. The options are to move it to next Tuesday, the 30th of April. We have confirmed that the Co-Chairs are available on that day, although, on the last call for trademark claims, the preference

seemed to be to move the call to Thursday, the 2nd of May. Also, it needs to also be at the same time, at 1800 UTC.

So let me just quickly ask if people have a preference for either and just note that staff will send, as an action item after this call, also asking about the timing of the next call. But more importantly, we will also have to confirm whether or not our Co-Chairs – at least one of them – is available to chair next Thursday, the 2nd of May. We have confirmed already that they are available to chair on the 20th of April.

David McAuley, you have your hand up. Please go ahead.

DAVID MCAULEY: Thanks, Julie. My phone cut out just for a second or two. I didn't hear the UTC time that you said on Thursday.

JULIE HEDLUND: Thank you, David. It would be the same time on Thursday, 1800 UTC.

DAVID MCAULEY: Okay. Thanks. So I'm just going to look at—

JULIE HEDLUND: So the same time ...

DAVID MCAULEY: Yeah. I can be there.

JULIE HEDLUND: Thank you, David. So I'm just looking. Kristine can do Thursday, but only for 60 minutes. And it may be indeed that we might have to cut the call short if that. So Susan can't do Tuesday but could do Wednesday or Thursday. Her May day is Monday the 6th.

So then, rather than spend more time on this, staff will go ahead and send a note to the list, suggesting that we change to the 2nd of May because it might be easier for folks who are attending both calls. I'll see if there are any objections. If none, we'll try to close this out today so that we can get invites out.

Thank you, all. Let me then go to Agenda Item 3 and turn the meeting over to David McAuley and Greg Shatan. Please, go ahead.

DAVID MCAULEY: Thanks, Julie. Let me ask Greg is he – Greg, do you have any comments do you want to say coming out of last week's meeting?

GREG SHATAN: Thank you, David. As noted in the summary of what happened last week, we spent a good deal of time discussing Question 4 and the related individual proposal, #11, which was to implement an obligatory pick or other contractual provision of essentially a non-circumvention of the RPMs based on pricing that seemed to have that intent or the like and also [inaudible] concerns about the practice of designating well-known trademarks as premium names.

There was quite a bit of discussion of that, a good back and forth, and I would not say that we came to a conclusion or a recommendation, nor that we necessarily ruled out making that recommendation or a recommendation around the pick as a solution.

So I think there's probably further discussion to be had as everyone should know that staff has put out discussion threads keyed to when we are engaged in discussion in the meeting of that week or the previous week. The idea of the discussion threads is to carry on the discussion through e-mail.

Unfortunately, no one responded to any of the discussion threads, I think, in either of the subgroups. So I think we still need, if we're going to make progress, especially progress toward recommendations, to use the threads significantly more. Thanks.

DAVID MCAULEY:

Thank you, Greg. I'll just supplement Greg's comments on the discussion last week by mentioning that both Questions 3 and 4 over the last couple of weeks have been discussed extensively in Proposals 11 and also 10. So, as Greg did, I'll invite more on the thread. There was some discussion during one or both of those meetings of a soft alternative to a challenge mechanism. So the thread would be a good place for anyone interested in proposing that to actually put language to the proposal. We don't have specific language for proposal yet to that, if that's something that people want to suggest.

Then, having said all that, in urging more active and aggressive use of the list, let's move on to the next item on the agenda list. We're going to review Charter Question 1 in conjunction with Claudio's Proposal #9. So it's a good time to ask now if Claudio has joined the call.

Claudio, are you there?

CLAUDIO DIGANGI: I am, David. Thank you.

DAVID MCAULEY: Thank you.

CLAUDIO DIGANGI: I was just about to interrupt you and let you know.

DAVID MCAULEY: Well, thanks. I'll come to you, Claudio, in just a minute. Let me go through setting up the issue for discussion.

CLAUDIO DIGANGI: Sure.

DAVID MCAULEY: So what I'd like to do is just revisit as a short question so I can go ahead and read it and also read tentative – underscoring the word “tentative” – answers and preliminary recommendations.

Question 1A: Should the availability of sunrise registrations only for identical matches be reviewed? Question 1B: If the matching process is expanded, how can registrant free expression and fair use rights be protected and balanced against trademark rights?

We have tentative answers for those questions. To A, we have a tentative answer: The availability of sunrise registrations only for identical matches should not be reviewed. For Question B, the tentative answer: The matching process should not be expanded.

Claudio has submitted, as we mentioned, Individual Proposal #9, which is in conjunction with this. So I could set it up, Claudio, and ask you to comment, or you can take it from here and set it up yourself and then give your explanation. Which would you prefer?

CLAUDIO DIGANGI: I'm happy to take this one and just describe what I put forward.

DAVID MCAULEY: Okay. So let me turn the floor over to Claudio and then mention, of course, that the discussion of this is not meant to be exclusive. We are discussion Question 1 in conjunction with Claudio's proposal but Question 1 generally, too. So everything is invited.

So go ahead, Claudio. You have the floor.

CLAUDIO DIGANGI: All right. Thanks a lot, David. So the inspiration for this proposal was actually something that one of the new gTLD registry operators put forward as part of their launch plan. Part of that

process was based on a couple of [inaudible]. There was a general recognition that the RPMs were a floor and registry operators were able to go above and beyond. You can see that with some of the RPMs that [inaudible] some of these other registries have implemented.

So what they did is they presented their plan to ICANN org, and it became reviewed. It was analyzed by the staff, and then it was approved. Often, you see that happen, I think, in this context, where some of the contracted parties make some innovations and, through the iterative process, they end up becoming a consensus policy.

So that was the genesis of it. What Uniregistry did is, in addition to the standard sunrise, implemented an additional sunrise period. The main gist of it is to deal with – I'm just going to put you on hold because [inaudible].

DAVID MCAULEY: I think that siren was not for the sunrise team, however. So let's—

CLAUDIO DIGANGI: [inaudible]. Yeah, sorry about that. [It's trying to get to a fight].

Okay. So apologies for that. So what the sunrise period entailed was allowing trademark owners to protect the full embodiment of their trademark, taking into account the top-level domain. Often, you see in this in the UDRP context, where a cybersquatter will use the top-level domain for the purposes of [inaudible] registration. So they will register a domain name, and the

combination of the second level and the top level are used to match the trademark.

