

**IRTP C  
TRANSCRIPTION  
Tuesday 14 February 2012 at 1500 UTC**

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On page:<http://gnso.icann.org/calendar#feb>  
(transcripts and recordings are found on the calendar page)

Attendees:

Mike O'Connor - CBUC  
Kevin Erdman - IPC  
Rob Villeneuve - RrSG  
Chris Chaplow - CBUC  
Roy Dykes - RySG  
Jonathan Tenenbaum - RrSG  
Philip Corwin - CBUC  
Simonetta Batteiger - RrSG  
Angie Graves - CBUC  
James Bladel -co-chair  
Matt Serlin - RrSG  
Rob Golding - RrSG

ICANN Staff:

Marika Konings  
Glen de St Gery  
Nathalie Peregrine

Apologies

Barbara Knight - RySG  
Paul Diaz- RySG  
Michele Neylon - RrSG  
Alain Berranger - NPOC  
Bob Mountain - Registrar SG  
Zahid Jamil – CBUC

Coordinator: Thank you. The recording is started and all lines open. Please go ahead.

Nathalie Peregrine: Thank you very much Sam.

Good morning, good afternoon, good evening. This the IRTPC call on the 14th of February, 2012. On the call today we have Mikey O'Connor, James Bladel, Simonetta Batteiger, Roy Dykes, Matt Serlin, Kevin Erdman, Jonathan Tennenbaum, and Rob Villeneuve.

From staff we have Marika Konings, Glen de Saint Gery, and myself Nathalie Peregrine. I can see that Philip Corwin has just joined the audio bridge too.

We have apologies from Bob Mountain, Michele Neylon, Paul Diaz, Alain Berranger and Zahid Jamil.

I would like to remind you all to please state your names before speaking for transcription purposes.

Thank you and over to you.

James Bladel: Thank you, and good morning, good afternoon everyone and welcome to a very romantic edition of the IRTPC PDP working group for the 14th of February, 2012.

First up on our agenda, you can see that it's posted here on the side of the Adobe Chat window here, and that was also circulated yesterday. Does anyone have any additions or comments regarding our agenda for today?

Okay. Seeing none, I wanted to give everyone an opportunity if you have to update or make any changes to your Statement of Interest.

And seeing no hands there, we'll just go ahead and proceed.

So thanks to Avri, who's not on the call, but I wanted to express my thanks for her covering the meeting last week. And I apologize if it seems like I'm still

getting a little caught up here. I - there was quite a bit that was discussed last week, and I'm still trying to get my arms around everything that was raised.

So if I double back or say something that was already covered, then I'm sure Mikey, or Matt, or somebody will just bonk me on the head and get me pointed in the right direction.

But it - from speaking with Avri and Marika, it looks like the group was able to get through the public comments and the Public Comment Review tool was completed. So wanted to put this out for a final comment. If anyone has any changes that they would like to see made before this is considered complete, please indicate so now, or we will also maybe send this - Marika, maybe we can just send this to the list one more time with a reminder that by the end of this week if we have any changes, we need to get those in.

Marika Konings: Okay.

James Bladel: So any comments or questions, or any items on this Public Review Tool that someone would like to raise at this time?

Okay. It's swift sailing through the agenda today.

The next step was Item Number 4 on our agenda, which is I admit something that I kind of lost a handle on due to being absent last week. But there was a discussion regarding subteams. And I wanted to just recap what was discussed last week and - on the mailing list, and just to figure out exactly where we are currently and where we - what needs to be done to proceed.

So I understand there was - and maybe Marika, you can jump in and correct me here, but I understand that there were proposals for several review - subteams last week to tackle specific questions that were raised either in our charter or questions that were identified in the review of public comments of stakeholder group statements.

And you know, I think the discussion was where - you know, where do we want to go with those subteams and how many do we need? And what specific deliverables should those teams be pursuing?

So is that an accurate recap? Where do we need to pick up on this topic?

Still an empty queue. Everyone's very bashful today.

Okay, Mikey. There's a flash of a hand from Mikey.

Mikey O'Connor: Actually that was Mikey getting spastic with is mouse. Sorry about that.

I think where we were at was that the group was pretty comfortable with the idea of breaking off into some subgroups. There was a discussion about, well, what are these subgroups going to be doing? And at the beginning of the subgroup process, it's primarily an information gathering campaign. And so we had the discussion about you know, should this (unintelligible)...

