
ICANN Transcription

Transfer Policy Review PDP WG

Tuesday, 24 May 2022 at 16:00 UTC

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JULIE BISLAND:

Okay. Good morning, good afternoon, and good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group call taking place on Tuesday, the 24th of May, 2022. For today's call, we have apologies from Sarah Wyld, RrSG. And she's assigned Rich Brown, RrSG as her alternate for this call and for remaining days of absence.

As a reminder, an alternate assignment must be formalized by way of a Google Assignment form. The link is available in all meeting invite emails. All members and alternates will be promoted to panelist. Observers will remain as an attendee and will have access to view chat only. If you have not already done so, please change your chat selection from host and panelist to everyone in order for all participants to see your chat and so it's captured in the recording. Alternates not replacing a member

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should not engage in the chat or use any of the other Zoom Room functionalities.

Statements of interest must be kept up to date. Does anyone have any updates to share? Please raise your hand or speak up now. Seeing no hands—please remember to state your name before speaking for the transcription. Recordings will be posted to the public wiki space shortly after the end of the call.

And as a reminder, those who take part in the ICANN multistakeholder process are to comply with the expected standards of behavior. Thank you and over to our chair, Roger Carney. Please begin.

ROGER CARNEY:

Great. Thanks, Julie. Welcome, everyone. There's not a whole lot I need to cover before we get started, so just a few points. Some of you, Jim and I talked to just earlier but I did want to touch on Recommendation 13.1 which is the standard TTL that we've been talking about the last couple of sessions and the registry's hesitation to be the enforcer here. I don't know if Jim's got an official reply back from the stakeholder group but I know that they're not necessarily wanting to take this on as written to be the enforcer of this standard 14-day TTL that's in 13.1.

So with the disagreement, staff has been working on a question for the public comment period that hopefully addresses and opens this up for a community-wide discussion during the public comment of where this is appropriately done at. So I just wanted

to give an update on that and that staff is working on it. Thanks, Caitlin, for sharing this.

And this is a draft that they've started on the question to prompt. And again, I think that—Caitlin, is this available for everyone? Yes. Okay, you posted it. So I think if anybody has any comments, we could talk about them now real quick or if you want to take some time since this is the first time you've seen this, take some time and comment in the document itself.

Again, this is mostly meant to drive to solution on 13.1. Again, it was after the comma part. I think everybody's under agreement that the 14-day standard TTL seems appropriate. It's just where that enforcement is done. And currently, what we have on paper is that the registries will be enforcing that. Caitlin, please go ahead.

CAITLIN TUBERGEN: Thank you, Roger. This is Caitlin Tubergen from support staff for the record. And I just wanted to note that, I believe Emily has gone over this in a previous meeting but for those of you who haven't participated in a recent public comment proceeding, the way that they are now structured is in a more open format so that there's not just a free-for-all response. The questions are tailored by recommendations.

And in the event that the working group has differing opinions on key issues, we tend to put that as a community question so that all community members who are interested in that particular topic can opine on the preferred way forward. That was a common approach in the EPDP for reg data. There were a lot of differing

opinions on the group. So what we would do was note the charter question which we've done at the top. And then a couple of important notes to the community.

So for example, here we have what a TTL is. And then we try to tersely explain the two main viewpoints or at least there are two here. And the different viewpoint here is which party should be enforcing the TTL, whether it should be the registry or the registrar. Support staff tried to explain in a brief fashion what the main reasoning for the registry's concern is about being the enforcer of the TTL. But also, explain why it was originally proposed that the registry would be the proposed enforcer.

And then, the question in the box is the open-ended question that would be posed to the community to provide further feedback. So that community members outside of this group can opine on that. And of course, so can members of this group if you have more detailed information to provide during the public comment period.

So I hope that's helpful. It isn't a Google Doc form and the document should be open for working group members to edit. So if there's any additional information that you'd like to include here, please feel free to suggest that in comment form. Noting that we don't want the document to be four pages long because I think that would probably dissuade commenters from reading it and commenting. So we're trying to keep it short but also make sure that we're accurately expressing the concerns of the two different views here. Thank you. Back to Roger.

ROGER CARNEY: Great. Thanks, Caitlin. Jim, please go ahead.

