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ICANN Transcription

IDNs EPDP

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JULIE BISLAND: Good morning, good afternoon, good evening, everyone. Welcome to the IDNs EPDP Call taking place on Thursday the 30th of June 2022. Today we have apologies from Jeff Neuman.

All members and participants will be promoted to panelists for today's call. Members and participants, when using chat please select Everyone in order for all to see your chat and so it's captured in the recording. Observers will remain as an attendee and will have View Only chat access.

Statements of Interest must be kept up to date. Does anyone have any updates to share? Please raise your hand or speak up now. All right, seeing no hand. If you need assistance updating your Statements of Interest, please e-mail the GNSO secretariat.

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Please remember to state your name before speaking for the transcript. And as a reminder, those who take part in ICANN multistakeholder process are to comply with the Expected Standards of Behavior.

Thank you, and over to our chair, Donna Austin. Please begin, Donna.

DONNA AUSTIN: Thanks, Julie. And welcome, everybody, to our IDN call for today. We will be getting into some of the discussion around treatment of variants at the second level. So we're leaving behind top level for a little while, and we're moving to second-level discussion.

Just by way of some updates, so all of you will be aware that we sent out a communication to our Chinese and Arabic gTLD registry operators just to gauge their interest in activating variants. Ariel, how many responses if we received?

ARIEL LIANG: Thanks, Donna. For the 26 Chinese TLD registry operators, we received 23 responses. And I just want to note that I think at least one TLD registry submitted two responses because they manage at least you two IDN Chinese TLDs. So it's not like 23 out of 26 registry operators responded. But we did receive quite a lot of responses.

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And I believe there are actually six Chinese TLD registry operators that didn't respond, but the rest did. So that's the response rate for the Chinese one which is a very encouraging, and we need to go through the responses and look at some what kind of feedback they provided.

And then for the Arabic TLD registry operators, there are nine that we reached out for the survey, but only two responded. And we did receive some feedback from a community member who's familiar with the Arabic TLD registry operators, and he shared some concerns and perhaps some rationale why the response rate may not be as great as the Chinese ones. So we took those feedback into account. But it's a two out of nine Arabic TLD registry operators responded.

And then there's one note I want to mention. Verisign actually owns both a Chinese TLD and an Arabic TLD, but I'm not sure whether we have received a response from Verisign because there are two responses that didn't indicate which registry operator that response was from. So it's hard to track. But I'm not completely sure whether Verisign responded. So that's the situation for now.

DONNA AUSTIN: Thanks, Ariel. I see Dennis has his hand up, so maybe he can answer your question. Dennis, go ahead.

DENNIS TAN: Thank you, Donna. Yes, [inaudible]. No, Verisign did not respond. It's just our policy not to discuss future products and services that

have not been discussed publicly yet. And that is [why] we respectfully did not respond.

DONNA AUSTIN: Thanks, Dennis. We'll sort it out when we go through the responses who that came from then.

And just to note that ... Well, just a reminder that the reason we did this survey was to get a sense of the interest in variants from existing operators so that that could potentially provide us some context when we are looking at our questions that are specifically targeted at existing gTLD operators.

And Ariel mentioned that we did get some feedback from a community member about some confusion around the survey because it came from the ICANN GDS Team. It wasn't obvious that it was something that's come from this group. GDS was just being the conduit. So there was a little bit of confusion around that. But that's just a lesson we'll learn moving forward, so we will sort that out. But the intention is that the leadership team will have a look at the responses and then we'll bring some of that information back to this group, and then we'll work out how we're going to use that information.

You have all hopefully seen in your e-mail boxes that Ariel sent out revised language for A7 and A10. No. I messed that one up. Didn't I, Ariel? We're going to do a second reading of the review of the revised outcome language for A7 and A10 that was sent out some time ago. So we're going to go through that and see if we

can tidy up that language and tick the box on that one so that we can set that aside and bring it back to the initial report.

So I think with that, Ariel, I guess we get started.

ARIEL LIANG: Yes. Thank you Donna. Let me make sure I'm sharing the right screen. Okay. So we're doing the second reading of A7 and A10, and I will paste the Google Doc link in the chat.

So just to remind folks what A7 seven is about, the part where we're doing the second reading is part one of A7 which is about the single-character TLD script. The group has agreed with the SubPros' recommendation that it should only limit to the video graphic scripts and language. And then in this case, it would just be Chinese, Japanese, and Korean. So that's the part that the group has reached agreement on.

And then Dennis provided some editorial suggestions to clean up the recommendation language a bit better. And that's why we're reviewing the revised language here, which is Recommendation 1.11.

So now it reads as, "Single character gTLDs may only be allowed for limited scripts and languages where a character is an ideograph. At the time of the EPDP Team's deliberation, the script that meets the criteria is the Han script, which is used in the Chinese, Japanese, and Korean languages."

So basically Dennis's feedback is the phrase "script/language combinations." It's a little bit vague and unclear, so the way we

revised it is to try to clarify what we mean here. And I will pause for a moment and see whether folks have any feedback for this revised language.

DONNA AUSTIN: If folks are okay with this, if they can just give us a green tick mark. Satish go ahead.