Whoa. That was exciting. Did that happen to everybody or just to me?

James Bladel: No, me too.

(Rob): Guys, it's (Rob). I think I have a magic iPhone when I do these conference calls that does that does that once in awhile. I'll apologize. I'll try and stay on top of it.

Mikey O'Connor: Okay. Wow. That was - all of my brains are now sprayed off to my right side through my head from the sound volume on that one.

Anyway. So I think probably the next step is to convene you know the group, and I - as I remember, there were people who kind of volunteered to be in the initial groups. The initial focus being sort of an information gathering cycle.

And, there was a discussion about, you know, can everybody and anybody join?

And I think the conclusion was yes; although at the beginning, it may be not terribly interesting for non-contracted parties or non-registrars to participate. But these weren't going to be exclusive. It was really just trying to break a couple of parallel tasks off to the side and get them going on some of the research that needs to be done.

There's kind of an informal summary of my recollection anyway.

James Bladel: Okay, thanks Mikey. And if I recall, the two topics were - or the two main topics were one, a discussion of the impact of using IANA ID versus registrar ID. Is that - was that one?

And then the other was kind of the overall impact or frequency or any kind of statistics about - regarding hijacking as (real) - the change of control issues. Does that sound familiar, or am I hearing something that isn't there?

Mikey O'Connor: This is Mikey again barging in. Sorry.

I think we should run back to the transcript and nail down - the charter was fairly well described on the call, and I'm reading Avri's note here. And I think we need to just zip back to the charter and - or to the transcript and capture the specifics, because it was a pretty good, pretty detailed discussion, but I'd hate to write the charter verbally on the fly. I think there's good documentation of what they should be doing.

James Bladel: Okay, thanks Mikey.

Marika has her hand up. Maybe she can shed some light.

Marika Konings: Yes, this is Marika. If I can just pull back up the Public Comment Review tool, because the - that discussion basically got started when we started looking at I think Comments 12 and 13, and those were basically triggered by two questions that we asked in the stakeholder group constituency template.

One of which was emanation to Charter Question B and C. The working group will be interested in further input or data in relation to the incidence of this issue to determine its scope and the most appropriate way to address it.

And Issue 13 relates to the question of a request to registries and registrars are asked to provide specific information as to where proprietary ID's are currently being used by registries and whether the use of IANA ID's instead would be preferred or beneficial.

And my understanding was indeed that the ID of the subteams would be to focus on those specific items and try to gather more information on those issues as part of the public comment. We didn't really receive much input apart from what the registry stakeholder group provided.

James Bladel: Okay, thank you Marika.

So it sounds like we have two topics, two specific questions, and from Mikey's indication, we have already started to receive some volunteers for these two subteams.

So just trying to circle back to last week and then put a bow on this agenda item, are we comfortable then as a group going forward with this approach and having these two subteams gather this information and bring it back to this - to the IRTP working group as a whole?

Let's see. Marika has her hand up. Go ahead Marika.

Marika Konings: Yes, this is Marika. One comment or question I made to Avri, and you know, I think it's in her email she indicated that you know, she has a preference for having two teams. The question I had is that, you know, as data is going to be gathered from mainly registries and registrars, where there is indeed a need to have two subteams, or whether it would make more sense to have one subteam that would define those questions and then reach out.

And it might also be a question of the volunteers we're looking, because you know, we are a relatively small group so it might make sense as well to see if it's only the same people that are interested in both subteams, whether it makes more sense to combine it into one effort.

So that was one suggestion I had made, but I think Avri expressed a preference to have two separate team. As from her view, I think she saw that it would be one more registrar and the other one more a registry issue. So I think this may be something as well too to consider for the group.

James Bladel: Okay. So let's put that question on the table for discussion. I put myself in the queue, but let's go to (Ron) first - or Roy. I'm sorry, Roy, go ahead.

Roy Dykes: Yes, thank you. This is Roy Dykes from the Nustar registry stakeholder group. I for one think it is a good idea to have two subteams. At first glance, I'm not sure what these two different items have in common, which is the reason for kind of separating them out. Even if the teams are relatively small in nature, I think there's some efficiencies to be gained there. Thanks.

James Bladel: Okay, thanks Roy.