JAMES GALVIN: Thanks, Roger. Jim Galvin, registries for the record. I think what I want to say is two things. First, I confess I did not understand from last time that you are expecting a formal action of me or other registry representatives here and that you wanted a formal Registry Stakeholder Group position on this issue. I just want to note that for the record.

My question related to that is, whether that would change anything. I mean, there is a group of us on the backend that have been talking about issues here and stuff going on. So there's certainly a sense of registries without having a formal stakeholder group position that were not supportive of this recommendation. I mean, that's just where we are. Would a formal statement cause any action different than my simply stating that we have not found any support for this among those who are talking about it? Because if not, I'm not sure the getting a formal position at this point is a useful thing to do. So that's one question.

The second thing that I would ask is as a point of clarification. I love the public comment process and how all that's going to happen this time in this comment here. And I will certainly make some suggestions in this draft question here for consideration in how this is presented to the community. My clarifying question is, does this mean that the rec 13.1 will stay stated as is as part of the public comment? And that's sort of related to my first question about well, is there any opportunity to change that at this point in terms of formality? So thanks, I hope that's clear.

ROGER CARNEY:

Great. Thanks, Jim. No, it was very clear. And to be honest, I don't think there was an official call to action for anybody here. But again, I think that even in the last couple of calls, I hope that the understanding was that we wouldn't be changing anything this late. I think really the call for action was when we wrote this several months ago. But that being beside the point—to your first point, there was no call to action for you or any of the registries. I just didn't know if there was anything done. That was my point on that.

And I think the intent here is to go to public comment with it as it's been written for most of the year so far. I think that's the intent. And to your point, would an official action today change that? I don't see how that changes that this late in the game. We go to public comment with this and I suspect the Registry Stakeholder Group to put a comment in on that. Hopefully, that's clear to you. Theo, please go ahead.

THEO GEURTS:

Yeah, thanks. So I understand a little bit better registry operators are coming from and make sense. I mean, I understand they are hesitant because this is going to require a lot of work on their part, so I understand that. But at some point, I think we will follow the regular process but I do wonder what happens when the registries would say, we are not supportive of this. Where are we going to end up with this recommendation?

I mean, I think as it is proposed now, to reach out to the community, get a better understanding. Who is best positioned to manage the TTL? I think that that's a good approach. Getting some more input on that. There's definitely some drawbacks when you put it on the registrars. It's going to be less secure. But on the other hand, this is going to be some work for everybody at some point.

And maybe we've been looking at this like, how can we make this more easy for everybody? And I suggested to the registrar, and I haven't proposed this yet on the list in this group yet, but what we are suggesting is that we put the TTL into the hash itself which is going to be readable by every party. So everybody knows this detail has been expired or not. So having it in the hash itself, the TTL is going to make things a lot easier and maybe it's going to show a little bit, maybe a lot, I don't know, of the upcoming work that needs to be done on several backends either that be on the registrar level or registry level, which is not determined yet.

So I will send that to the list later this week, so maybe that can ease some opinions also. I don't know but you will receive an email later this week from me. Thanks.

ROGER CARNEY:

Great. Thanks, Theo. And I think that your suggestion on embedding the TTL into the TAC, I think that that was actually—I don't know if it got into the white paper, the TechOps white paper or not. I know that it was discussed pretty heavily by the TechOps group a couple of years ago when they were talking about revamping the auth info. We look forward to seeing that. And

again, obviously, that could be something that helps out the IRT as well as helping them direct what that TAC will end up looking like eventually.

I just want to maybe clarify something Theo said about the registry's reluctance. I think Jim has stated not necessarily that it's the amount of work that it takes here but it's the impact of where the registries are getting involved in the transfer process. And they've always tried to step out of the transfer process because it's more of a registrar/registrant process. I don't want to say that Jim's saying that the extra work is the issue here. It's more of them getting into the middle of the process but just for clarity. Berry, please go ahead.

BERRY COBB:

Thank you, Roger. Berry Cobb from staff. I think really the reason I raised my hand was just to build on what you had stated in your prior intervention, Roger, which is, yes, we're looking for broad feedback but we're also—and I believe Caitlin said this is, we're really looking for targeted, specific feedback from our respective stakeholder groups and constituencies.

And so, I think to help complete Jim's original question is, of course, what is it that we're going to be doing after the public comment period closes? And it is required in a mandate of this group to review through all the comments in relation to how the public comment is presented and evaluate whether changes are going to be needed to the draft recommendation that was posted for public comment. So there will be plenty of opportunity to of

course correct and refine the recommendations as we move towards a final report.