So this addresses that issue. What it does is, if it allows – I'll just use an example because I think it's easier to use an example. If there was a .mart new gTLD, and Walmart was seeking to protect its mark, under the current rules, it would have to register walmart.mart. Under this proposal, they would be able to register wal.mart. The way that has been described is as spanning the dot. So the trademark spans the dot. It incorporates the top-level domain and allows the trademark owner to claim that second-level registration based on the top-level domain.

So that's the primary element of it. Now, what Uniregistry also did is – and this goes to your last point about the matching rules and that we had a tentative answer there to. I'm not sure if that's because there hasn't been a proposal where we've been able to look at it in a specific context or not, but you mentioned there was a tentative position that the matching rules would not change.

As part of the Uniregistry launch plan, the matching rules are slightly modified in the sense that allows plurals. So if the top-level domain had a plural in it, using the Walmart example, they would still be able to get wal.marts. So that's the one modification to it. Essentially, again, it goes to UDRP and how plurals are often used in cybersquatting.

So that's the heart of it. I'd be happy to answer any questions. Thank you.

DAVID MCAULEY: Claudio, thank you. I think that was a good example. It was more helpful to me than Joe's Tattoo. But in any event, we have a hand up for Kristine Dorrain, so Kristine, I'm going to hand the floor over to you. Maxim, I'd ask you to get in the queue if you want. I think it'd be good for you to raise your question in the queue. Thank you.

Kristine?

KRISTINE DORRAIN: Hi. Thanks. Thanks for that presentation, Claudio. I have a question. Did you – maybe you mentioned it – mention the scope? Do we have a sense of how often this spending-the-dot issue is a problem?

The reason I ask is because we're talking about proposing a change that would really severely restrict registry operators and various forms of domain names and stuff that's available for sale. I'm just trying to understand the scope of the problem because, if this only happens a few times, then maybe we don't need a whole consensus policy for it.

So do you have a sense of that scope? Thanks.

CLAUDIO DIGANGI: That's a great question, Kristine. So I don't have numbers. I think it's probably somewhere in between an anomaly or where a case in something that's prevalent – cybersquatters are pretty creative, and they look for these types of things to exploit.

So one way of looking at it is that it's somewhat limited in scope because it's only going to apply to a limited set of trademarks that fall into this category. But, to the marks that it does apply to, I think it's a good solution because you do see these cases. Under WIPO jurisprudence, this has been established; that it has happened enough for WIPO to come out and say – or [panelists] and the other providers to say – “When this happens, this is not an end around to cybersquatting rules.” They do take the top-level domain into account for that purpose.

So, again, I don't have hard numbers as to how many cases, but I think, for those specific trademark owners, it would add value for them.

DAVID MCAULEY:

Thanks, Claudio. Maxim's hand was up. It's gone done, so will turn then next to the next hand in the queue. But, Maxim, it's an interesting point you're making, so if you're having phone difficulties, I can certainly read your comment from the chat. But in any event, the next hand up is John McElwaine.

John, go ahead.

JOHN MCELWAINE:

Thanks. Maybe to address Kristine's question, although, again, I don't have any hard numbers and it's anecdotal, I saw a lot of this in the .bank space because there was an awful lot of banks whose trademark ends in “bank.” So, say, First National Bank. They really didn't want to get firstnationalbank.bank. They wanted to get firstnatural.bank.

So I think it's going to be somewhat dependent upon the TLD. Another one where I saw this – not frequently but had another client – was in the .club because any time – [I'll put it this way] – a TLD is a more common ending to a business name, it's going to be a more common problem for trademark owners.

That's just my anecdotal input. Thanks.

DAVID MCAULEY: Thank you, John. Next in the queue is Susan Payne. Susan, please go ahead.

SUSAN PAYNE: Thanks, David. This is question to [Claudio DiGangi]. Apologies because I think I wasn't paying sufficient attention to your Walmart scenario. So could you just, for my benefit, if you don't mind, clarify if you're looking at this in terms of scenarios like Joe's Tattoo example, where it's two distinct words, and the "tattoo" is the TLD – similar to John's First Natural Bank example – where they're distinct words, as opposed to splitting a one-word trademark in two? Or is your proposal for both of those? I think maybe some of the concerns that are being expressed in the chat, which you probably can't see, might be about splitting the brand's word in two. So I'm wonder if you could just clarify.

CLAUDIO DIGANGI: Yes, absolutely. Thank you for that question, Susan. So I think that the answer is that the purpose of sunrise is to protect the trademark before it goes to general availability. What this proposal

actually does is it allows for the full expression of the trademark without creating the superfluous extension at the end.

So, depending on the mark, it might entail splitting it in two. But you end up really at the same point, which is, when you look at the second-level domain and the top-level domain, it is the trademark. The [inaudible] example, which is something we could discuss, is the plural situation. But you end up with a string that is otherwise identical to the trademark.

So it really goes to that limitation with the domain system, where you end up in situation where you're having the domain incorporate extra letters that are not in the trademark. This just allows the sunrise rules to address that situation.

DAVID MCAULEY:

Thanks, Claudio. I am still working out some wrinkles in Zoom, so sorry if I mess this up. But I'm going to now turn to Maxim, who has a hand up or had a hand up and wanted to ask a question.

Maxim, you have the floor.

MAXIM ALZOBA:

First of all, I would like to underline that TLDs are not responsible for actions or inactions of TLDs which are not affiliated with them. Also, the ability to go beyond something is quite dependent on the jurisdiction law. Sometimes it's just not possible.

The second thing is I don't think we have the task of creating new rights. It's about the protection of existing rights of existing

trademarks. The suggestion effectively creates a conflict between the owners of potential shortened trademark; part of the trademark. In the example with Walmart, it would be walm. In this situation, formerly Walmart would challenge some other trademark which is registered in the trademark database without being registered with the same shortened string. [That's the test].

I do not think that, in our charter we are empowered with the right to extend the rights of trademark owners beyond the rights they have in the real world because, in this example, hypothetically, if Walmart doesn't have the right for the walm, then we are just creating an obstacle for the trademark owner of that shortened thing. Thanks.

DAVID MCAULEY: Thank you, Maxim. Claudio, did you want to state anything in reply to Maxim?

CLAUDI DIGANGI: Yes, I would. Thank you, Maxim, for that perspective. I think I'm a little confused about the issue of expanding rights. What you're ending up with is a domain name that matches the trademark. We can put the plural aspect to the side for now, just for this particular discussion.

So there's no, from my perspective, expansion of rights. This is a limitation with the domain name system. What this proposal does is it produces a domain name which of course includes the second level and the top level that identically matches the trademarks. So you have a trademark. It consists of certain characters. You have

a domain name that consists of certain characters. They're identical. So I'm confused when you refer to the extension of rights.