SATISH BABU: Thank, Donna. I was wondering if the "script and language" ... Should it be scripts and languages in plural. Because we are clarifying that, at this point in time, there's only one. But the first line should be as general as possible, in which case will it be better to have "scripts and languages?" Thank you.

DONNA AUSTIN: Any objection to Satish's suggestion? I don't see any objection so, Julie, is it possible to use the green tick marks?

JULIE BISLAND: You sure can. Just go to your reactions down in your toolbar, and ... That is not true because we're in a webinar.

DONNA AUSTIN: Okay. We'll have to scrap that, I suppose.

JULIE BISLAND: Yeah, sorry.

DONNA AUSTIN: No problem. No problem. So as Michael suggested and Edmon is suggesting ... If folks are okay with this, can you just raise your hand? Okay, I think we're good. Move on, Ariel. Thank you.

ARIEL LIANG: Thanks, everybody. And thanks, Satish, for that suggestion. So moving on to A10. This charter question is about ...

Oh, I see Satish still has his hand up. Is that a new comment or ... Oh, okay. Thank you, Satish.

SATISH BABU: Sorry.

ARIEL LIANG: No problem. So, A10 is about the label state transition, and the Staff Paper proposed five. And that was our original preliminary recommendation is to simply agree was the Staff Paper's transition. And then after further reading and also input from Dennis, and also some discussion about later charter questions, we realized there may be two additional transitions that were not identified in the Staff Paper and maybe worth pointing out in this recommendation. So that's why we made some substantive edits here.

So, I will just read the recommendation language as revised on the document here. It's Recommendation 1.13.

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A variant label may go through the following transitions: 1. from "blocked" to "withheld-same-entity," 2. from "withheld-same-entity" to "blocked," 3. from "rejected" to "withheld-same-entity," 4. from "withheld-same-entity" to "allocated," 5. from "allocated" to "withheld-same-entity," 6. from "allocated" to "delegated," and 7. from "delegated" to "allocated."

So the two additional ones that we identified is the second one from "withheld-same-entity" to "blocked" and then the fifth one from "allocated" to "withheld-same-entity." I will provide further explanation and rationale below.

But you can see that we also updated the graphic here to showcase the two additional transition paths. And then the numbers correspond to the list that you see above. So, from "withheld-same-entity" to "blocked", which is the second one. And then from "allocated" to "withheld-same-entity" is the fifth one. That's the two additional ones.

So now I can probably explain why we added these two additional ones. You probably recall [inaudible] cases where the Root Zone LGR update may be not 100% backward compatible. There may be some super rare case that a label that was basically allocatable becomes blocked or even invalid. So that's probably something that wouldn't really happen in reality, but there's still a possibility of that.

So the second one, "withheld-same-entity" to "blocked," basically reflects that really rare situation that an RZ-LGR update is not 100% backward compatible and some label may become basically after that update. So there's a possibility of that, and that's why we

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want to include that possibility in the graphic and in the recommendation here. And then the fifth one, from "allocated" to "withheld-same-entity." I believe this transition is a stem from the discussion about the intentional retirement or removal of a TLD from the root zone.

So once, basically, the termination process is completed for a variant TLD, then the allocation in the root zone for that TLD no longer remains in place. So the state will transition from "allocated" to "withheld-same-entity." So that's why we have the fifth one, basically, the path from "allocated" to "withheld-same-entity."

We also did some checks with the staff in the GDS that are knowledgeable about the termination of gTLDs, and they confirmed that if a gTLD is terminated, it does have an opportunity to reapply by the same registry operator. But there is a caveat there. If it's a .brand TLD, then the same registry operator has to wait for at least two years to reapply. So it's not like once the TLD is terminated, it disappears from the universe forever. Actually, it still can be reapplied in the future. There are some SubPro recommendations related to that matter, too.

So with that information, we believe the label state will transition from "allocated" to "withheld-same-entity." And that's regarding the variant gTLDs. Once it's terminated, it will stay in a "withheld-same-entity" status.

So that's why we added these two additional transitions, and the rationale section provides some explanation to that. And the first part of the green text you see basically includes the explaining

explanatory remarks in the Staff Paper regarding the label state transition that's already identified in the Staff Paper. This is not new information. We actually included that in the previous version of the graphic, and now we'll just move it to the rationale part to make it clearer.

And then this paragraph that I'm highlighting here basically explains the two additional labels state transitions. Not proposing a Staff Paper, but was discovered during the deliberation of this group. And now we provided some explanatory remarks.

So the second one, "from withheld-same-entity to blocked," the remark is, "In an unlikely but possible scenario, a later LGR may narrow down the available labels in the IDL set." The labels which are no longer able to be allocated or would be allocated to the root zone become blocked. So that's the notes regarding the second transition.

And then the fifth one, "from allocated to withheld-same-entity," happens when a variant TLD completes the termination process and the allocation in the root zone no longer remains in place. So we just want to provide some additional explanation of these two transitions.