And I think what Theo's intervention just provided was exactly what we anticipate and hope to happen when we are reviewing those comments that there is new information that is provided first to better understand both sides in this specific case. What are the impacts to the registries? What are the impacts as you just refined for Jim's input about their involvement with the registered name holder or the consequences of that?

And I think Theo on the last call, you really made a case. Well, what does it mean for the registrar of record to manage this? We don't have complete pictures of what those impacts are. And so, I would fully expect that we would get that kind of detail from the public comment. But more importantly, Theo's intervention there was a possible way to bridge the gap to get us closer to consensus. And that's really what the next phase of the process will be when we are reviewing these comments and we can refine the final recommendations. Thanks.

ROGER CARNEY: Great. Thanks, Berry. Jim, please go ahead.

JAMES GALVIN: Thanks, Roger. Jim Galvin, Registry Stakeholder Group for the record. I want to make a statement, please. For the record, not for the purposes of drawing out this conversation here. I had believed that I was following the process all along here. Berry made the comment and I agree rightly so that we each have an obligation to

keep up with the work and to make sure that we're keeping up with all text as it's created.

Frankly, I missed, I guess the point at which it was declared that this Recommendation 13.1 discussion was "closed" or done for that purpose. I have objected to this recommendation since day one, since the first time it was ever reported, so when we first brought this up. And I've never agreed to it on behalf of registries. We've always had this position.

And so, I confess that certainly I did miss a couple of meetings early on, I remember, after this topic was first raised. And so, there is perhaps an opportunity that I missed in order to declare to bring this back to the agenda. I guess, I was always letting the agenda continue to move forward. But I don't recall, and my other registry colleagues don't recall agreeing to a declaration that this item was closed. So for me, it was ordinary process to get to this initial draft and get to here and say, oh gee, we never finished this discussion. At least, from our point of view that's what it looked like.

And that's really what I wanted to state on the record. That we never realized that this was a closed discussion and that there was a step somewhere along the way where we should have made sure this stayed open. So we are where we are. We're not going to throw down a gauntlet here or anything like that. But I did feel like it was important for the record just to state that that's our feeling about this particular issue and we will now work the process going forward as you've directed as chair and as staff are helping to support. So thank you for that.

ROGER CARNEY:

Great. Thanks for that, Jim. And again, I think the fortunate part of this whole process is there's intentional multiple spaces or spots for addressing the issue. So I think that if we accidentally missed whatever it was, the fortunate thing for us is we always have a couple of checks here that we can circle back to and get that input. So thanks for that, Jim.

Okay. Anything else on this? This was not really part of our agenda but it was part of my opening. If nothing else, we can move on from this. And again, I think as Jim, Theo, everybody mentioned here, take a look at that document. If you have any suggestions, to make sure that we get the right question asked and the right details in there for people to use to answer that question. Again, many of the stakeholder groups won't be quite as detailed about what happened here and why, so anything that we can do. But to Caitlin's point, we don't want to make it a long statement just so we do get people that will make comments instead of just glossing over it as too long to read. But please, add some details, comments into that document, so that we can get something there. Everybody satisfied going out to public comment.

The other thing I was going to mention is just a quick reminder. Two things, I guess about ICANN 74 as next week is prep week. So just a reminder for people, I think that we have two sessions next week on transfer. One is just a policy one, the transferal we talked about. I think that's on Tuesday. Staff can correct me. And then, on Thursday, we'll introduce the initial report

recommendations in its own session, so we'll just go through each of the recommendations real quick for the public.

Thanks, Caitlin. Policy update on Tuesday. Yeah, okay. And I think the last thing I was going to bring up is—what we always try to do is, if there's any comments that any of the stakeholder groups want to bring forward, any discussions they've been having in the last week or so, that they want addressed here or at least commented here, I'll open the floor up to any of the stakeholder groups with any comments that they want to bring forward. Okay, great. And thanks, Caitlin for posting those for the prep week.

Okay. I think now we can jump in to our discussion, our agenda items. And there were two that Mike had flagged for us, Recommendation 19 and Recommendation 12. On Recommendation 19, this was all about—and I think we talked about it briefly or actually a little bit more than that last week. And so, Sarah had suggested a slight change in one of the denial reasons of 19. And before, Sarah suggested the material wording go into that. And I think last week, everybody was fairly comfortable but we weren't sure and I don't think Mike is on today either. So maybe we'll check in with him offline to see if that worked out or not.