In terms of your other point, there are conflicts currently between trademark owners who have identical strings. So I think there's two ways of looking at it. One is that, again, you're ending up with a domain that's an identical match to the trademark. If there's another trademark in the clearinghouse that corresponds to that – using the Walmart example, if there's a trademark for wal and they went to register wal.mart – there is a process to deal with those issues. There's an existing process for that. Registries usually sometimes do an auction. They have other mechanisms of resolving the conflict.

If that really became the sticking point, we do come up with something that maybe said that we'd maybe give priority to the other rights holder. So I don't think that should be a fail point for this proposal because, again, it's just part of the real world. Those conflicts exist and there are processes to deal with it. Thank you.

DAVID MCAULEY:

Thank you, Claudia. Giving the floor to Kathy Kleiman. Kathy, go ahead, please.

KATHY KLEIMAN:

Great, David. Can you hear me?

DAVID MCAULEY: Yes, we can. Loud and clear.

KATHY KLEIMAN: Terrific. Hi, everybody. So I'm going to, of course, share, as you would expect, Maxim's concern and also whoever said earlier that this is really dependent on the TLD. I think it was Kristine but I don't know.

I also want to read to you something from Domain Insight because, Claudio, with great respect, it does seem that Uniregistry did something more than this proposal. So forgive me. I'm going to read a few paragraphs. But they're not long.

So the subtitle is, "Uniregistry is to offer a second sunrise period in its new gTLDs, going over and above what is required by ICANN, aimed at companies with trademarks that span the dot." I'll skip a little bit of intro. It talks about the Sunrise B Plan: "appears to apply to all of Uniregistry's forthcoming gTLDs and was approved by ICANN recently. This additional service would be invitation-only, restricted to companies that have participated in the regular sunrise period, which Uniregistry is called Sunrise A. For Sunrise A, Uniregistry plans to allow mark owners to register regular resolving domain names."

"Then, for Sunrise B, participants" – and there's some kind of blocking issue. So Sunrise B would be for these dot-spanning trademarks.

So, if we're talking about Uniregistry's proposal, I think we'd have to research Sunrise B and how it'd work, which leads to my other thought, which is that I'm not seeing data on this. Again,

somebody earlier asked, “What’s the data? What’s supporting?” We are data-driven. So I feel like we’re standing on one foot here, talking about the problem when we don’t know the extent, where we may wind up proposing a new sunrise period. I don’t see any discussion in Q7 of the free expression and fair use rights. I think they will be extensive, and we are talking about words like “wal” and “joes” and the implication for those, both with trademarks and without. So it’s a personal hobby of mine. I got to Joe’s Pizza in whatever city I’m in and they’re always owned by different people. So how are we going to handle that issue? I think there are a lot of dimensions here.

But going back to, “Is this a problem?” is this a problem we should be solving? Or has Uniregistry showed that, if you have a certain set of gTLDs where this is an issue, it can be solved via another mechanism? Thank you.

DAVID MCAULEY:

Thank you, Kathy. Claudio, Zak had a comment, so I’m going to turn it over to Zak. Please go ahead.

ZAK MUSCOVITCH:

Thank you. So I’m generally sympathetic to the notion that, when comparing trademarks to domain names, taking into account the TLD itself is often irrelevant. So in the chat I mentioned that tes.co (Tesco), which I understand is a famous British grocery store chain. They don’t have any here. So I understand the concept.

I was listening to what Kristine’s comment was in response to it because I’m trying to find holes in the proposal or other

considerations. So I'm sympathetic to Kristine's perspective on that, too.

The thought that came up to me – and maybe Claudio has an answer to this; I frankly haven't mulled this over in great depth; maybe, Claudio, you spent more time thinking about it than I – is, if this proposal were to be made, would there be an issue with that another example? I mentioned in chat, for example, that a brand owner might have a trademark Canadian Club for whiskey, and they get it because of the combination of the terms renders it not descriptive. But, in the sunrise case, they would then submit canadian.club as their trademark, and they would end up getting canadian.club. It seems to me that that would give them some kind of an unfair advantage over someone who wanted to register a plainly geographic generic term in a new gTLD.

In fairness, I can't think of too many more examples, other than canadian.club, but I'm wondering if it's a live issue as far as you're concerned, Claudio. Thank you.

DAVID MCAULEY: Okay. Claudio, if you have a response, please go ahead, and then I will move on in the queue.

CLAUDIO DIGANGI: Yes, and I'll respond to Kathy and Zak. Thank you for those comments. They're very helpful.

So, Kathy, you said there was multiple Joe's Pizzas. That's correct, but I don't think this proposal really goes to that particular

issue. Again, that's something that's part of the existing laws around the world in terms of coexistence between marks. So, again, I just don't think this is really related to the issue of there being multiple trademarks for the same string.

In terms of the data, you're right. I don't have hard numbers about how many times this has happened, but the proposal is certainly by the fact that it does happen. And it happens enough where there is jurisprudence around it in the UDRP context.

So, again, I think it was something that was really a tiny anomaly. I don't think that would happen. I think that is evidence that there is more than [inaudible] number of occasions [inaudible].

Zak, that's a good point that you raise. I'm not really sure how to answer that. Some of the others on the call might have some views on it. The way I'm looking at it is, again, that you're just ending up with a domain that is reflective of the entire trademark. To the extent that that interferes with another potential registration, I think it's based on the rights that the trademark owner has. This goes somewhat back to this [intervention], where this really is not expanding the trademark owner's rights. They're ending up with a string that's identical to a trademark.

So there are certainly some of those nuances that you mentioned. I acknowledge that, but I think this only applies to certain mark owners. There's probably not going to be a large number of examples where somebody is negatively impacted by it. But it does protect those mark owners who are experiencing the problem. Thank you.

DAVID MCAULEY: Thanks, Claudio. So next in the queue is Maxim. Maxim, go ahead, please. I believe Greg took his hand down, so Maxim, go ahead.

MAXIM ALZOBA: Also, there is a theme that, even before the end of the panel review or the court hearing, it's not known which party is going to prevail, and, for example, who the cybersquatter is and who is the good trademark owner. So I do not believe we can decide it for the court or the UDRP panel until we're in discussion of the UDRP part of the rights protection mechanisms.

In the case of Canadian, it's more than 20 trademarks. So, hypothetically, we are trying to protect one trademark while potentially [it] offends more than one. Thanks. So the cure shouldn't be worse than the disease.

DAVID MCAULEY: Thank you. Thanks, Maxim. Claudio, go ahead. Now I'm going to ask if you can be brief. Thanks.

