
ICANN Transcription
Review of all Rights Protection Mechanisms (RPMs)
Wednesday, 20 May 2020 at 127:00 UTC

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TERRI AGNEW: Good morning, good afternoon, and good evening. Welcome to the Rights Protection Mechanisms, RPMs, in all gTLD PDP Working Group call taking place on the 20th of May 2020 at 17:00 UTC.

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, could you please identify yourselves now?

Hearing no one, I would like to remind all participants to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise.

As a reminder, those who take part in ICANN multi-stakeholder process are to comply with the expected standards of behavior. With this, I'll turn it back over to our co-chair, Phil Corwin. Please begin.

PHILIP CORWIN: Hey. Good morning, afternoon, and evening, everyone who is joining us. Thanks for being here as we reconvene the RPM

Note: The following is the output resulting from transcribing an audio file into a word/text document. Although the transcription is largely accurate, in some cases may be incomplete or inaccurate due to inaudible passages and grammatical corrections. It is posted as an aid to the original audio file, but should not be treated as an authoritative record.

Working Group Phase 1 for our final push from the initial report to delivering a final report to council. We're reconvening in a very different world than the one we left, which was just before the initial report went out for comment on March 18th, which was the same week the U.S. went into lockdown and much of the world did. Here we are, meeting virtually.

But today, we're going to review the agenda, which I'll do right now. We're going to have staff take us through the public comment review tool, which is a tool that includes both high-level summaries and full text of all the 55 comments. I believe that's the final number we received on the initial report.

After that, and after answering your questions on the tool, we're going to reveal the work plan, which has us delivering, right now, a final report in mid-September, but we have built-in a month of fallback, there, where we can hit some delays and still deliver before ICANN69, whether it's actually held in Hamburg, Germany, or is another virtual meeting.

And then, to move forward on our work, we're going to see who has volunteered for our subgroups, which are going to do most of the work through at least the end of July. So, with that, unless anyone has questions about the agenda, I'm going to hand things over to staff to take us through the comment review tool.

JULIE HEDLUND:

Thank you, Phil. Welcome, everyone. Thank you so much for joining. What I'll do for agenda item number two in the introduction to public comment tool is I'm going to ask Ariel, who has done a

tremendous amount of work on the tool, to give an introduction to it to provide some examples from the tool so you can get a sense of the information that is in it and how it can be used for the review of the comments by the two subgroups. So with that, I will turn things over to Ariel. Thank you.

ARIEL LIANG: Thanks, Julie. I think I do need to share my screen, Terri. Oh, thank you so much. So, let me just share my screen. Please give me one moment to get this set up. Okay. Julie, can you confirm you can see my screen?

JULIE HEDLUND: Yes, I can see it. Thank you.

ARIEL LIANG: Okay. Thank you so much. Hello, everyone, again. I hope everyone is staying safe and healthy during this period of time. As you are aware, we used a Google form to collect comment. Indeed, we have received comment from 55 contributors.

And just for information, if you're interested in knowing who exactly contributed comment, you are welcome to look at the staff report that was published yesterday on the public comment form to show the names and affiliation of the contributors.

And just to give you a quick run-down, we have received contribution from 38 organizations, five ICANN groups, and 12 individuals. So, they are all listed in the staff report.

The way we developed a public comment review tool is based on this very extensive Google Spreadsheet of data. We extracted all of the data from here and then tried to organize them in a way that's viewable and digestible by the working group. All of the data, basically, has been formed into four Google Spreadsheets. I will put the link in the chat. If you are interested in opening up this link and follow the staff presentation, you are welcome to do so, too.

So, basically, we have organized all of the comments into four sets of spreadsheets. The first one is all the recommendations/questions related to non-URS topics. So, TMCH, Sunrise, TM claims, and TMPDRP. So, that spreadsheet, the first one, contains all the comments related to those.

And then, the second set of spreadsheets is related to the URS recommendations and community questions. The third one is encompassing all the comments related to the individual proposals. And then, the fourth set of spreadsheets is for all the overarching questions/answers and also general comments from contributors.

So, we organized all of them in four sets of spreadsheets and the volume of information is approximately equal for the first three sets. And then, the last one is definitely lighter than the others.

I will just give you a preview of how we organize data in these spreadsheets. And so, the one you're looking at is the spreadsheet related to non-URS-related recommendations and questions. For each spreadsheet, we have multiple tabs. So, each tab contains the comments for one particular recommendation.

The one you're looking at right now is the TMCH recommendation number one. Actually, I will also put the link of this spreadsheet in the chat in case you want to read it on your own.

And so, the way we organize the information is learning from the best practice from SubPro and ePDP Working Groups, how they develop their public comment review tool, and we try to integrate the best features from those groups and put it together with some of our own innovations to make this information easier to analyze.

The reason why we chose a Google Spreadsheet is because you can scroll up and down, left and right to review all the information easily without any physical limitation of a Google Doc or a Word Doc, for example.

And of course, if the font is too small, you can always do command-plus or something like that to enlarge it on your screen to see the information. That's why we choose a Google Spreadsheet as a way to display the data.