And finally, there's also a paragraph here that I'm highlighting. There's a note regarding "from rejected to withheld-same-entity." This transition path was noted as automatic in the Staff Paper, but during the discussion the EPDP Team found out that it shouldn't be automatic because a rejected label would remain in that status until the ground for rejection is removed. Then it can transition to the "withheld-same-entity." So it needs to have a trigger event in

order for that transition to happen. So that's why we have this additional paragraph to clarify that such transition is not automatic. It happens on the basis of a trigger. And so that's why we have this note here. And I do note that ALAC has a particular comment about this one. And ALAC is actually right. None of this' transition is automatic. They all require a trigger. So we definitely agree with that assessment, and the reason we highlight this particular transition is because, in a Staff Paper, it's automatic. We just want to clarify that it's not automatic.

So hopefully, I'm not confusing everybody, but this is the extent of update for Recommendation 1.13. And I will pause here and see whether there's any comments/questions/reactions.

DONNA AUSTIN: Thanks, Ariel. Any comments from anybody? Can we see a show of hands for those that are supportive of the language?

Okay, so I'm going to ask a question here. I noticed that Dennis and Michael raise their hands, but some of the other registry reps and registrar reps did not. Is that because you can't find your hand or is that because Dennis and Michael are speaking on behalf of the registry and registrars, respectively? It's just kind of a clarification that I'm seeking. And if you have no opinion this, that's fine, too.

Okay. [The jury's] okay?   Okay, [inaudible] [couldn't hear].

Okay, it looks like we're okay. Just from a chair's perspective, I do appreciate that we have three people generally representing one group, and I don't know whether a spokesperson has been

assigned or not and how I'm supposed to interpret that. But I think we've got a reasonable sense that we can move ahead with this and that we're good with it for now. So, thanks.

Okay, Ariel.

ARIEL LIANG: Thanks, Donna. Thanks, everybody, for the input. And we'll accept these edits and make the text stabilized. So we will regard the second reading for A7 [inaudible] complete. And I guess, Donna, we can move on to the fourth item of the agenda. And I know you probably have some question/remark [you long] to make before we do the presentation on this.

DONNA AUSTIN: Yeah. Thanks, Ariel. And also just a reminder to folks that Ariel did send out an e-mail with draft language for B1, B2, B3, B5, D1(a), D1(b) part 2. So that's what I thought I was talking about earlier, but I just checked to see if I wasn't going mad. So that is out for consideration and comment as well. So we've got a deadline of Friday, 8 July. So that would be next Friday. We're assuming that's adequate time for folks to review, but if it's not please let us know and we can extend that if necessary.

Okay, so the substantive discussion today will be around Charter Questions C1 and C2. So, its discussion around the same entity principal at the second level. We've had discussion about top level, but we're now moving into the second level and there are some differences here.

Some of you may have seen a request from Dennis Tan on the e-mail list because when we posted the agenda, our intention was just to discuss C1. But Dennis believes that there are reasons why we should be considering these in tandem to the extent that we can. It's a little bit hard, logistically, but what I've asked Dennis to do if he could, just before we go to Ariel and we get into the substance, that Dennis just talk to us about why he thinks that we should be considering these two questions in tandem. Just to set the context for folks as we get into the substance.

So Dennis, if you can.

DENNIS TAN: Yes. Thank you, Donna. Thank you for the opportunity to elaborate on my request on the e-mail and why I believe C1 and C2 should be discussed together. So just trying to think and put on my [Ex] hat as a Drafting Team chair here and why we structure, in the Drafting Team, C1 and C2. And again, trying to remember. It's been a long time ago. I think we wanted to acknowledge the structure from the Staff Paper.

And when you think about the same entity principle, the spirit—or, I think, the intention—was to look at this in a vacuum. And so you would want to break down the conversation piecemeal, if you will. So you start talking about what the same entity principle means, and then a second layer down one level, you would define what that same entity is at the top level and the second level.

So you see that two-step framework, if you will. So the same exercise we did for the top level in Section A. And now that we are

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looking at what the same entity principle means at the second level, it respects the same structure. And that's why the Drafting Team out with Questions C1 and C2.

But now, because we are talking about ... We can no longer ...

So Drafting Team aside, that's the way it was structured. But now that we are really talking about what are the implications to existing second-layer domain names and because existing ... I'm sorry. Second domain name variants do exist access today—I mean are implemented—gTLD operators are allowed by their IDN services to offer activation of variants, and the same entity principle is applied to those existing Registry Agreements even though there is no same entity principle definition there. But the concept exists.

And C1 really speaks to just the concept of same entity and same entity. But C2 really goes into the meat of what that means. Right? It goes into a level defining "registrant" and what's the impact to existing gTLD operators. And because we have the time allocation, I think it would be beneficial to look at those two holistically when we think about the same entity principle as a registrant instead of piecemealing or breaking down into two different questions.

I just thought it would just be sufficient for us to look at holistically, not just same entity on one aspect and then talk about "registrant" as the same entity. But as a whole, "registrant" as the same entity. And that will, I think, speed up our conversation [inaudible] what it matters. And now especially because we're talking about the implications to existing registry agreements and existing domain

name registrations. And hopefully that gives you a sense of why I made the request. But this is something on the table for you to consider.

I'll stop there. Happy to elaborate a little bit more if something's not clear. Thank you, Donna. Back to you.