CLAUDIO DIGANGI: Yeah, absolutely. So, Maxim, I didn't mean to imply that, if somebody registers a second-level spring, they're presumed to be a cybersquatter. By no means did I mean to imply that. It was really the opposite, that it is a mechanism used to cybersquat. So I don't want to draw on that inference, that there's some sort of de

facto cybersquatting taking place. But this is a practice used because often, especially in the .com space and the generic legacy TLDs, many of the strings are registered. So you see cybersquatters doing this. Eventually, that might start becoming the case more in the new gTLDs. But I could try to research to get more information about the number of times this happens, if that'll help. Thank you.

DAVID MCAULEY: Thanks, Claudio. Next in the queue is Kristine. Please go ahead, Kristine.

KRISTINE DORRAIN: Hi. Thanks. This has been really, really interesting. I'm saying this on the call, actually, because I think Claudio is not on the chat and I just want to make sure that he's part of the conversation. I take John's point. When you get to the semantic meaning, like firstnational.bank, I get that that gets a little bit trickier and you end up with a really awkward domain name at the end of it if you participate in sunrise. I'm not sure what we can do to think about that. I know the CCTRT recommended incentives to registry operators that do more to protect different situations. Maybe that's one of the things that we can talk about, as far as that goes.

I worry about the other spanning-the-dot issues, like the ones we were talking about with Walmart or even Canadian Club, where "club" is not serving the same function as "bank" is but it's a little bit more of a suggestive mark because Canadian Club, as a I recall, refers to whiskey, not an actual club.

So, if the UDRP is currently handling it, is this something, Claudio, that you would think about punting to Phase 2 and saying, “Hey, as we talk about Phase 2 and the types of things that we want to either explicitly add to the list of things that are bad faith or maybe implicitly add or support or endorse – the panel evolution of, when all things are considered, we’ve looked at the name that was registered, and we’ve looked at the use and it’s infringing so we’re going to do something about that”? The problem with adding spanning-the-dot names to sunrise, whether it’s in Sunrise A or Sunrise B, is that it’s a proactive prohibition before we know what the use of the domain name is going to be. So it’s a little bit harder to swallow, I think, when we don’t for sure know the intent. I think in some cases you could look at it and guess the intent, but until you know it, that makes it a little harder to prevent people.

I wonder what you would think about talking about in the context of a defensive protection instead, Claudio. Thanks.

CLAUDIO DIGANGI:

Thank you, Kristine. Yeah, I think that’s a good idea, that we should mull that over in Phase 2. When I mentioned UDRP, where I was really coming from was to demonstrate that this type of registration abuse does occur. And you’re right. There’s an enforcement mechanism to deal with it, which is, I think, really similar to all the cybersquatting cases, where you don’t know the intent so you take a closer look at the moment of registration. There’s no website up or there’s no other activity going on. So I see it falling into the same bucket as the standard UDRP cases in terms of that particular issue.

Then also, very quickly, I had a thought in terms of that comment, which is what we could do to address some of these concerns that have been raised is, again, I could be back and try to grab some more information. We could also modify this, where, if that's the concern, if that's the sticking point, then you could modify it so that category is not included. So that should really address that particular issue.

So maybe this just needs more fine-tuning and maybe we could review it again after that. Thanks.

DAVID MCAULEY:

Thank you, Claudio. Next in the queue is Greg. After Greg, I'm going to make a point that Kathy made in chat, Claudio. Then I will try and wind the discussion down for now. There can be more, but I'll invite people to go to the list. But go ahead, Greg. You're next.

GREG SHATAN:

Thanks. Mostly with my Co-Chair off, I'll just point out that, if this spanning-the-dot right were added to sunrise, any trademark owners who had rights to the trademark "Canadian" we would have the equal opportunity in the sunrise, if they were in the TMCH, to seek to register canadian.club alongside or in competition with Canadian Club. And they may have some perfectly valid reasons, especially if they're a trademark owner, for using "Canadian" in connection with "Club" that has nothing to do with the beverage. I'd probably say that Canadian Club is an arbitrary mark and that "Club" is arbitrary rather than suggestive, but we don't need to parse things that finely here.

It's an interesting point to the extent that it's a real world capacity to register in this fashion. I wouldn't say it's an expansion of trademark rights, but clearly it's an expansion of a rights protection mechanism or a tweak, which, to some extent, we're in the business of. But we have to look at, in balance, what we would do.

Lastly, I would say that Joe's Pizza in New York has to be the best Joe's Pizza anywhere. I hope. Thanks.

DAVID MCAULEY:

Thank you, Greg. Claudio, I'll give you a chance to comment in just a minute, but I'm going to expand the queue. Maxim put his hand up. He said he'll be brief, so I'm going to let Maxim speak. But before that, I'll plant this seed. It's the one that Kathy mentioned in chat, and that is, would you please the address the Sunrise B issue? I'll say that in the context of saying, Claudio, since you have mentioned that you might modify this or fine-tune it or whatever, you can answer that now briefly, if you wish, or you can give that thought and come back on thread. But I'll talk about that in a moment.

So, Maxim, I'm going to give you a brief chance. Go ahead, please.

MAXIM ALZOBA:

I think we need to make a difference between the ultimate rate to register in sunrise and notification that something which composed – in the end your trademark is going to be registered. So I don't think that notification – in this case for Canadian Club; that someone is going to register canadian.club – is going to hurt.

Maybe it should be reflected in URS in the future. So it's cheap. But I'm not sure it's the reason to grant them rights to a registrant sunrise period. Thanks.

DAVID MCAULEY:

Thank you, Maxim. What I'd like to say is this has been a great discussion, a well-articulated proposal – thank you, Claudio – well-presented, and well-critiqued by the group. So I'm grateful to everybody that has participated.

I'd like to draw a line under it now and invite you, Claudio, to take a look at the chat from this call and perhaps the transcript. Then, as you said, you may want to modify or fine-tune. I would simply say that time is of the essence, in a sense, to please use the thread and come back out. Then we can move this ball down the field through the thread and then address it on an ensuing call. So this fits perfectly within the construct that we're trying to come up with to bring these things to closure.

So very interesting. And I would ask you to include, if you do that, addressing the Sunrise B issue, as Kathy requested. So I'd like to draw a line under this discussion, and that's the discussion with respect to Question 1 and Claudio's proposal.

I propose to move on to Charter Question 5 now, unless anyone has anything further they want to say about Charter Question 1, apart from the proposal that Claudio said.