And then, just to take you through this current tab. Of course, at the header row we include the actual language from the recommendation and you don't need to flip back to the report to read what this recommendation is about. You can always see it at the front.

And then, the second section, the snapshots, basically reflects how the commenters expressed their level of support for a particular recommendation. And in the Google Forms, you probably recall we have a multiple choice for each of the recommendations. Also,

individual proposal for them to express their level of support or non-support.

So, this data is directly coming from those multiple-choice answers. You will see the number of contributors that express support as written and those choices, and you can see the number in the second row at the snapshot table, here, and the percentage. So, basically, how many of them among the 55 contributors expressed a certain level of support. You see the percentage in the third row.

And then, the donut chart on the left is developed based on the numbers you see in the snapshot table and you have can it over each of the slides to actually see how many people support the recommendation as written, what's the percentage of them, etc.

And this is to provide you a thumb-in-the-wind kind of indication of how popular or unpopular a certain proposal or recommendation is based on a contributor's comments.

I will go to the comment highlight table later after I walk you through the rest of this tab. So, the rest of the tab is, basically, a copy-paste from the Google Spreadsheet and includes all of the original comments from all of the contributors.

The preliminary structure of all these comments is that we place the comments based on how they express their level of support for a recommendation. So, for example, all of these contributors that are highlighted here, they all said they support a recommendation as written and we put their comments right under this section. It's the same for all the other comments. Basically, we put their comments

under the section to indicate their general level of support or non-support for a recommendation.

And when you see each of the sections, you will notice that some of the contributors have duplicate comments. They basically have 100% identical comments. To save the screen real estate, we consolidated these types of comments and you will be able to see who are the contributors, and their exact same comment is right next to them, and then you can trace back.

If you want to check the original data, you are always welcome to look at the Google Spreadsheet to check that. This is trying to consolidate duplicate comments in a way.

The second thing you will notice is we do have these bold and highlighted comments in each of these rows. So, when staff reads through all these comments, we try to facilitate your review by bolding and coloring the most important points in a review in these comments.

And so, you can quickly scan through and see what are the common themes that are expressed by some commenters or some other questions or concerns with suggestions proposed by [them].

So, we tried to highlight these key points in their comments to facilitate the analysis by the working group. In addition, we put these common themes, summary work, things like that in the column D, here. The reason is, when you scroll through each tab, you probably will lose track of where you are in the spreadsheet.

So, if you see this highlighted text in column D you will probably quickly recall what the general context is for these comments. So,

that's why we have these colors, and boldings, and things like that throughout the spreadsheet.

So, that's a quick view of one of the examples of a recommendation. All of the recommendations are, basically, organized in this manner. Oh, and another thing I want to mention is we have column D, column E, and column F is for working group to provide response or have any appropriate action by reviewing these comments. So, we will document all these working group response actions in column D/E/F as the working group finish their review of these public comments.

And then, I will provide you another example of open-ended questions that we asked in Google Forms. So, as you'll recall, we do have a number of community questions. Some of them may be just a multiple-choice question, and then the options are yes, no, other. And then, some are open-ended for people to provide some more extensive response.

So, the current example I'm showing is for Sunrise Q2. I notice that Susan has her hand up but maybe allow me to finish this quick preview, and we can take all the questions, if that's okay?

So, I will just keep going. For this particular tab for Sunrise question two, we have showed the multiple-choice questions just like what we did for the TMCH Recommendation 1. So, that's based on the actual choices the commenters made for the multiple-choice question. We have also listed who said yes, no, not sure, no response. We have listed the names here, too.

But then, for the open-ended questions, because some of the comments are very extensive, staff are trying to organize them based on some kind of a shared theme so that you can quickly scan through them and then find order through these comments.

And so, this kind of donut chart that I'm showing right now, these are not originally from the multiple-choice questions. It's based on staff's understanding and summary of all these comments. So, just to show you a general picture of what those comments are about.

And as you can see, throughout the table we tried to bold, and highlight, and color all these keywords or phrases which, basically, are the origin of these common themes, so you can understand why we tried to organize these comments in this way. And then, we put these themes at the header row of each of these sections. And so, when you scroll through this table, you will see the general organization of all these comments.

And then, this donut chart really is to provide you kind of a quick overview of what these comments are about. So, that's a question tab. Actually, I think I forgot to go back to the comment highlight table for the TMCH Recommendation 1.

So, we also provided a comment highlight table right at the top. It's to, basically, summarize some of the common themes or extract some of the key points from these commenters. So, you have a sneak peek of what those extensive comments are about.

So, these are, really, just to facilitate your review and understanding of all these comments and staff do not attempt to make them super-comprehensive because we are afraid of duplication. You really

should read all these comments in detail. These will provide you a kind of high-level understanding of the contributors' input.

And I think I have one last example to show you. It's for the individual proposal tab. So, for individual proposals, the organization is still very similar to the recommendation tab in the way that we have the donut chart to show the level of support, the comment highlight table. And the way we have organized all these comments is based on similar organization with all the bolding and coloring, to facilitate a review.

But the one thing I want to highlight here is that some of these individual proposals also have associated questions. So, we put the questions on the same tab. Just don't forget to scroll down the spreadsheet to review all these questions/answers.