DONNA AUSTIN: Thanks, Dennis. So if I understand you correctly, one of the reasons you think that we should think about these two questions together is that C2 assumes that the same entity—that the registrant is the same. And the "same entity" doesn't have a definition in C1. But the current situation with registering variant levels at the second level, the same entity is not actually the registrant. So we need to think about how that would meld together. Is that kind of close to what you were saying?

DENNIS TAN: Yes, Donna. I think that's nicely summarized. Yes.

DONNA AUSTIN: Okay. All right, so with that context we will ... When I say "we," Ariel is going to take us through a deck for C1 so we can have some discussion around that. And then we'll go to C2. But it may be that, as we're discussing C1, we do need to be mindful of ... C2 is coming. So Ariel, with that, we'll push forward and see where we get to.

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ARIEL LIANG: Thanks, Donna. And thanks, Dennis. Let's move on to the presentation part of this. I'm just wondering whether it makes sense to quickly mention the C2 part of the charter that talks about same entity as registrant. Maybe that will help us to understand C1, too. But would that be okay if I just quickly point out the context for this C2? Because in C1 it's always mentioning same entity, but it didn't really have a definition of that. And then C2 did explicitly say what that means. So it may help us understand what we're referring to.

DONNA AUSTIN: Yeah. I agree.

ARIEL LIANG: Okay, sounds good. So let's take a look at C2 first. So the charter question reads, "Currently, registry operators may activate the IDN variant labels at the second level when we requested by the sponsoring registrar of the canonical name as described in the IDN tables and IDN registration rules. Both the SubPro PDP and the Staff Paper recommend that at the second level, the same entity definition can be achieved by ensuring that the registrant is the same."

And I just want to quickly note that the context of C2 kind of breaks into two parts. The first one talks about how second-level variant labels are activated currently based on the current rules and procedures. And then the second part talks about the definition of same entity at the second level as registrant. And this is recommended by Staff Paper and the SubPro.

So there are two parts here that we want to keep in mind. And now we only need to focus on the second part, which is the definition of "same entity" as registrant at the second level.

So C2 is asking, "Should this recommendation be extended to the already activated IDN variant labels at the second-level?" So that's asking should the same entity be identified as "registrant" at the second level for the already activated variants? So that's the first question.

And then the second question is, "How does the same entity requirement impact the current rules for registry operators for activating IDN variant labels? And that's asking about activation of variants at the second level. And I believe we don't need to work on this part as of now.

So that's the charter question, and I just want to provide you some context of how the definition of "same entity as registrant" at the second level comes from. So that comes from the Staff Paper, SubPro. And also, there is mention in the IDN Implementation Guidelines. That's where we saw all of these mentions and proposals, basically. This is [inaudible].

And the first one we see in SubPro is a SubPro Recommendation 25.6 to 25.8. It's actually mentioned in the rationale for these recommendations.

So it says, "For similar reasons, as indicated in the rationale for recommendation 25.5—"that's regarding using a registry operator as the same entity for the top level; that's that recommendation. So, basically the rationale is to ensure the security and stability of

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the root zone. And the variant TLDs should be considered as identical. The SubPro working group believes that the second-level variant labels should only be allocated or reserved for allocation to the same registrant."

So that's the first, I guess, mention of a same registrant in SubPro. They're supporting using "registrant" as the definition of same entity for the second level in future new gTLDs. So that's what SubPro recommends.

And then the Staff Paper also has the same recommendation of using "registrant" as the same entity for the second level. So that comes from Recommendation 3.

It reads, "Same second-level label under IDN variant TLDs ... registered to the same entity. For each allocated IDN variant TLD, a given second-level label beneath the TLD must only be allocated to the same entity/registrant, or else withheld for possible allocation only to that entity."

So that's the other key mention of using "registrant" to define same entity at the second level in the Staff Paper.

And I also want to note that when SubPro made its recommendations, it referenced the Staff Paper and basically agreed with the Staff Paper rationale for using "registrant" as the same entity for a second level. So they basically look almost the same here.

And then the third mention of using "registrant" as the same entity definition for second level is in the IDN Implementation Guidelines. So I don't know whether we will substantive discussion of this now

about the Implementation Guidelines, but for those who are not familiar, basically these guidelines are used to manage the IDNs at the second level. And that's something the contracted parties have to follow. And it has a pretty long history in ICANN for the evolution of the IDN Implementation Guidelines.

And then the latest version, 4.0, has an explicit mention of using "same registrant" to define the same entity at the second level. So it says "IDN variants generated by an IDN Table must be either al allocatable only to the same registrant as the primary IDN label or blocked from registration."

So I just wanted to note that this particular part of the guideline has been deferred by the ICANN Board for further consideration because, at this particular point, it overlaps with the IDN EPDP charter. Basically, the Board is not going to move forward with this guideline until the EPDP has come to a conclusion on how to define same entity at the second level— whether a registrant is the appropriate definition for that.

So that's some of the context I want to provide regarding how the registrant was brought up as the same entity. And that's the relevant documentation and studies that proposed that idea.

I will stop here and see whether there are any comments, questions, or confusions at this point. And I see Hadia has her hand up.