So I'm going to ask staff right now, can I still be heard? I think I've been thrown out of the Zoom room. I'm not sure. And do I show up in the Zoom room?

UNIDENTIFIED FEMALE: We can still hear you, David. Loud and clear.

DAVID MCAULEY: Okay. Thank you. I'm struggling a little bit with this. So if we could then move on to Charter Question 5A, I'll repeat the question. Does the current 30-day minimum for sunrise period serve its intended purpose, particularly in view of the fact that many registry operators actually ran a 60-day sunrise period? There's four sub-questions. One, are there any unintended results? Two, does the ability of registry operators to expand their sunrise periods create uniformity concerns that should be addressed by the working group? Three, are there any benefits observed when the sunrise period is extended beyond 30 days? Four, are there any disadvantages?

So, having posed that, put that out there, I don't see right now any hands in the queue. But I will invite comment in the queue. If we don't have any, we can move on—

CLAUDIO DIGANGI: David?

DAVID MCAULEY: Yes? Is that Claudio?

CLAUDIO DIGANGI: Yeah, it is. I can make some comments, but only if you want to do that right now. If you want to wait—

DAVID MCAULEY: Go ahead.

CLAUDIO DIGANGI: Okay. So thank you. So I believe what one of the issues that trademark owners have been facing is when there are many TLDs launching at the same time, which is really something new, whereas, in the past, you would have .asia sunrise and it was the only string launching probably over the course of that year.

Now, especially as the New gTLD Program evolves and [we're] trying to look forward towards that, where you had a situation where there are many TLDs launching simultaneously, I think that's what creates the challenge with the 30-day period because it has just created a lot of instability from the trademark owner's perspective in having to police their marks and fight against registration abuse.

So we're using the sunrise period to address that, and they have to manage their budgets. So there's just a lot of consideration that goes into account in terms of deciding whether to use the sunrise period. It's often not a straightforward choice.

So I think, by adding some additional time, it would be greatly valued on that side of the house. Thank you.

DAVID MCAULEY: Thank you, Claudio. Interesting point. Next in the queue I have Maxim. Maxim, go ahead, please.

MAXIM ALZOBA: First of all, as it was mentioned before during face-to-face meetings, it's always 60 days. Sometimes it's [inaudible]. Sometimes it's registration where you have to announce. The first come, first served mechanism is used, and you have to announce that the start of the sunrise is going to be in 30 days. Then you have 30 days of first come, first serve. No auctions.

Or another mechanism is where you have this same 60 days, but all the, I'd say, applicants for the registrations – for example, for the superstring.something – are gathered and they have some kind of auction. But in reality, it's the same 60 days. If we read RPMs carefully, it's there.

The second thing is, when a registry does sunrise, they're not able to do registrations. [Let me] remind you that the business of registries is not just hanging in the air. You have to pay bills for connectivity, for software licenses, for stuff – salaries. And, yes, you have to pay to ICANN.

Effectively, if you extend the sunrise to one year, many – most – medium and small TLDs are going to be out of business. Thus, the suggestion is a security and stability danger to the ICANN ecosystem itself. We shouldn't do it because it's going to be against the bylaws of ICANN. Thanks.

DAVID MCAULEY: Thank you, Maxim. Next up is Kristine. Please go ahead, Kristine.

KRISTINE DORRAIN: Hi. Thanks. If you skim down the left column, where it says Analysis Group Survey Results [towards] the bottom, it says, “Nevertheless, most registry operators have already run a 60-day end-date sunrise.”

So, when we talk about that, to Maxim’s point, there were two different sunrise types. Many of at least the first registry operators out of the gate ran 60-day end-date sunrises. There’s a couple reasons for that. One is you can launch right away. You can take applications for 60 days while you’re gearing up, while you’re marketing. You don’t even have to necessarily have a lot of stuff plugged in yet. Then you don’t allocate domain names which is actually registered to them until the end of the 60 days when you do your allocation mechanism. So it allowed people to launch very, very quickly.

So that actually goes to two of Maxim’s points. Registry operators need to be to the point of collecting cash pretty quick. So this allowed them to do ramp up and marketing at the same time as they deal with the obligation of sunrise.

Not everybody did that. Some people decided to a start-date sunrise. But to Maxim’s point, then they have a 30-day window in which they have to market the sunrise or at least tell people they’re going to have it. Then they have 30 days to have it. Then that’s a start-date sunrise, which means it’s first come, first serve. Whoever gets in the door first to get the domain name gets it. I

think that goes to Claudio's point of, if you've got a bunch of people doing start-date sunrises, now you've got brand owners trying to scramble to calendar windows when those open.

I take Claudio's point that there may be some administrative hassles when you have a lot of TLDs opening at the same time. Perhaps that's a question we could deflect over to SubPro because I don't that's a question here. Here's we're trying to find out if the RPMs are working.

So is there enough time in the 30 or 60 days, depending on which sunrise is selected, to protect your brand? I think the answer is probably that there's enough time if you can deal with the administrative nightmare of figuring out who's opening, when, and how much time you have to apply. That's my intervention. Thanks.

DAVID MCAULEY:
Susan.

Thank you, Kristine. So Susan is in the queue next. Go ahead,

SUSAN PAYNE:

Thank you. I won't repeat everything that Maxim and Kristine have said because much of it was what I was going to say as well about the distinction between the two different types of sunrise. I think we've made the point from the outset that this question is really flawed because it fails to recognize that there's two different types being run at the moment.

I take Claudio's point about the difficulty in keeping track and so on. I think, perhaps for some people, it was a bit of a challenge,

but I think that's more about TLDs launching and launching on various different dates, rather than particularly about whether their sunrise was a start-date or an end-date. I think, as long as you've got notice of the launch – and, for a 30-day sunrise, you would, as Maxim says, get 30 days of notice in advance – then in theory that's as much as you could hope for. Obviously, there are different TLDs launching on different dates, well, yes, then that's more to keep track of. But you have still been given notice of the launch. Hopefully, you can schedule your requirements for sunrise registrations accordingly.

I think there is a benefit of having the two different types, both because, as Kristine said, it seems like most registries did go down the 60-day version. But addressing Maxim's point about not being able to, whilst the sunrise is running, register names and get money in, well, if you ran the 30-day one – the start-date sunrise – then, okay, you did 30 days of advance notice. But then, once the start-date sunrise opens, you could be registering names from day one.

So I think there's a benefit for allowing registries to make their own decision about which one works best for them. Bearing in mind that most went for the end-date version, I think I'd be really concerned if we came to a solution or to a conclusion that all sunrises should only be 30 days, for example.