You can see that we tried to formulate the structure of these comments based on common themes, too. So, for example, this question is about, what should be the new threshold for a response fee?

And now, we read through every single comment and find some of them, say, smaller or equal to three or five, and this type of common answer. And then, we organize all this input in this way to make it easier for you to scan through all the input. So, this is a lot of information up front so I'm happy to stop now to take any questions or comments for this review tool.

UNIDENTIFIED FEMALE: Thanks very much, Ariel. No, go ahead, Phil. No, I was just going to thank you very much, Ariel, and also to acknowledge that Ariel

has just done a tremendous amount of work, here, in a very short amount of time, as Mary notes, as well. So, thank you to Ariel for all that you've been doing. Over to you, Phil. Thanks.

PHILIP CORWIN:

Yeah, thanks. So, Susan, we've seen your hand up. You go ahead with your question to Ariel, and other staff can respond, and we'll see if anyone else has questions about any aspect of this tool which is designed to facilitate our work and give us as clear an understanding of what responses we got the community as possible given the diversity of issues and the diversity of comments received. Susan?

SUSAN PAYNE:

Yeah, thanks very much, and thanks so much for that, Ariel. I just had a couple of really quick questions, the first one related to the first tab. Actually, I think they both relate to the first tab. As you've been going through, I think the first one, I now know the answer to, which is I had a question about the colors that were being used and whether it was some kind of a "traffic light" scheme.

But as we move on, I'm not so sure that it particularly is. The reason I was asking was, why is the bold language in green? Is that indicating specific support or something like that? Because I was looking at the comment in question and it seemed like the green, bolded language was almost a disagreement rather than an agreement despite the way that the respondent had answered the tick-box as being supporting the recommendation.

So, I think the answer to that ... I'm sure you'll correct me if I'm wrong but I think you literally had just used different color-coding. And so, where the section is green, then you're bolding as in green, and so on. So, unless that's incorrect, I'll just keep going.

Then, I had a question, really, which is the main question, which is you have a section on the right-hand side called "comment highlight." How is it that you determined what was a highlight, and what goes in there, and what doesn't? Would you mind expanding on that?

ARIEL LIANG:

Thanks, Susan. Yeah, all good questions. And so, for your first question about the color scheme, in general, yes, when I color things in green it's because it's within the green section. Basically, it's consistent with the header row that you see here.

But I do want to note that, for the recommendation tabs, basically, green or light green, there is support. Yellow is "significant change required." Red is non-support. Gray is no opinion or no response. So, that's consistent through the recommendation tabs and proposal tabs.

But then, of course, for the question ones, they're open-ended questions so it's harder to determine support/non-support. It doesn't really fit in that way. So, basically, I just used different colors to differentiate all these sections.

But of course, the way I chose the color is a little bit more nuanced. So, this may not be the best example to show you but, for example, for this one, everything is blue because they're just proposing ideas.

If you see a yellow one, it's something kind of "other concern," a not really on-topic kind of comment. So, it's a little different from the others.

So, for the question tabs, they're colored a little bit less regimented, in a way. Staff are happy to provide a quick instruction or overview at the beginning of the review of each of the tabs to answer any confusion regarding the color and providing you a context why we color things in a certain way. Hopefully, that will help the review.

And then, for the second question that you have about common highlights, this is really just staff's attempt to try to draw your attention to some of the key points or common themes that we're seeing in the public comment. But it definitely is not an attempt to replicate what the actual comment is about. So, we have read through every single comment, and we find there are a lot of shared themes or points being mentioned by many, many commenters, and we try to capture them.

And then, for some of the comments that we, basically, extracted from the actual comment, because that's proposing a change to the recommendation, for example, or voicing a particular concern or clarification. So, we think these are important for people to know.

And also, the reason we developed this highlight table is these tables are really, really long, some of them. So, for example, I will show you one of the tabs here is recommendation number one for URS recommendation number one. You have to scroll all the way down to see even ...

ICANN Org has provided some input but they didn't really say they support/non-support this recommendation. That's not appropriate, for ICANN Org to do that, but we are afraid you may miss this kind of comment. So, that's why we created this comment highlight table, to give you a quick heads up.

These are some of the points mentioned by these commenters and you probably want to scroll all the way to see it. So, that's our attempt, to try to draw your attention to some of the key highlights, but they are not attempts to replace what's actually being said. And if they're not comprehensive, we're hoping you can point them out. But definitely, please review the comments in full on each of the tabs. Julie, please go ahead.

JULIE HEDLUND:

Thank you, Ariel. I just wanted to add that, for those who are familiar with the way the SubPro PDP Working Group went through their comments, staff was not able to organize the data to this extent because we didn't have the option to use the Google survey format to gather information. But we did try to organize information in a similar way. We're really, actually, building on and improving on what we did in SubPro where staff grouped comments that had a similar theme or where commenters all agreed or all had, maybe, similar new ideas.

We tried to highlight that information within the comment in a color scheme and then, also, group those comments together for a more feasible review. We didn't create the comment highlight table, here, but, essentially, we did the same thing within the text of the comments.