HADIA ELMINIAWI: Thank you so much, Ariel. I guess you already mentioned that you're going to mention how same entity is defined. The confusion

here comes from ... You say "same entity/registrant" and then the following sentence says "or else withheld for possible allocation only to that entity." It doesn't refer to the registrant, and assuming that the entity is the registrant. I guess. Thank you.

ARIEL LIANG: Thanks, Hadia. That's staff's assumption, but maybe I will invite Sarmad or Pitinan to chime in on this point because they play a key role in developing the Staff Paper. I don't know the reason. They didn't specify registrant after the "withheld for possible allocation"—that phrase. But I see Sarmad has his hand up.

SARMAD HUSSAIN: Thank you, Ariel. So the intention of [inaudible] the Staff Paper of the same entity was registrant. I guess we've used "same entity" to keep it consistent terminology for top-level domains and second level domains because, for top-level domains, the recommendation is "same entity." And second level is also "same entity." So in that way, it's consistent.

But the interpretation, the same entity at top level, translates, of course, to the registry operator. But at the second level, it translates into "registrant." Thank you.

DONNA AUSTIN: I see we've got Edmon and then Hadia. Edmon.

EDMON CHUNG: Sorry, that was an old hand.

DONNA AUSTIN: Okay. Hadia, was that an old hand, too?

HADIA ELMINIAWI: It wasn't, but I lowered it down, I guess. Let's listen to more. Thank you.

DONNA AUSTIN: Okay. Thanks, Hadia.

ARIEL LIANG: Thanks, everybody, for the comments and questions. So now we are clear what "same entity" refers to in our discussion here, the proposals to use "registrant" to define same entity at the second level.

And now the question for the group is, do you believe this needs to apply to existing variant labels at the second level that are already allocated or activated? So that's the key question we need to discuss here.

But before we jump into discussion, I think we need to go back to see why now. So, now we know what the same entity means in the charter question. So now we can look at the context of this C1.

So the question reads, "Both the SubPro PDP and the Staff Paper recommend that: 1) a given second-level label beneath each allocated variant TLD must have the same entity; and 2) all al allocatable second-level IDN variant labels that arise from a

registration based on a second-level IDN table must have the same entity."

So translated, those second-level labels beneath each allocated variant TLD must have the same registrant. That's in the first one. And then the second one, all al allocatable second-level IDN variant labels must have the same registrant. So that's what this is about.

So the question is, "Should this recommendation be extended to existing second-level labels?" That's the question for C1.

And now we can look further into the two scenarios that are identified in the context of C1.

DONNA AUSTIN: Ariel, sorry.

ARIEL LIANG: Yes.

DONNA AUSTIN: Can I go to Anil first?

ARIEL LIANG: Yes.

DONNA AUSTIN: Anil.

ANIL KUMAR JAIN: Thank you, Donna. Here in C1, I propose that we should further define the definition of "same entity." This is important because here we are talking about the same registrant, and we should very clearly say that it is the same registrant and the registrar may be different. Because the register and registrant may change the registrar at any particular point of time. So this is just my observation that we should clarify it further. Thank you.

DONNA AUSTIN: Thanks, Anil. We will note that. We'll get through the conversation and we'll see where we end up. But we'll hold that suggestion. Thank you. Ariel.

ARIEL LIANG: Thanks, Donna. Thanks, Anil. So basically, what I said about the registrant is what Staff Paper and SubPro are recommending. And then the group needs to discuss whether you agree that "registrant" should be used to define same entity at the second level. So that's exactly the discussion we need to have.

But before we go into that, let's look at the context first. So the first scenario is, "a given second-level label beneath each allocated variant TLD must have the "same entity."

So to translate that, the second-level label remains the same, but it may be under multiple variant IDN TLDs that belong in the same set. So if you look at the illustration here, s1 is the second-level

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label under t1 which is the top-level label. And then the t1 has a variant, t1v1, or t1v2 or t1v3, etc.

So what this scenario means is that the second-level label remains the same but it's placed under the top-level label that has variants. And then all these labels need to belong to the same entity. So that's the first scenario.

If you recall, earlier we mentioned SubPro Recommendation 25. 6. It actually agrees that "a given second-level label under any allocated variant TLD must only be allocated to the same entity/registrant, or else withheld for possible allocation only to that entity." So it actually looks very much the same as the title, Scenario 1.

And then basically, SubPro recommends that for future new gTLDs, this recommendation applies. And then we mentioned earlier that the rationale is that they believe this will help support a security and stability of the Internet. And then also, in the light of the fact that variant TLDs are considered essentially to be identical, having the same entity for these second-level labels makes sense. So that's what SubPro is recommending.

And Staff Paper Recommendation 3. I'm not going to reread this because I just mentioned it earlier. It basically is the same as what SubPro recommends. It's just a slight wording difference, but what they mean is exactly the same. So that's the context of this question.

And now for discussion. Should a future second-level label under any allocatable variant label of an existing gTLD be only allocated

to the same entity, or else withheld for possible allocation only to that same entity?

What we want to discuss is about the future case when a second-level label is created under an allocatable variant of existing gTLDs. So that can be either a Chinese gTLD or an Arabic gTLD. Should the same entity principle apply for such second-level label? So that's what we want to discuss here.