But I think that the material does help and that it's something that a registrar just writes into their agreement on bullet 99 of their agreement. But it has to be a material piece of that. I think that that works out well and I didn't hear any oppositions to that last week, so I think that that's something we can take forward and

we'll share that with Mike to make sure he sees that and he can provide comments on that.

Anyone else have any comments on that, on 19, I guess before we jump out of that. Again, I think everybody has seen the agreement last week but I want to give everybody a chance. Okay. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Keiron here for the record. So are we looking at taking out violation of the registration agreement?

ROGER CARNEY: No, we're looking at keeping that but put material in front of it.

KEIRON TOBIN: Okay.

ROGER CARNEY: Material violation of the registration agreement.

KEIRON TOBIN: I'm not sure whether the individual registration agreements need to be brought into it because they would technically be covered under the registration agreement, the AA with ICANN. Evidence of fraud, I'm not sure of that. I'm not sure whether we need to stop bringing individual registration agreements into it. I mean, I don't know how the rest of the community feels. Thank you.

ROGER CARNEY: Great. Thanks, Keiron. Caitlin, please go ahead.

CAITLIN TUBERGEN: Thanks, Roger. I was just going to provide a quick recap of why we're discussing this issue. And that was because Mike wrote and provided an email to the group with the concern that Keiron just mentioned. I believe the specific concern—I don't want to speak for Mike. It's recorded here, is that a nefarious actor or a nefarious registrar could fashion their registration agreement to have some sort of clause that's ridiculous that could basically allow them to deny any transfer. And Mike was uncomfortable with that language for that reason.

And so, he had suggested the language material breach of any material term of the registration agreement as determined in the registrar as reasonable discretion. So there will be a materiality assessment. And in response to that, Sarah had added or proposed adding material violation of the registration agreement so that there would still be some sort of materiality assessment rather than just again, nefarious registrar abusing this clause or seeking reason to deny all inter-registrar transfers.

So that was the language we added and as Roger said, we put that out last week in hopes that Mike would comment on that and/or if there was still an issue, speak to it at this call. I don't know if there's anyone else from the IPC who is ready to speak to this issue. But otherwise, if not, support staff as Roger noted can follow up with Mike individually and say, this is the proposal. And if

this doesn't work, then you need to provide additional information to the working group to have this changed. Thanks. Back over to Roger.

ROGER CARNEY:

Great. Thanks, Caitlin. And I was just going to say that this is the work that came out of the small team. And as fortunate as I am Owen stuck his hand out, so I'll call on Owen as he was part of that small team. Owen, please go ahead.

OWEN SMIGELSKI:

Thanks, Roger. I guess, I volunteer as tribute for this. This is Owen Smigelski for the transcript. So Keiron, I understand your concerns and I took a very hard line adding this here only because of stuff that I experienced while I was working at ICANN. Contractual compliance with regards to some registration agreement concerns in there because I encountered a registration agreement that was extraordinarily draconian and basically the customer accepting the agreement would have put them in violation of that.

And so, I wanted to avoid something like that. But the rationale behind broadening the reasons for this denial is because evidence of fraud—fraud has a very specific definition. It means deceit of some type or trying to scam somebody or an illegal activity in there. It could be considered a very narrow definition. There are certain scenarios that might come up where a registrar might want to block the transfer for violation of terms of service.

So for example, Namecheap doesn't want our services being used for hate speech but somehow somebody registers a domain name that's hosting a Nazi website or a Holocaust denying website. Technically, that's not fraud and we wouldn't be able to block such a transfer. But if we wanted to, under our terms of service, which says, you can't post hate speech, we decided we want to block that transfer, we'd be able to do that as a material violation of our agreement as opposed to being forced to let somebody put something out there that us as a company does not want to escape further into the wild. Thanks.

ROGER CARNEY: Great. Thanks, Owen. Volker, please go ahead.

VOLKER GREIMANN: Yes, thank you. I agree in principle but I think the language is a bit too broad because simply put, a registrar can make anything a material violation of the registration agreement. We certainly have non-payment of fees in there. We have provision of incorrect registration data in there. We have all kinds of things that we consider a material violation of our registration agreement. And we might not want to have all of them be a reason for blocking a transfer. So I think we need to be a bit more specific. It's hard [inaudible].