DAVID MCAULEY:

Thanks. Thank you, Susan. Before I go to Maxim, let me ask Claudio. Did you want to get in the queue, Claudio? I thought I heard you come off mute.

CLAUDIO DIGANGI: I did. Thank you, David.

DAVID MCAULEY: Okay. So I'm going to go to Maxim first, and then I'll come to you. Maxim, go ahead, please.

MAXIM ALZOBA: Actually, there is also another reason to keep two models. For example, it depends on jurisdiction, but in our case, the [inaudible] Committee potentially saw this as a violation of the principle that similar goods should be sold at a similar rate. And auctions, I'd say, were not favorable, even if the model with auctions could potentially bring more money.

So, if we make a period similar, like 30 days and 30 days, but still allow two different models, it would cover more jurisdictions that a single model of auctions only. Also, it would effectively cost less for trademark owners in those first come, first serve TLDs. Thanks.

DAVID MCAULEY: Thank you, Maxim. Claudio, go ahead, please.

CLAUDIO DIGANGI: Thank you, David. I think this has been a really good discussion. A couple points I wanted to make in response. One, I think the concern is really when there are many TLDs launching. You could

have 15 or 20 TLDs launching in this 60-day period. There are some companies that just are not aware of ICANN. They're not aware of the New gTLD Program. They are becoming aware of it. But there's a good amount of variation there. You have new companies forming. They have to get into the Trademark Clearinghouse.

From the perspective of the registry operators, it did the very extensive process of [inaudible] a TLD, a very lengthy process. So I'm looking at it from that perspective, that, if there's years going into the decision of applying and going through the application process, the pre-delegation process – all of those things – we would look at this time period that is very short compared to that.

So what I'm curious is, from the registry perspective, if it's acceptable, if we came up with a rule that says, in certain limited cases, any ICANN is going to introduce more than ten TLDs in a certain time period, the length of the period would remain the same but there would just be an additional 30-day notice on top of what is currently there to allow the integration of the changes in place. So that's really the thought: not to change the length but to add an additional 30 days to the notification time period. Thank you.

DAVID MCAULEY:

Thank you, Claudio – oh, there is one. I was going to say there's no more hands, but there is. Kathy, go ahead, please.

KATHY KLEIMAN:

This is Kathy Kleiman as a member, not as a Co-Chair. I think, again, we have to look at the question that we have in the proposals that also asks what the implication would be for fair use and free expression. I think adding another 30 days does get into the balance that we've talked about in the past – the balance that was struck in 2009 and 2010. I think [we'll] make the marketplace much more confused because how in the world are you going to know, as registrant or as a trademark owner or as the registry or as the registrar, who long the period is? Who makes that determination? And how much overlap do they have to have? If the sunrise time periods are overlapping by two days by 20 days, implementation of this could be unfortunately, Claudio, be much worse than the underlying issues.

Also, I've just been reviewing the Analysis Group revised report, that initial report, and they found that there [wasn't] a lot of abuse of the sunrise period and that a lot of trademark owners waited until general availability. So, in some ways, this would delay that general availability for those trademark owners, as well as for everyone else that's queuing up and really wants to register these new domain names. So I think we should remain the same. Thank you.

DAVID MCAULEY:

Thank you, Kathy. It's always good to remind ourselves of the data that we have and to keep the eye on the data. So another good discussion. Thanks, all, for taking part in this. There'll be a thread that comes out on this, obviously under the regimen that we're following.

So I'm asking folks to please take time to give their thoughts on this issue when they see the thread. Claudio, you might want to develop your idea of additional notice rather than extended sunrise if there's a certain number of TLDs being launched simultaneously or whatever.

But in any event, what I'm asking is to look for that thread and give it some time and contribute. For all that are working on threads and proposals, keep in mind – and, Claudio, you should keep this in mind as you fine-tune Proposal #9 – that the standard by which we will favorably send something on to the full working group is “wide support.” So put on your best persuasive shoes and pens and forward it on.

So, if I'm not mistaken – there's no one else in the queue – then we can move over to Question 6. So, I will read the question. I know we have two individual proposals that could be catalysts for discussing this. But Question 6 has three subparts. First, what are the sunrise dispute resolution policies? And are any changes needed? SDRP. Two, are SDRPs serving the intended purpose or purposed for which they were created? Three, if not, should they be better publicized, better used, or changed? So let me come back. I'm toggling between—

KATHY KLEIMAN: David, I got knocked out of the room. This is Kathy.

DAVID MCAULEY: Oh, sorry.

KATHY KLEIMAN: Can I ask a question whenever it's convenient?

DAVID MCAULEY: Well, I ... okay. Just one second. I just read Question 6, so I'll ask everyone to think about that. So probably now is a good time, Kathy, to go ahead.

KATHY KLEIMAN: Did you mean to skip over Question 5B? [inaudible]

DAVID MCAULEY: Yes, I did.

KATHY KLEIMAN: Oh, okay.

DAVID MCAULEY: We're not ...

KATHY KLEIMAN: Okay. Thanks.

DAVID MCAULEY: And that answers Susan's question in the chat, too. No, we'll come back to that. I've lost my thought. But I was saying that there have been two individual proposals. They were both submitted by

George. I'll ask Ariel if she could put the link in the chat to these proposals, but I can go ahead and summarize what they are as a catalyst for some discussion.

Question #2 from George was basically a proposal that, if the sunrise procedures are retained – obviously, George suggested they not be – then all details of any trademark relied upon to secure a sunrise registration shall be made public in order to permit utilization of the SDRP.

And George gives a rationale. I'll try and briefly run through the first part of it. The answer to Question 2 of the [delayed] April 2017 response to follow-up questions says that third parties are only informed of a record in the TMCH through the claims notice, which is presented prior to registration, stating the mark name, registrant, registrant contact, jurisdiction, and goods and services. But think this through. If the third party actually attempted to register a domain name that was already taken in sunrise, they would just see that the domain name was already registered, and thus a claims notice, which provides all the data that is required to challenge the mark, would not be generated. Then George goes on further. It's worth taking a look.

I see that there's a hand up. It's from Maxim. So I will not go to the next proposal George submitted but ask Maxim to go ahead, presuming it's on this topic.

Go ahead, Maxim.

MAXIM ALZOBA: About SDRPs, it's per TLD, and, actually, they reflect the jurisdiction issues also and the ways trademarks are protected in the particular jurisdictions. So I'm not sure it's going to be feasible to try to create the unified SDRP because, most obviously, it's going to be based on California law since we're talking about ICANN. And it might not be applicable across the world.