So, we do see this as consistent with the way comments were organized for SubPro, just that we had Ariel's hard work in pulling together these comment highlight tables. We've been able to further improve on the organization of the comments and make sure that it's easy for the subgroups to review as expeditiously as possible.

While realizing that the emphasis is on the full comments themselves, and those comments are all there in full text, verbatim, as they appeared in the master spreadsheet so that, at all times, the subgroup members can always review/refer to the full text of the comments.

So, we're certainly not suggesting that, because we've tried to extract some key points, we do want to emphasize that subgroup members should very definitely review the full text of the comments, which is there in the same tab. Thank you.

ARIEL LIANG: Thanks.

PHILIP CORWIN: Okay. Are there any more questions about the comment tool? Okay. I'm not hearing any or seeing any hands raised, so I think on behalf of the working group members I want to thank staff for, really, the tremendous amount of work that obviously went into creating this and emphasize, again, that with the highlights, as Julie explained, staff was just trying to be helpful where they saw consistent themes in the comments.

But the taskforces, and then the full working group, when they get to various issues, has all of the comments in their entirety available for consideration. So, the members are the ones who are going to decide which comments to give the most weight to and what adjustments to make, if any, in any of our recommendations. And I think with that ... Oh, I see Kathy has her hand up. Go ahead, Kathy.

KATHY KLEIMAN:

Yeah. Thanks, Phil. Hi, everybody. I just wanted to make sure that this wasn't a "speak now, or forever hold your peace." As everyone looks at this really remarkable and complicated document, Phil, I just wanted to check that we will have opportunities to ask more questions of staff about details as we encounter them, about questions, as we go into the subgroups. Thanks.

PHILIP CORWIN:

Yeah. Kathy, I would agree. It's one thing to look at it during this quick review that Ariel has taken us through but, obviously, as the subgroups get to work and are actually using the documents, other questions may arise. I'm sure staff is always available to answer our questions as anything arises in regard to the use or how something was put in, here. Okay, Mr. McGrady [cross talk]. Please go ahead.

PAUL MCGRADY:

Thanks, Phil. So, I guess I had a question, since we mentioned the subgroups. So, we have all this data. We've got the nice charts. We've got the summaries on the right-hand side. What exactly will the subgroups be doing? I'm not opposed to them, just I'm not sure

what ... Are they going to be further paring this stuff down or what?
Thanks.

PHILIP CORWIN: Yeah, Paul. I think, Julie, was that going to be addressed in the next segment where we talk about the subgroups, setting them up, and what their role is in our process moving forward?

JULIE HEDLUND: I think so. Yes, we can answer that question when we move to that. Actually, both for the detailed work plan, which is the next item on the agenda, as well as for the call for volunteers for the subgroups. So, Paul, if you would like, we can move along on the agenda.

In fact, I'm now thinking that I can actually really cover both of them at the same time because, once I start going through the detailed work plan, you'll see what the subgroups are and we can talk a little bit more about what is scheduled for what meeting and how we envision the work to be done.

And again, the way that the subgroups' work will be organized will be exactly the way the work was done for SubPro, only that we expect that it will be more efficient because staff has been able to improve on the public comment review tool.

So, I'm going to go ahead and share my screen with the work plan. Hold on while I just adjust so I can see the chatroom, as well, while I'm doing this. So, one moment, please. I hope you all can see my screen. Ariel, can you confirm that my screen is showing?

ARIEL LIANG: Yes.

JULIE HEDLUND: Excellent. Thank you very much. We have a work plan. It's tentative. The main reason it's tentative is because we're really not going to know exactly how long it's going to take for the subgroups to review the work until we're in it.

That has been the case for SubPro, as well, where, for those of you who may be on a SubPro PDP Working Group, we have a dynamic work plan that is updated on a weekly basis as coordinated by the staff and the leadership team. That is previewed, typically, at least once a week to the full working group so that working group members can see what's coming up.

We expect that we'll follow a similar plan, here. So, in talking through this, first, there's a full working group tab for the full working group meetings. You see that we have today's meeting, which is the work plan orientation.

We have subgroup A, which is looking at, basically, everything that is non-URS—so, that's TMCH recommendations, Sunrise, Trademark Claims, and TMPDRP—and subgroup B, which is looking at all of the URS recommendations.

And what you don't see here yet ... Well, you see it here on the full working group schedule but it may, indeed, fall to subgroups and that still remains to be determined. But we have the URS and the TMCH proposals as well as the overarching questions and the

leadership will need to determine how best and how most efficiently to cover those, as well.

There are, really, quite a large number of comments on the URS individual proposals and TMCH, and then there is a fair amount of content on the overarching and general content.

So, we're still reviewing these work plans but, with respect to the subgroups, the subgroups, to answer your question, Paul, will operate very much as the subgroups did in SubPro PDP Working Group. That is that for each meeting there will be content scheduled. So, for example, and again, this is really just tentative, the May 26th meeting.

And what we should probably add in the notes, here, is there will need to be a little more orientation, as well, as we start again with the public comment review tool. But we are suggesting starting with TMCH Recommendation 1, then moving onto Sunrise Recommendations 1 and 2.