ROGER CARNEY: Thanks, Volker. And again, this is a may deny, so it's up to the registrar of record to deny on those items.

VOLKER GREIMANN: If I can make [inaudible]. Yes, I understand that.

ROGER CARNEY: Go ahead, Volker.

VOLKER GREIMANN: I understand that but if registrar were to put in that you have to pay for the renewal fee one month in advance because of whatever the business model of the registrar is and non-payment in time is a material violation of the registration agreement, and that allows them then to block a transfer out where every other registrar would still allow it and where ICANN policy would usually allow it, then that might be something that we would not want because that could trigger some form of abuse of the renewals for denying transfers. So I think we want to be a bit more specific here.

ROGER CARNEY: Thanks, Volker. Owen, please go ahead.

OWEN SMIGELSKI: Thanks, Roger. This is Owen for the transcript. And Volker, I agree that that's a concern and that's why I want to put those guardrails in there and implementation note, which would be in a report and then, carried forward into an eventual policy to give some more guidelines on that. Happy to consider other wording to put that in there. I was just trying to give some flexibility to the

registrars who might want to block for whatever reason. But also, at the same, making [inaudible] you didn't cross a T properly, so we're going to deny the transfer.

As with regards to the renewal fee, I think that's covered elsewhere in the transfer policy where it says you may not block a transfer for payment of future registrations fees. And so, if a registrar would have blocked it and say oh this is a material breach, it would still be in conflict with some other part of the transfer policy which I think at that point, ICANN could step in and say, no, you can't violate part of the policy by doing an optional part of a policy here.

So yeah, I don't think that necessarily would be a concern. But I could see where there could be other problems where the registrar "considers material" versus where everybody else would not think that. So happy to consider other things maybe offline there so as not to take up more time here. But yeah, I certainly want to make sure that we have some—we don't let something really nasty out into the wild. Thanks.

ROGER CARNEY: Great. Thanks, Owen. Keiron, please go ahead.

KEIRON TOBIN: Thank you. Yeah, just in regards to—I mean, ICANN compliance, are they going to be looking for specific language in the registration agreement because then that creates an entire different situation where we are physically going to need to get legal involved to review stuff as to the reason as to why it's been

done. I don't know, it just creates more headache, I think. Thank you.

ROGER CARNEY: Thanks, Keiron. And I'll note also that Holida put in in the chat maybe something more specific and she suggested maybe something like violation of registrar's domain use or anti-abuse policies. Again Holida, she's making a suggestion in chat. So Holida, please go ahead.

HOLIDA YANIK: Thanks, Roger. This is Holida Yanik for the transcript. Yes, as compliance when we will be investigating the cases, being more specific and having a clear language. Just saying that the circumstances would be helpful for us because material, if we put a material term in here, we might also need a clarification or definition what material means in this case. And maybe I put in here, a kind of violation of registrar's domain name use policy. Just hoping to provide an idea that could help us eliminate other issues like non-payment or other accounting or billing stuff. Thank you.

ROGER CARNEY: Great. Thanks, Holida. So we have a couple of suggestions there. And Holida's suggestion I believe—Holida, you can correct if I'm wrong is, that language would replace the violation of registration agreement and basically those are the two optional things. Yes. Thanks, Caitlin. Thoughts, comments? Zak, please go ahead.

ZAK MUSCOVITCH: Thanks, Roger. This is Zak Muscovitch. This isn't a hill that I would come close to dying on, but I'm just wondering, if there is a registrant that is violating a registrar's domain use or anti-abuse policies or Namecheap's anti-hate speech policies, that's one thing. But let's imagine a registrar that—because registrars can write in anything they bloody well want into a registration agreement. They can say that you're not allowed to use a domain name for anything about the color blue. And so, someone's using it for the color blue and maybe the registrar has the right to disable them from using the domain name at their registrar.

But if that registrar wants to move it to another registrar, that doesn't have this policy, there's another willing registrar, what's the problem with the registrar of records saying, yeah, get the hell out of our registrar with that blue-related use of your domain name. If you could find someone else that doesn't have that policy and tolerates it, by all means, it's out of our hair. I think there's an important distinction between permitting a registrant to use a domain name not one that's registered in violation of one's policies, but getting them out of there is a different thing. Thanks.