Next, all registries are obliged to publish the SDRPs. So I'm not sure how it's not possible to find those. Thanks. And, yes, if you cannot the SDRP for the particular TLD during its sunrise phase, just complain to ICANN. Thanks.

DAVID MCAULEY: Thank you, Maxim. You were the queue on that, so I'll go ahead and—

KATHY KLEIMAN: Could I join the queue? This is Kathy.

DAVID MCAULEY: Yes. I'm sorry, Kathy—

CLAUDIO DIGANGI: And this is Claudio, David, too.

DAVID MCAULEY: Yeah, and then Claudio. So go ahead. Kathy, go ahead.

KATHY KLEIMAN: Okay. Apologies. I got knocked out of the Zoom room.

DAVID MCAULEY: Oh, you mentioned that. I thought you were still in the room, but I guess you're just on phone only. I'm sorry. So go ahead.

KATHY KLEIMAN: I'm coming back in. It may be a problem on this side. So I just wanted to say I don't have these proposals in front of me, and I don't know if other people do. I just went back and checked the homework. Unless I'm missing something, this wasn't part of the homework. So I apologize, but it's not a question I'm prepared for. Again, I don't know about others. So I normally sit down. I review the proposals. I look at the homework and I look at the data. So, while I'd hate to lose time – I don't know if other people are ready – I'm not ready on this one. I think we were supposed to go through 5A, but because you're such a good Chair, we're going faster. But should be looking at things we haven't prepared yet? Thanks.

DAVID MCAULEY: Thanks, Kathy. Let me just comment briefly on that. It's a fair point, but – and I can't really recall why we're skipping to 6 and not doing 5B now; I just can't recall – one of the things we will be saying in our homework and I think we said here is, if time permits, we're going to move forward sequentially. We're just pressing on. So I guess what we're asking – this seems to me this is what we're asking – is that, when you look at the homework questions and you see that would get to Question 5, in the next

ensuing calls, look at the next following questions. But you have a fair point. You weren't prepared.

So, if there are others that want to talk on this, they'll be able to – I could at least summarize briefly George's other proposal in this respect, and then there will be a thread, and there'll be further discussion on it. So a bit of a kerfuffle, perhaps, on this call. My apologies. I probably didn't explain it as well as I should have. I'm the one that suggested the work, going through these sequentially. So that's an answer to that comment.

Then, if there's nothing further, I'll go to Claudio. Claudio, why don't you go ahead?

CLAUDIO DIGANGI:

All right. Great. Thank you. So I just want to preface what I'm going to say with a caveat that we need an opportunity to run through this the IPC and ensure there's consensus there and other relevant stakeholders, like WIPO and other entities that have a stake in this particular issue.

But I think why make want to take consideration for potentially enhancing SDRP. There have been – I think it's a limited number of cases when this has occurred – examples, very limited times, when individuals, often – I'm speculating but it could be cybersquatter – who's looking to game the system in this particular manner gets ahead or competes with a trademark owner. They can commit fraud to do that. That would negatively impact trademark owners and the system as a whole.

So to address that particular issue, we could look at giving an enhanced [slight tweak of] the SDRP, making it, perhaps, a little stronger. To go to Maxim's point about [inaudible], the standards for what marks are protected during sunrise is essentially a global standards. It's all nationally-registered marks. They're those protected by a statute or treaty. So, even if a trademark owner does not have particular rights in a specific country where the registry is based, that's just not the related to the sunrise period.

So it's just not clear to me how the local law issue would fit into this, but I just wanted to throw that out there because I know, often through our discussions, we've run against this particular issue as a reason for not doing something. So, to the extent we could address it and not have to struggle with making other proposals because of this particular issue, there might be enough value there to do that. Thank you.

DAVID MCAULEY:

Thank you, Claudio. Fair point. So next in the queue is Ariel, and after Ariel we'll go to Kathy. Ariel, go ahead, please.

ARIEL LIANG:

Thanks [for that action], David. So just to refresh the memory of why we're keeping Question 5B, I have scrolled up to the question, actually, now on the screen. It's basically asking, in light of the evidence gathered above, should the sunrise period continue to be mandatory or become optional? Then there are two sub-questions related to that. So when we discuss the work plan with the Co-Chairs [with regards] to this question, maybe address

[inaudible] because there's also individual proposals related to that. I think one, as George Kirikos said, is getting rid of the sunrise period.

So we thought this may be a good ending question to address. That's why the Board plan is to skip this one for now and then [would] deal with that later.

DAVID MCAULEY: Thanks, Ariel. Kathy, why don't you go ahead now?

KETHY KLEIMAN: Yeah. Great. So, David, question. Might we be discussing this question then before we get to the individual proposals: What our view is in light of the data that we've collected? So I think that's the way we've done some of the others. So Question 6 – have we discussed this yet? Did I miss a meeting? It's possible. But have we discussed this yet? I'll pause. And, if not, I'd like to briefly read some of the data we've collected on SDRPs and some of the questions that arose in our data gathering.

DAVID MCAULEY: No, not that I'm aware of. So I personally would find it a welcome [view] to bring up the data.

KATHY KLEIMAN: Okay, cool. And I guess we're laying the foundation for next week. So thanks.

So, again, Question 6: What are the SDRPs? And are any changes needed? Are they serving the purpose for which they were created? Good questions. So here I'm reading in the middle column of our data gathered and just jumping around a little bit. "Due to the little utilization of SDRPs, changes may be needed for SDRPs to be well-known, understood, and effective." Also, SDRPs do not seem to serve the purpose for which they were create. Based on Deloitte's responses, some sub-team members believe that was a problem when a third-party would not receive the claims notice on the domain name that had already been registered in the sunrise. It makes it difficult for the third parties, who are envisioned to be part of the challengers in this, to know what's in the TMCH and to know what they can challenge. Then other sub-team members believe the SDRP should be better publicized and uniform across registry operators. Some believe they should be open to review.

So there's all sorts of suggestions that we have in the data that SDRPs are inadequate and what should we be doing to make sure that people on all sides – trademark owners as well as third-party challengers – can exercise their rights. There seemed to be a lot of limits on that. So I'll just throw that out there. Thank you.

DAVID MCAULEY:

Thank you, Kathy. Fair point. Again, the data is a good catalyst for discussion. My approach of going ahead and reading George's proposals was really also intended to be a catalyst. And again, the homework assignments from now on will have this element of that we're going to move on sequentially if time allows. So it's sort of an encouragement to all of us to be a little bit ahead in our reading

of the homework assignment. Staff have done a very good job of giving us the links and trying to make it as easy as possible. I recognize there's a lot going on and there's a lot to do. And it is difficult. I recognize that, and I'm thankful to folks for discussion we've had so far. It's really been good.