And how fast we're able to move on these really depends on how many comments are received, but it also depends on whether or not there is, say, strong support, or strong non-support, or really clear-cut responses, or whether the responses are not clear-cut. It depends on a number of factors. So again, we'll be updating this in real-time as we move through topics.

But to your specific question, what the subgroups will be doing, if you think about the public comment review tool, the subgroups ... There will be a chair. The chair will walk through the comments.

That doesn't mean reading all the comments but, maybe, spending a few moments to point out the various percentages in the donut chart, going to the comment highlights to notice if there are any common themes if there are any. In some cases, there aren't.

And then, proceeding to the actual comments themselves and just, basically, scanning through to see where there might be some themes, where there seems to, perhaps, be high-level agreement, or perhaps whether a high-level agreement in support or high-level agreement in non-support.

As it was done in SubPro, staff was, after each meeting, essentially, building a summary document that, then, documented, based on the notes from those meetings, where there did seem to be high-level agreement. And those high-level agreements, then, in SubPro, eventually became recommendations where they could.

And so, where it looked like there was high-level agreement on a particular point, or a recommendation, or a proposal, then those were able to be wrapped up into actual recommendations for the full working group to review as part of the final report. That's actually where SubPro is right now, as you might know, Paul.

And so, while the subgroup members are helping to find where there might be high-level agreement, staff is assisting in that by helping to build up documentation based on those deliberations. I'm going to pause there because, Phil, I see your hand is up.

PHILIP CORWIN:

Yeah. Thank you, Julie. Yeah. I don't want to interrupt your explanation, but just a few thoughts here, both amplifying what

you've said and responding, somewhat, to Paul. These are personal thoughts. I'm not trying to dictate anything. The subgroups will operate as they wish. But I think everyone can see this is a tight timeline.

There is a tremendous amount ... It's almost June. We have one more week to June. So, we've got June, July, and August, and people are ... I don't know what vacations will look like this year but people may be taking some time off at some point in the summer. There is a lot to do.

On the other hand, when you look at, for instance, subgroup A on the screen right now, the recommendations that the working group has made have already passed a pretty high bar where they had broad support and not a lot of opposition. So, they are reasonable candidates to eventually get consensus support.

The subgroups will not be recommending whether something should be a consensus recommendation. They'll be looking at the comments and mostly deciding whether something should remain a recommendation and should be modified in some way, and make the recommendations for modification for the full working group's consideration.

When they get to the questions, they'll be looking at the answers to the questions and saying, "Well, if we had known that, would we have modified this recommendation in some way?" Again, they can recommend modifications.

I think it's pretty clear each week ... For example, the week of June 2nd, the Sunrise team is looking at Recommendations 3, 4, and 5.

The members should do some homework. They should spend at least an hour before the call going through the comments, and deciding which ones are significant to them, and not trying to do that during the 90-minute course of the call.

When the full working group gets to proposals, we know that, URS proposals, members had the opportunity to suggest that any individual proposal should become a working group recommendation and then do so.

So, those are going to have a much harder time, any of them, making it to becoming a recommendation, much less getting consensus support. So, let me finish with an analogy.

If you think of this as a movie, we finished shooting the film. We've got 20 hours of film in the can and we've got to cut it down to two hours that an audience will actually engage with. A lot of things are going to wind up on the cutting room floor but we're still going to deliver a product which has a lot of substantial and helpful recommendations.

So, I'll stop there. Again, those are my personal views but we're going to need to really focus here on, "What modifications, if any, did the comments suggest in a recommendation, and should it remain a recommendation?" and then, acknowledge that a lot of the individual proposers are not going to make it further. Thank you.

JULIE HEDLUND:

Thank you, Phil. I see Paul and I see Cyntia. Paul, please.

PAUL MCGRADY: Thanks. So, just to recap all of that, from what I am taking from what Julie and Phil had to say, the sub-teams are not going to just be distilling down these public comments further. They're actually going to be taking them and applying them to the draft recommendations and the individual proposals, and ultimately coming back to the full working group with a refined report.

So, I taker that on board. In essence, if people want to participate in the substance of this then they need to join a sub-team, is what I'm hearing. It's not just reviewing the public comments to make sure staff got it right or something like that. This really is not procedural, it's substantive. So, thank you, guys.

JULIE HEDLUND: Thank you, Paul. Yes, that's correct. It's really a refinement. It's really, more to Phil's point, the subgroups are helping us to understand where it looks like there is support for a particular recommendation or a proposal, something that has high-level agreement to move forward, or where there isn't. And so, we've tried to organize the public comment review tool to facilitate that goal. Cyntia, please.

CYNTIA KING: Hi. Phil, I just had a quick question for you. I understood what you said about everything having met a high bar in order to be moved forward but I'm a little bit confused because one of the things that we discussed when we were putting forward the various recommendations and questions to go out for public comment was

that not everything had the full agreement of the group but we at least wanted to get a comment on it.

So, are we now going back into the substance of some of those things that we put forward for public comment to decide whether or not we're actually going to support that, or are you saying that this is just a refinement of whether or not we need to modify or gauge support for ... Could you clarify, please?