I will pause for a moment and see whether there are any comments, reactions, or confusions.

DONNA AUSTIN: Okay, so I'm going to start with my confusion. If folks will allow me to do that. I'm just trying to get this clear my head. I thought we were talking about second-level labels. So if you have a primary IDN gTLD and you have a registrant that wants to register a label within that gTLD and then there are variants of that second-level label, whether that had to be same entity. But I think, Ariel, what you're saying is that this is about the registration at the second level for the ...

So, really it's working across the variant set, that it has to be the same registrar. Is that correct?

ARIEL LIANG: Thanks, Donna, for the question. I think now, in hindsight, I thought it would be easier if I have some graphic to show what we're talking about here. So basically, you can imagine there is a current label. It's, for example, LabelA.IDNTLD, that's already

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existing. But once the variant TLDs are able to be allocated to the root zone, there can potentially be LabelA.(the variant of that top-level IDN). And that doesn't exist right now, but it may exist in the future.

So the question is, should that future label, the LabelA.(the variant of the top-level IDN) belong to the same entity as the current entity of LabelA.(the IDN top-level label)? So that's the question.

DONNA AUSTIN: Okay, thank you. That's clearer to me now, sorry. Nigel.

NIGEL HICKSON: Yes. Thank you very much. Good afternoon. I'm glad you asked that question because perhaps it's become slightly clearer for me.

The question I had, and it might be a stupid question, but what is the downside ... I mean, we're being asked should it be the same entity. And, you know, if it's consistent with current practice or what was agreed elsewhere, then perhaps it should be.

But what's the downside of it not being the same entity? In other words, if the variant is given ... If the registrant decides that another registrant should have that other variant, is that a case in point and is that a problem? Thank you.

DONNA AUSTIN: Thanks, Nigel. Sarmad might be able to answer that question, but I note that Michael has noted in chat that it could cause confusion.

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And Maxim is saying, "If it is different, the whole idea for this PDP is void." Okay.

Sarmad, can you respond to Nigel's question? I don't know whether you had your hand up for something different.

SARMAD HUSSAIN: Thank you, Donna. Yes, I raised my hand to respond to Nigel. And I think that's an excellent question because that's sort of the starting point for this whole scenario. The reason being that variant labels are, by definition, those which are considered the same by the end user population, the end users who use that script. Because it's the script users who are defining what the variants are. And they are defining those things as variant which they think are indistinguishable as far as they're concerned from various points of view.

One point of view, obviously, is that they could be actually visually identical. So they are technically two different strings—SLD.TLD1 and SLD.TLDv1 which are visually identical. So for an end user, they cannot tell the difference. But internally, they represent two different sets of code point, so machines thing. Obviously, machines consider them as distinct.

And if they are assigned to different potential registrants, then end users can think ... You know, the reason they can get confused is because they think they're going to one website, but they end up on a different website. And that can lead to all kinds of issues. And that's normally referred to as a misconnection in SSAC Report

where an end user actually ends up at a different site than it was intending to do.

So that is the risk which is involved. And to prevent that risk, basically the suggestion was that they are administered by the same entity, and therefore the possibility of disconnection does not happen and therefore the security gets addressed. Thank you.

DONNA AUSTIN: Thanks, Sarmad. Nigel, does that answer your question?

NIGEL HICKSON: Yes, sorry. I should have come back through [inaudible]. Yes, thank you very much. Now I understand. That's very clear. Thank you.

DONNA AUSTIN: Okay. Thanks, Nigel. And thanks, Sarmad. Okay, so any other thoughts on this one? Do we need to discuss this further or is it reasonably straightforward? Nigel, your hand is still up.

Hadia.

HADIA ELMINIAWI: Thank you. So for me the idea is clear. However, the text is a little bit confusing because we all agree that SubPro and Staff Paper recommend having the same registrant for both domain names. However, when reading a text, I could get the impression that you

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could have the same registrar but not necessarily the same registrant. And this is where I'm a little bit confused. Thank you.

DONNA AUSTIN: Thanks, Hadia. I wonder if our Registrar or Registry colleagues can help us out a little bit here about the relationship between the registrar and the registrant because the registrar on that relationship.

Anil, go ahead, please.

ANIL KUMAR JAIN: Thank you, Donna. I just want to add here that in case we can ... As I said earlier on, if we can qualify the same entity as the same registrant and same registry, but the registrar can be different. This is what I want to suggest. This is the point which I want to make for the discussion. Thank you.

DONNA AUSTIN: Thanks, Anil. I think this is where it does get a little bit tricky because [inaudible]. The implementation of this can get a little bit tricky if there's not a connection here that requires the same registrar. But I need some help here.

Dennis.

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DENNIS TAN: Thank you, Donna. I just want to point out the relationships. We need to be mindful of the relationship between these three [inaudible] [or components, if you will,] in the registration policies.

So the registry has a relationship with the registrar, and the registrar has a relationship with the registrant. And I'm just going to insert one more which is the resellers. We don't typically talk about resellers, but that's the reality of certain registrars, that they have a relationship with a middle point which is the reseller. And the resellers are the one that have a relationship with the registrant.