Anyway, back to Question 6, the floor is open. Kathy, your hand is up. I'm taking it that's an old hand?

KATHY KLEIMAN: That's an old hand. Sorry.

DAVID MCAULEY: Right. So the floor is open. If there's no one that's going to comment, I'm going to go ahead and at least just set the table by mentioning George's next proposal, which is, I believe, Proposal #4, just to make sure the people are aware that there are these two proposals out there. So I don't see a hand up, so, okay, I'll go ahead. The proposal is this. Again, it's contingent on if the sunrise is retained. If it is then that Uniregistry "substantive ineligibility" clause be included be included as a minimum standard for SDRP disputes as for clause 2.1.2 for a certain [link in] – I don't have the title of it here, but it deals with token use or non-use pretextual sunrise registration and things of that nature.

The rationale that George gives for this – again, I encourage people to read the proposal. This is just a summary that's skipping big parts of this. This is a proposal that would reduce gaming of the sunrise process and also facilitate successful SDRP

challenges for token use, non-use, and pretextual sunrise registrations.

George puts links in to evidence to support the proposal, has a couple quotes in there, and I would encourage everyone to read it.

That said, I don't see any hands up in the queue. In light of the point that Kathy made, I'm thinking it might be wise to wind this call up a little bit early and just note that the request to stay ahead of the homework assignment is a standing one. You'll see it. So those are magic words that we will move on sequentially. I'll ask people to please do that. I'm hearing – Claudio, are you off mute. Would you want—

JASON SHAEFFER: David?

DAVID MCAULEY: Yes?

JASON SHAEFFER: Hi. This is Jason Shaeffer. I'm only on audio. So—

DAVID MCAULEY: Okay. I'm sorry, Jason. Why don't you go ahead?

JASON SHAEFFER: Thank you.

DAVID MCAULEY: You are the queue, so go ahead.

JASON SHAEFFER: Okay. On that final point [inaudible] proposal—

DAVID MCAULEY: Jason?

JASON SHAEFFER: Yes?

DAVID MCAULEY: I'm sorry. All of a sudden you went very, very hard to hear.

JASON SHAEFFER: Oh. Can you hear me?

DAVID MCAULEY: Yes. This is better.

JASON SHAEFFER: Okay. To George's last point, I think this topic is also relevant when [procuring] all of the other proposals that we have on the table, particularly when we're getting into second guessing and question registry operators and how they reserve name and price names.

Gaming of the system is a real issue and a real concern, and as we probably all know on this call, there are trademark attorneys – at least one that I’m aware of – that game the system, specifically with the intent to get some very good TLDs through sunrise. So it’s an issue. Again, how prevalent it is? It cuts both ways on all the proposals that we’re discussing. But I think it is a relevant point.

So when we are addressing – and I’ve remained quiet throughout this call. I agree with a lot of points that Kristine made and Kathy’s points. I do agree with some of what Claudio is saying, but I do think it’s imperative that we really look closely at the data, look closely at what we’re trying to fix or perceived problems, and really see if we’re creating more problems than necessary.

Just to conclude, let’s keep in mind that the gaming of the system cuts both ways. Thank you.

DAVID MCAULEY:

Thank you, Jason. I’d like to address a point that Maxim has made in chat. Maxim said, “I believe George departed from the PDP Working Group.” I believe that’s exactly right, Maxim. Greg and I discussed this, and it’s our feeling that, while George was a member of the group, he submitted individual proposals that were submitted by a standing member at the time and they are essentially on the floor. We ought to take account of them. So that’s the thinking behind that. There’s another comment in chat that’s so long I’m not sure I can read it right now, but I’m going to go up and look at the queue and—

CLAUDIO DIGANGI: This is Claudio. Do you think I could jump in?

DAVID MCAULEY: Claudio, yes, please jump in, and I'll look at Kristine's chat entry. Go ahead.

CLAUDIO DIGANGI: Thanks. So I think Jason made some good points. What I was thinking is that I could go back to the [IPC] – there are several of us on the call who are members of the IPC – and raise the fact that we've been having this discussion and see if could build up some support. Just in this process of doing that – of course, I'm referring to the SDRP and making some enhancements there – it would really help if I could bolster the case by saying that we are looking to make some enhancement to the RPMs and this is part of compromise that we're doing as a group and that, if we're going to enhance some of the RPMs and, [on the same side], we want to ensure there's mechanisms in there to address potential abuse of the systems.

So I'd just say that, of course, I'm not asking for any formal commitments, but I really wanted to encourage open-mindedness with some of the other proposals because – I think Kathy mentioned this – there was a compromise made in the past and this is generally how things work. So, if we're going to be making on one side, I think it really needs to be justified, and we need to be willing to make changes on the other side as well.

So that was my main point. Then Jason said something that also reminded me about the reserve names. I was not on the call for the first ten minutes. I likely may have a proposal to put forward, taking into account the discussion we had last week on reserve names. So I just wanted to mention that. I'm not sure if there's a particular thread open on that issue, but I could place it there. Or maybe on the next call we could go back to that topic. Thank you.

DAVID MCAULEY:

Thank you, Claudio. I encourage you to use the threads. That's a wonderful idea. Threads 3 and 4, I believe, are open. I mentioned the chat entry. Kristine was kind enough to put in from the Applicant Guidebook text regarding SDRPs – Section 6.2.4 I think it was.

So this is an appropriate time to ask Julie if she has any admin points. We're not going to move onto another question right now. I see no hands in the queue, so I'm going to go to you, Julie, and ask if there's anything that you want to take up or just if you can ask about AOB.

JULIE HEDLUND:

Yes. Thank you very much, David. So just to remind everyone that staff has the action to go to the list, which we'll do right after this call, to see if there's any objections to changing next week's call to Thursday, the 2nd of May, and at the same time, at 18:00 UTC. So we'll do that and ask people to respond as quickly as they can so we can get next week's call on the schedule. For those who may not have been on the start of this call, the reason for changing the

call next week is that some community members have a holiday on the 1st of May and also several of the ICANN offices are closed on the 1st, including the U.S. office.

Thank you very much. I have nothing else to add, so I want to thank all of you for joining today. Also, thank you very much, David, for chairing the call. So we'll go ahead and adjourn the call. We hope you all have a good day.

DAVID MCAULEY: Thank you.

[END OF TRANSCRIPTION]