PHILIP CORWIN:

Yeah. I'll give you my personal view because, of course, my job as one of the co-chairs is to help administer our work. But it's up to the full working group to make final decisions. My recollection, anything that's a recommendation, here, had pretty broad support, didn't have significant opposition.

I see your comment, Mr. Tattersfield. We're down to decision time. The subgroups were dividing the labor to expedite the process and the subgroups will review the substantive comments and decide whether a recommendation should stand at this point and whether it should be modified because the community has brought considerations to us that we hadn't considered.

But we also have to be very careful not to relitigate. I did notice in some of the comments, as Ariel was taking us through the review tool, that various commenters made suggestions that we had already considered and they didn't make it even to get the level of becoming a recommendation for the initial report.

So, we're going to have to be careful in the subgroups and the full working group not to get bogged down in relitigating things where

we learned that there is a substantial difference of opinion within the working group and, now, within the community.

Mr. Tattersfield, I don't know. This is an editing process. This is a refinement process. We can hear alternatives but we had four years of work going into the initial report, so it's difficult to think that something brand new is going to pop up in terms of alternatives right now, in my personal view.

JULIE HEDLUND: Thank you, Phil. I see Kathy Kleiman is in the queue. Kathy, please.

KATHY KLEIMAN: Yeah. Thanks, all. I just wanted to share, in my personal capacity, as well, that I agree with Phil. We're not here to relitigate these recommendations. And in a lot of ways, we're very different from the Subsequent Procedures Working Group. Their interim report was much more "interim report." They were offering a lot of choices to the community.

So, the community's answers mattered a lot because it was, did you want option one, option two, option three, option four, option five? Literally many options went out from them. They were at a much earlier stage. Here we are. We've debated these recommendations extensively.

So, in my personal opinion, I think we're really out there taking the temperature of the larger community. Is anyone jumping up and down to say no? If so, is it a new argument? Not an old argument, as Phil says. Is it a new argument, something that we really should

be considering? Is there pretty much satisfaction with our recommendations across the community?

And then, we asked a number of questions, particularly of the registries and registrars, for additional details that would make these technical systems work better. And is there something we can do to help them work better? So, that's definitely not there to re-debate all of this. Hopefully, we can move fairly quickly through this. Back to you, Julie. Thanks.

JULIE HEDLUND:

Thanks, Kathy. I'm just noting a couple of the comments in the chat, just to call them out for you. David McAuley notes that there is nothing to prevent the entire working group populating each subgroup by committee of the whole, and that's entirely true. There is no limit to the number of members on the subgroups. If the working group wants to be on both of them or all of them, that's perfectly fine.

And then, to Cyntia's comment, part of the settlement of our debates was the argument that we could table a discussion while reaching out for public comment. Being out for public comment was not necessarily an indication of consensus.

And it's true, Cyntia, that, no, there was no consensus process in preparing the report for public comment because there isn't, at that stage. Although, there were many, many recommendations that the working group agreed to put out for public comment, and then individual proposals that the working group agreed on without agreeing to make those as recommendations.

But I think it might be easier for all of you to be able to get a better understanding once the subgroups begin their work because I think once we're doing the work it will be much more clear, the types of comments received, and the types of support or agreement that we're getting.

And then, just to go to what Mary has said in the chat, to summarize, for preliminary recommendations, the subgroups will review the level of community support, including whether there were textual changes needed for clarity. For proposals, the subgroups will need to review the level of support and come back with suggestions.

Finally, for questions, the subgroups will review the suggestions made and come back to the working group with a report and possible options/recommendations.

And now, I'm noting that Phil is saying that he plans to participate and monitor both subgroups. So, I'm just going to focus briefly on the full working group work plan, and just to emphasize something I said a little bit earlier. That is that we do have several meetings built-in where the full working group will be reviewing the final recommendations.

So, the recommendations that are coming up from those that had support from public comments as analyzed and reviewed by the subgroups. This is information that will be gathered in notes during deliberations, so it's certainly something that staff will assist in gathering while the subgroups are meeting so that people will be able to look in real-time and see what is being gathered in the notes, and in the recordings, and so on, and be able to follow the deliberations even if you're not a subgroup.

And then, looking at Michael Graham's comments, the purpose of the comments forms is to ensure that working group does consider all comments, even if it is to respond that the working group has already considered particular proposals and responds to them appropriately. That's exactly right, Michael.

The comment form and the reason all the comments are in the forms verbatim is because the subgroups are expected to review them. While they won't be read verbatim in the calls, because that would take us, probably, way more time than we would ever possibly have, we do expect that subgroup members should read through the comments and understand them.

And then, of course, we've tried to, also, highlight the relevant points, as well, in order to make the process more specific. But very definitely, the subgroups are expected to review the comments.

I'm going to pause there and see if there are any further questions about the detailed plan and just [showing again]. So, subgroup A is working at all the non-URS recommendations/questions and subgroup B is looking at all those that are URS.

We've had several people who have already offered to volunteer. I think there are around four people for subgroup A and around six people for subgroup B, and some people are on both of the groups.