And in today's world, about how the data of the registrant flows upstream, that also ... We need to take that into account. In certain instances, the information of the registrar doesn't flow all the way to the registry. If there's any flowing, it's a limited set. Right?

And so as we go through and think about what are going to be the requirements/obligations that this PDP will put together as for recommendations and how to implement variants, we need to be mindful of those relationships. The registry talks to the registrar, and the registrar talks to the registrant. And again, with the caveat that there are middle points between registrar and registrant as well.

And so, again, just going back to Anil's point of not enforcing it or taking the registrar out of the question, I don't see my mind ... And perhaps, Anil, you can elaborate. How would a registry ... I mean, just for discussion purposes, how would a registry know what registrants and how to enforce that they are the same entity

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Without having the registrar in the middle doing that job? Thank you.

DONNA AUSTIN: Thanks, Dennis. Anil and then Michael.

ANIL KUMAR JAIN: Thank you, Donna. Dennis, just to clarify this, during the course of holding a domain, whether it is the string or the variant, as per the ICANN policies, a registrant can change the registrar. A registrant can change the registrar at any time.

Suppose at a particular time X, the registrar is A who has given the domain to registrant. After two years, he changes this registrar to Y. Now when a question of allocating a variant to the same registrant ... Naturally, the system should not refer it to the original registrar. They will refer to the current register. So registrar or reseller, I personally feel, are changeable.

Whereas, if we remember that we are talking about the same entity in the case of a top level to the same registry or same manager. So that will remain same because the original top level remained with the same registry. And we are talking about that registrant is the same entity for a variant of a particular second-level string.

So that is why I said that it is important. Yes, all for are entities which are in the chain. But two entities which are really important here for the discussion is the registry and the registrant. Thank you.

DONNA AUSTIN: Thanks, Anil. We have Michael and then Hadia.

MICHAEL BAULAND: Thanks. I would like to respond to Dennis's question, how a registry could check that if a domain and its variant belong to different registrars, how they could still be ensured that it's the same registrant.

Technically, this is possible because it's allowed to have the registrant contact handle which is not owned by one registrar. So Registrar A can have a domain with contact handle A1 and Registrant B can have a variant domain with the same registrant contacted handle A1. So, it's possible to share contact handles between registrars.

But still, I wouldn't go that way. In my opinion, all variant second-level domains should be with the same registrar because, otherwise, it causes too many issues and problems and things to take care of. Thanks.

DONNA AUSTIN: Thanks, Michael. So I've got Hadia, Satish, and then Jerry. Hadia.

HADIA ELMINIAWI: Thank you. I do agree with Michael that having more than one registrar for the main label and the variants from a management point of view might be difficult. But then, I don't know. Registrars need to say if it's really difficult to manage or not.

However, responding to Anil's question when he said that a registrant can change registrars, which is true. However, I don't see how this does not go with our policy. If we all agree that variants need to be held by the same registrant, then if the registrant decides to change the registrar, the registrant will move with the main label and its variants to the new registrar.

So at all times, you will have one registrar with one registrant that holds the label and its variants. At least this is how I understand it, so correct me if I'm wrong. Thank you.

DONNA AUSTIN: Thanks, Hadia. Satish.

SATISH BABU: Thanks, Donna. So, amplifying what Hadia just mentioned, this is my take on this. The moment you have the registration, the primary domain plus primary label plus all of the variants get packaged into a variant set. Subsequently, there is no way that [I] can see when this set is dismantled into individual labels. The set always moves together. So if you transfer, then the entire set transfers. This is [inaudible] [automaticity]. So we cannot violate the [automaticity]. [inaudible], I don't see any way by which this can be separated into multiple [inaudible]. Thank you.

DONNA AUSTIN: Thanks, Satish. Jerry.

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JERRY SEN:	Thank you, Donna. I think from the perspective of the registry policy, what we are doing now, since there's no variant TLD, but on the second level when a registrant wants to register a variant, actually we call it the [activate] variant. So I think when the variant TLD is allocated in the future, the policy should be like the same [of a] registrant that wants to activate a variant. Maybe it's related to the variant TLD, but still it's just another domain name because there are some related issues regarding the creation date/the expiry date.
	So in such a case, that I think the registrant should find the same registrar to activate his variant domain name, not another new registration from another registrar. I think this is how it works. Thank you.
DONNA AUSTIN:	Thanks, Jerry. And thanks, everybody, for the discussion. I think what I'm hearing is that there's certainly agreement that for the same entity to be the registrant. But I think where the challenge is here is whether there's a ...
	So, the second part of this question is, "or else withheld the possible allocation only to the same entity." So I appreciate that there are challenges for, potentially, the registrar in ... So if a registrant has registered a label at the second level for one of the variant strings, it's a question of how do you ensure that that same registrant is the only one that can have that same string in the other top-level set.

So is it that we do have the "withheld-same-entity" principle of the top level? Does that hold at the second level? Is there a way that we can ... Within the policy, can we put a requirement on the registrant that if they register a name at the second level, that they must use the same registrar if they want to register more than one name.

So I think we're all agreed that the same entity registrant piece. I think we're all on the same page there. It's just a question of what's the next part of that to ensure that the registrant uses the same registrar because it is the registrant that reaches out to the registrar and says, "You know, I want this domain name."