ROGER CARNEY: Great. Thanks, Zak. Okay. Any other comments on this? I think we've got some good alternates here. And to Zak's point, it's one of those oddities where you may deny it but really, if they're breaking your agreements, a lot of times, you'd probably want them to go on to somewhere else or if it's bad enough you don't want to propagate it. So I think that's the sliver of the use case

there. Okay. Let's go ahead and leave this alternate language in here for now and let's jump into our next topic.

Okay. And this came from Mike as well. Rec 12 about the five days window for providing the TAC. I think 5-day, I think we've changed it to 120 hours or suggested that. And Zak's thinking that that is a little bit too long still and it's suggesting one to two calendar days as a maximum. And again, I think his last sentence there, there's probably a key here that the 5-day provisioning of the TAC window is the maximum.

Most of the time, a TAC is going to take five days. It will probably be fairly instantaneous as we've heard multiple times on our calls. Many transfers are just going to go fairly quickly. Within minutes, the TAC will probably be in the registrant's hands. But that 5-day window is what Mike is suggesting may be too long. I'll just note that in current policy, there's actually two 5-day windows, so it's actually 10-days today. There's a 5-day window where registrars have to unlock and provide the auth info.

And then, also they get 5 days once the transfer has been processed through the [inaudible] registrar to the registry. There's another 5-day window at the registry for the losing registrar to act or knock it. So today, technically, there's a 10-day window. So this suggestion in Rec 12 actually cuts that in half. I think everybody was fairly comfortable with that but I don't know that people are comfortable with less.

But Mike suggested that, so I think it's worth talking about if people are comfortable with a smaller time window. What are we gaining? What are we losing for that shorter or longer time period?

I'll open it up for discussion. Those that want to stay with the text as is, the 5-day provisioning, TAC provisioning language or a suggestion of a smaller one. Berry, please go ahead.

BERRY COBB:

Thank you, Roger. Berry Cobb. I think that this is where viewing the swimlane becomes helpful. And I'm not going to bring it up and we can redistribute the link to the recording when I went over it last time. But one of the advantages to that swimlane is it really does start to think about the things that need to be cured when that occurs.

So there was one kind of critical component that we added to that swimlane was, the moment the registered name holder requests the TAC, there's an informal decision there that is meant to illustrate that there's a large majority of transfer initiations that have no issues that would prevent the transfer from occurring in a matter of minutes. Basically, once I get the TAC, I'm able to then go to the gaining registrar and initiate all of that.

And so, when we think about transfers where there's no client locks, there's no UDRP locks, there's no server locks and it's just going to go through smoothly. Conversely, there is the issue when the transfer occurs or when the initiation request occurs that immediately flags start going up. It's locked for one reason or another or all of the possibilities that are being outlined in the deny transfer, the may, must and must not.

When you think about all of those items that need to be cured before the TAC is actually given to the registered name holder, is

to think about is these 120 hours or 5 days enough, the appropriate time to cure those things so that you can then display the TAC to them. And I think that that's really what the core we're getting down to. And I do appreciate Roger's intervention as—I don't think until he had mentioned it to us on our leadership call that technically, there is two 5-day windows and I don't think that that ever really entered my thought process until we mentioned it.

And then, now, comparing this to the change, the core change that sets all of this up is the TAC is not created until it is requested. Anyway, my point here is to think about those things, those items that need to be cured that still allow the registrar of records to resolve those cures before that TAC is presented at the maximum 120 hours. Thanks. Sorry for rambling.

ROGER CARNEY:

No. Thanks, Berry. That's a good point because I think that's the key is—again, I thanked Theo several times when we went through these processes. Theo sees the majority of names can be transferred away fairly easily and quickly. And I think that that's true and I think that this up to the 120 hours, the key is the up to and I'll throw that out. Name drop for those that—you know Marc Anderson he always likes to make sure that people understand that the up to is a maximum not a goal. It's one of those where it should be done as quickly as possible. And in most of the times, it's going to happen fairly instantaneously.

To Berry's point about that, I would say kind of nebulous group of things that can occur when a registrant requests the TAC for a 64-character domain and whatever may be fairly quick but a two-

letter, one-letter domain may have some more checks that people want to go through and before they allow that transfer to go through. So I think that that's kind of where you're trying to balance that. And again, we've cut it in half basically from current policy to what we're recommending. Taking it down further than that seems to be somewhat uncomfortable for people.