And yes, David, the plan is, for the subgroups, we are trying to find suitable times for the members on Tuesday and Thursday. We'll have to work with timeslots that avoid some of the existing meetings. EPDP, for example. SubPro is another example that

does have meetings on those days. But also, to try to respect the composition of the subgroups.

And so, the sooner we can tie down the subgroups, the sooner we can get those meetings settled. We know next week is coming very soon but our hope is that we can still schedule for next week. Susan's saying, "Don't clash with IRP/IoT." Then we will look to that, as well, as something that we'll try not to clash with, Susan. Thank you. Justine, I see your hand is up. Please, go ahead.

JUSTINE CHEW:

Yes, thank you. I just had a very quick question. I was curious to find out from staff, since staff is the one that's going through all the comments, whether there were any comments that required clarification? Thank you.

JULIE HEDLUND:

Thank you, Justine. I'll see if Ariel wants to jump in, as well, but I think there may be, yes. This happened in SubPro, as well, as I think you maybe recall, where, to the extent that we had representatives of the groups who were participating in the subgroups, we were able to turn to that representative and say, "It's not entirely clear what you are saying, here. Could you go back to your group and clarify?" and that works very well.

And we'll obviously have a schedule so people can see when their particular comments may be coming up on the schedule. If we see something in advance that needs to be [tried], we can do that, as well.

And in some cases, some comments, the comment itself seems to not reflect what choice someone has made. For instance, we found a few instances where somebody had ticked “support” but their comment seems to be non-support. Some of those may need clarification, as well, or they may just be errors. But I'm going to go to Ariel. She's much more familiar with the content. Ariel, please.

ARIEL LIANG:

Thanks, Julie and Justine, for that question. So, when we [reviewed throughout] the comments we did notice a very few number of unclear comments. As to what Julie said, in most of the cases we can just quickly ask the representative. It's usually from an ICANN group, someone that we possibly already know, that we can ask for clarification on the call or via e-mail before the call. So, that can be resolved.

And then, we did notice some of the comments refer to comments answered to previous questions and the commenter did mention the number of the question. I suppose that they downloaded the Google form in the Word format, and usually the Word format has the question number attached before the question itself. So they say, “Look at the answer to question number 146,” something like that.

So, when it did that, we tried to refer to the question they are trying to reference and then extract the answer to that question. That includes that in the public comment review tool to facilitate viewing. But if, of course, we get it wrong, we can get that clarification from the commenter. So, yeah. So, we have already factored all this in

and some of the unclear questions were comments we are pretty confident we can get clarification from the contributor.

JULIE HEDLUND:

Thanks much, Ariel. That's extremely helpful. Any further questions on the work plan? And then, from there, we can move to the final item list, talk a little bit more about the call for volunteers for the subgroups. Paul McGrady, please go ahead.

PAUL MCGRADY:

Yes. I just don't want to miss an opportunity to say thank you to staff. This looks like an enormous amount of work gathering these public comments and putting them into the new format so that we can understand them better. I know there has been grumbling; "Well, I'll continue to grumble whenever anything changes." I think it's all growing-pains stuff. But I didn't want to miss the opportunity to express thanks to all of you. A lot of work, and it looks like a lot of work well done. Thank you.

JULIE HEDLUND:

Well, thank you so much, Paul. We really, really do appreciate it. I just want to emphasize, again, Ariel did, really, the majority of what was hours, and hours, and hours of work. So, thank you for that, and thank you, for Ariel, for all that you did to get this put together in such a short period of time.

And I'm noting that Paul Tattersfield has a comment in the chat. "There is some tension where a law professor wants to tighten existing wording and an IP attorney who says that the proposal

excludes the unregistered marks of IGOs is a feature, not a bug. The GAC wishes IGOs to access to the RPMs. Where does that tension get resolved in our work plan?"

I'm seeing Mary saying, "Paul, do you mean three conflicting public comments were submitted?" And Kathy's saying, "I don't think we can do hypotheticals." I'm not entirely sure how to answer your comment, Paul. Did you mean a conflict between public comments that were submitted? Certainly, feel free to type in the chat for the thoughts on that. Obviously, they'll be captured in the chat.

So, I'm not seeing further hands up for the work plan. Just to emphasize again, what you see in the work plan, again, is tentative because we won't know how long it will take to cover these topics until we're in it. Some will go faster than others. Okay.

Paul has put, "Hard to do hypotheticals but there are two steps: the subgroup and then working group consensus level." Correct. And I think, again, to answer your question, Paul Tattersfield, it's probably easier once we're actually in the analysis of the comments because, then, we will have real examples to look at.

Certainly, there will be comments that don't agree with each other. That's obvious. There are a number of factors to look at. How many are in support, how many in not support? Do we have edge cases? Do we have new ideas? But I think it will be easier to see how that can be addressed and analyzed once the subgroups begin their work.

And speaking of which, staff will resend the call for volunteers as a reminder right after this call. We do ask that you respond as quickly as possible if you want to join one of these subgroups.

That's not to say that you can't join once they're in progress, and you certainly can. That has always been true of subgroups and working groups in general, that one can join after the work has started.