Is there some policy that we could recommend to ensure that that happens? Or, you know, if we say "withheld-for-same-entity," how does that play out in the broader scheme of things? So I think that's what I'm hearing. I'm just interested to see what other folks think.

Dennis.

DENNIS TAN: Thank you, Donna. I just wanted to observe and note as we progress in these conversations, let's keep that in mind in our heads why we are doing this, why we are engaged in this IDN EDP and the recommendations that will be an outcome of this.

And we want adoption. Right? We want adoption of variants and IDNs, that they flourish they're useable and grow in terms of usage of native online identifiers. So let's keep that in mind as we go through and issue recommendations about how these

relationships need to be implemented, how they are going to be enforced, and what's going to be required by the actual implementers of the registries and registrars such that it does not discourage that adoption.

Because at the end of the day, any technical implementation [inaudible] starting to peel the layers of the technical complexity and how you could really enforce this kind of relationship if you will go into technical implementation and code. And what are the rules that need to be implemented, again, enforced—either registrar and registry?

So I just want to note, let's be mindful of that relationship between registry and registrar and registrant, and what can be done and what is expected. Right?

Again, I want to note SSAC's remarks. There's no single standard today to actually have two domain names. Right? Forget variants. [inaudible] domain names to behave and what's similar. Right? There are technical solution, but there is no standard solution to date. So let's be mindful of that as we go through and issue that recommendations in order ... We want adoption, but we can build all of the bells and whistles that we want on paper, but at the end of the day if no contacted party wants to do the work, then that is not going to be supply for these. And if there is no supply, there not going to be demand.

So I just wanted to note that and put it out there. Again, as we engage in the conversations it will become more complex as we go through this. Thank you.

DONNA AUSTIN: Thanks, Dennis. It's a really good reminder for this group. Let's keep an eye on the prize, but understand the implications for those that ultimately have to implement it. And I'm always very mindful of conversations that Graeme Bunton and I had with the Board as the respective chairs of the Registry and Registrar Stakeholder Groups at one point in time.

Registrars do operate on very small margin. So while it might seem that, well, you can just go and develop this and that'll be easy and it's not too much work for them, the reality is that if it is too much work for them, they simply won't adopt IDNs. They'll just keep away from that and won't offer that as a service. So I take Dennis's point very well. We do have to be mindful of how this can be implemented.

And one of the challenges for us, of course, is that this hasn't been done before. So we are going to need a little bit of help I think in thinking through some of the technical aspects of this.

But I think, going back to just the first part of this question, I think we all agree that for the purposes of having a second-level label under unallocated variant, it should be the same entity. So that same entity principle should apply, and what we're talking about here as the same entity here is the registrant.

So I think we're all in that place, but I think the challenge is how do we get to those next steps to make this a practical implementation because it could get tricky.

So I wonder. Ariel mentioned that it might have been good to have some kind of diagram or process flow here. And I wonder if it would be possible for, perhaps, our Registry or Registrar colleagues to think about drawing us a diagram about what happens if ... Maybe just to give us a little bit of a picture of how this would work practically, to get it to implementation.

I see that we are seven minutes from time, so Ariel, where did we get to in terms of the slides? I don't think we got very far through. Did we?

ARIEL LIANG: Thanks, Donna. Thanks, everybody, for the discussion. The next slide is about the second scenario which I believe is quite confusing without a diagram because this one is more complicated than the first scenario. Because the first scenario is relatively straightforward because we're talking about things that don't exist yet. It will exist in the future.

But then the second scenario may concern second-level variants that may already be allocated under a top-level label and what to do with those existing situations. And then Scenario 2 also may involve future things like variants at a second level under variants at the top level that doesn't exist now, but it may exist in the future. How to deal with them.

So I think we probably should draw up some diagram and pictures that may help us digest this recommendation question a little better. And I think with the time remaining it may not be helpful to keep pushing. Maybe we should stop now and regroup next week

to talk about this second scenario with the diagram. And that may help facilitate the discussion. That that's my suggestion.

DONNA AUSTIN: Thanks, Ariel. And I agree with your suggestion. So we'll come back to this next week. But I wonder whether ... I'd really appreciate, from our Registry and Registrar colleagues, if you can kind of give this a little bit of thought. And even if you've got some kind of ... If you can think through scenarios and how this might work practically that you wouldn't mind sharing with the group just to give us a sense of ... So we can see some of the challenges rather than trying to picture it ourselves in our heads. It might be helpful.

Thanks very much, Dennis. I keep saying this is complicated, but it seems to become more complicated every time we look at the new question. But we will get there.

All right. So, thanks, everybody. Just remember that we have some text out there that we would like you all to look at and provide us feedback on by Friday week. And now that we've had a first conversation around this, we'll see how we go next week.

And Dennis and Michael, we might touch base with you ahead of the call next week and see if there's anything that we can do to help you.

Alrighty. I think with that, we can call it. So thanks, everybody. And have a good rest of your day.

JULIE BISLAND: Thank you, Donna. Thanks, everyone, for joining. This meeting is adjourned. Have a good rest of your day.

[END OF TRANSCRIPTION]