And again, I think there's a—like Berry mentioned, there's a fairly large chunk of what ifs and checks and balances that a registrar is probably going to run through in certain scenarios. Again, I think that the group seem to coalesce around the five days and that was good through the first couple of readings, and Mike is just suggesting possibly shorter. I'm not hearing—thanks, Theo. And I would say that's probably close and probably even 80 plus percent with it in 24 hours is probably the true value there.

Okay. So I'm not hearing any big support for changing the 120 hours? So again, we'll let Mike know that. He's not on the call. I think we'll go ahead and leave it as is and go to comment with this. If IPC wants to make that comment, that's great. And it's already been noted by Mike, so if that comes through, we can process it then. Okay. Any other comments on that before we close out of that? Okay, great.

So, I think we're down to any other business. I think that our next call is scheduled for next Tuesday but I'm wondering if we really are going to need that. I'll talk with staff later in the week about it. I don't know that we have anything else. Fortunately for us, our list has been getting smaller and smaller, so it's good in that we're getting closer to our final draft of our initial reports, so I think that's good.

So, I'll talk to staff later this week about it but I think that we probably can cancel next week's call unless something comes up or something on that order. But I think that will give everybody the time off for prep week if they're participating in prep week or not. We'll send out a note of cancellation or obviously, a schedule reminder for everyone if we are going to go through with it, so we'll do that.

Any concerns about not having a call or having a call next week I guess either way? Again, it kind of fits into the pre-ICANN week. Keiron, please go ahead.

KEIRON TOBIN: Thank you. I'm sorry, are we expecting the draft report just coming before Friday or are we looking at next week?

ROGER CARNEY: Good question. I don't know if we actually have a timeline on the next version of the report or if there will be a next version coming to the group. Caitlin?

CAITLIN TUBERGEN: Thanks, Roger. So when we distributed last week's notes and action items, there was an updated version of the initial report that included just a couple of changes that were agreed to during last week's call. And for those that were in attendance, those were some changes to Recommendation 9, I believe proposed by Jim Galvin. And the group had agreed to those changes. There were some specificities around RFCs and making the language around

security of the TAC a little bit more clear with a draft implementation note also proposed by Jim.

So those updates were included in the most recent version of the initial report We do have the draft language from Holidia that is in reference to the [inaudible], evidence of fraud and/or material breach of a registration agreement or Holidia's suggestion about a violation of the registrar's domain use policy. That hasn't been officially agreed to by the group but we can certainly make a red line there. And there will be an action item for the group to respond to that proposed language as well for Mike and/or other IPC reps that may still be bothered by the language in Recommendation 12 to come back with proposed language or additional reasoning as to why that language is unacceptable to see if the group is agreeable to that change.

Thus far, the group is not. So that was a long way of saying that I think what we'll do is distribute the same version of the report that went out last week with this week's notes and note the outstanding action items for the group to respond to on the list and for us to reach out to make individually about how his items were covered and the reactions that came out of that.

And in the event, there is traction or agreement to change the initial report, we'll update the language and distributed accordingly but I don't think there were any clear agreements on changes that came out of this call unless I'm mistaken and I'm happy for others to speak up if we may have missed something. Thank you.

ROGER CARNEY:

Great. Thanks, Caitlin. Okay. Well again, I think we're pretty fortunate that our document is coalescing together very well and

that we're not we're not struggling in these last couple of minutes to get everything down. Again, we'll send out a note for next week's meeting but I'm leaning toward canceling it. But again, if we have something, we'll definitely plan to meet and notice will be sent out on that.

And then, I think that just to follow along, the plan for ICANN74 is to start talking about change of registrant. Maybe this is a good break here into switching hats and moving on from the inter-registrar transfer policy to the change of registrants. Different thoughts on that and take a look at those—that next section of phase 1B, charter question scenario thing. Any other comments or questions? Otherwise, we can close the call early today. Okay, great. Thank you everyone and again, have a happy 35 minutes back here. And we'll be in touch on next weeks' call if we're going to go ahead or not. Great. Thank you.

JULIE BISLAND: Thank you, Roger. Thanks everyone for joining. This meeting is adjourned.

[END OF TRANSCRIPTION]