But what we would like to do is see how many members we can identify as quickly as possible so that, perhaps by tomorrow, certainly no later than Friday, we can have the groups formed and, looking at the composition of the group, suggest the timeslots for the two groups, again, being aware of the conflicts and avoiding them as much as possible.

And we will say in advance that we will try to accommodate time zones as much as we can. We'll have to decide whether or not we want rotations, as well, although that can get quite complicated given the short amount of time that we have. But we'd like to try to the list set up and invites out by the end of this week so that we can start the meetings next week. Phil, I see your hand is up. Please.

PHILIP CORWIN:

Yeah. Thank you, Julie. Just as we continue the call for people to join subgroups, a few thoughts. One, everyone on the full working group ... No one is required to join a subgroup, although if you don't join one or another they're going to do a lot of the refinement, so you've missed out on that.

But you're free to join both. The co-chairs haven't set any time limit, now, for members joining as the process continues. At some point in the subgroups' work, we may say, all right, last call. If you haven't joined the subgroup yet, you've got until such-date to do so, otherwise the membership is closed. We don't want people coming in late and relitigating issues that have been addressed.

And again, I would urge, if you're going to volunteer for one or both, make sure you're able to do. I think the only way these can work as a practical matter is, if you know a sub-team is going to be addressing two or three recommendations on a particular date, I think we're all going to need to read the comments relating to those before the meeting starts because these subgroup meetings are not about my opinion or your opinion on an issue. It's about what the community told us. So, we're going to need to be familiar with that to have an informed discussion. I'll stop there. Thanks.

JULIE HEDLUND:

Thanks very much, Phil. That's a very helpful point. So, we have covered our agenda for today. I see that it's seven minutes past the top of the hour. Maybe I can turn things back over to you, Phil, in case you have some final thoughts or want to ask for anything else to be covered? Thank you.

PHILIP CORWIN:

Well, now I want to thank everyone for attending and I want to, again, thank staff for the tremendous amount of work that has gone into this. The call for joining subgroups is open. The plan is to have one group meet Tuesday, one group meets Thursday. That's

through about the next two months right now. Staff is going to make sure that those timeslots that we're using are as conflict-free as possible in terms of conflicting with other ICANN working groups that are carrying on.

Paul Tattersfield, I would give this process a chance but, again, we're in the final stages, here. We don't expect new issues to come up. None of these final reports are perfect. They're all a product of compromise. Everyone sees some of their pet issues get left behind but are very happy with other recommendations.

But we're in the editing and refinement process now and I'm not sure that I agree that our final product is going to result in years of disputes because our final product is going to consist of recommendations for which, based on community comments, we believe there is consensus support in the community and within the working group.

But let's give this a chance and see how it works out over the next few weeks as we start this critical, important work and start the final stage of our work, looking to completing Phase 1 this fall. So, are there any ...? Kathy, you have your hand up.

KATHY KLEIMAN:

Yeah. Thanks, Phil. Thanks for chairing, and thanks to staff for this amazing document. Phil, do you remember—maybe staff can remind us—which ... One subgroup is going to meet on Tuesdays, one subgroup is going to meet on Thursdays.

Just in case it matters to people's schedules, I think we know which one. I think subgroup A ... I actually don't want to go there. Let me

ask staff which one we're leaning toward for Tuesday and which one we're leaning toward for Thursday, just so people have that as they plan. Thanks.

JULIE HEDLUND: Thanks, Kathy. Right now, we have tentatively done subgroup A meeting on Tuesdays and subgroup B meeting on Thursdays. That's somewhat arbitrary. Anyway, that's where we stand right now. If that doesn't work for all of the members then we'll probably have to see if we can change it, but hopefully we will work something out.

And just so you know, too, that whilst we're working this SO/AC with our GNSO secretariat, staff are behind the scenes. So, we know now when the IoT meetings are and that slot, which is a rotation on Tuesdays at 17:00 and 19:00 UTC. So, we'll be sure that we avoid those slots, as well. Thank you, Kathy.

PHILIP CORWIN: Julie, based on what's on the screen now, I gather the subgroups are not starting next week, they're starting their work the week after?

JULIE HEDLUND: No, they're starting next week. So, subgroup A would be on—

PHILIP CORWIN: Oh, I'm sorry. I'm misreading this.

JULIE HEDLUND: And they would be on the 20th, yes. Thank you, Phil and Kathy. Let me ask if anybody else has anything that they want to ask any questions about? Otherwise, we'll probably be able to wrap this call early. I'm not seeing any hands up so, then, again, I want to thank everyone for joining us.

We look forward to moving on with the work here and we'll do everything we can to support it from the staff side. As questions arise, we'll be happy to answer them, as well, So, thank you all, again. I'm going to ask that this meeting be adjourned.

PHILIP CORWIN: Thank you, and everyone have a good rest of the week. We'll see you at the subgroup meetings next week. Goodbye.

JULIE HEDLUND: All right, thanks all. Bye, everyone.

TERRI AGNEW: Thank you, everyone. Once again, the meeting has been adjourned. Please remember to disconnect all remaining lines and have a wonderful rest of your day.

[END OF TRANSCRIPTION]