I was going to speak in the capacity of a registrar and say that I was thinking that perhaps there's an opportunity to collapse them into one single group if we had a couple of registrars and our registry representatives that we could probably burn through them a little faster.

I do agree with you however that there's not - the questions may not have much in common, but I think that the membership of the subteams will probably have to get - you know, overlap.

And although it's not something that we usually would consider to drive decisions like this, but it's something we should maybe at least keep in mind is that additional subteams might create an additional burden on staff if they start to have conference calls and things like that.

So that was just my thinking there, but let's - we got a pretty solid representative here - group on the list here, so anyone feel strongly that this should be one or two subteams?

Let's put the question this way. Does anyone feel that this cannot be done by a single subteam?

Maybe it may be less efficient, but - okay, I see we're generating a queue here or are those folks voting?

Mikey O'Connor: This is Mikey.

James Bladel: I'll go ahead and go to Mikey. Go ahead Mikey.

Mikey O'Connor: I think the start of these is probably going to be fine as one team, because that's primarily the - going to be the same people. I think when the teams get into a later stage where they may be actually working on developing policy or proposals, they may want to consider splitting at that point because there may be folks that want to join one and not the other as the participation broadens out after the information gathering stage.

So one way to do it would be to sort of say the initial charter is an information gathering charter, and there's one team to go do that. And then either bring



the teams to a close or revisit it when the team switches over to coming up with ideas.

James Bladel: Okay, thanks Mikey. That's a good idea.

Simonetta, go ahead.

Simonetta Batteiger: I think we had a bit of the discussion about this last week as well, what the charter really is for these subteams. Is it just to find the information that we ask them to bring back to the entire group so that group can then discuss recommendations and things? Or are these subgroups also tasked with coming up with suggestions and things like that?

Because they think if the subgroups are just gathering information, one subteam is fine. If they're trying to actually get work done on the actual issue, it's probably better to have two separate groups do it because it's not necessarily the same people who would want to then discuss that.

James Bladel: Thanks Simonetta. And I agree with you. I think those are - that's a pretty important distinction we need to correct.

What if we proceed in this way? What if we were to say that the initial go around is a single information gathering or data gathering subteam that's going to report back to this group? And then based on that - those findings, we will then divide up into one or two subteams to actually, you know, address the problems and discuss the issues and come back with recommendations?

I think that that's kind of along the lines with what Mikey was suggesting, and I think that's compatible with what Avri was suggesting, although maybe it breaks it into multiple steps.

The concern that I had is for those of you who are on IRTPB and remember some of the subteams that came back with very elaborate and detailed deliberations and recommendations, once those were mixed into the PDP working group as a whole, they changed very significantly.

And I think that the risk of a subteam that tries to do too much is it can - it really needs to have those kind of sanity checks along the way from the larger group; otherwise, it can go pretty far off the reservation in a short amount of time.

So I see a lot of folks raising the checkmarks probably remember exactly which episode I'm referring to.

So Marika if we could, let's - you know, unless there's any strong objections, I think we should consider this first go around to be an information or data gathering subteam, and then we'll see based on the results of that effort, we'll see what we need to do as far as further subteam efforts from there.

But this is, I think as someone mentioned -- perhaps it was Marika -- this is a fairly small group, so I think when we get down to actually deliberating the issues and formulating recommendations, you know if we can have a bias to including as much as the PDP working group in that effort as possible, I think that that's going to save us a lot of doubling back in the long run.

Okay. Any other thoughts on subteams? Item Number 4? Or we can begin to move on to Item Number 5.

Marika, go ahead.

Marika Konings: Yes, this is Marika. I don't know if you already take to volunteers that are on the call today so we can note them down, and then you know presumably send out as well a note to the mailing list to make sure that those who are not on the call have an opportunity as well to sign up for that.

James Bladel: Okay, thanks Marika.

Is anyone wanting to volunteer today, or recalls that they volunteered last week for these things? I'll go ahead and put my checkmark up because I'll volunteer for that effort.

And then we'll put these names on a list and send that around to the mailing list and call for further volunteers. So any other folks that are interested, please indicate that to Marika either here or via email.

Okay. On the data gathering team only one so far.

Okay. So let's move on then to - oh, Jonathan. Okay, that's - sorry for that. Go ahead.

Jonathan Tennenbaum: This is Jonathan. Yes, actually I was just raising my hand saying that I'll participate in the team. I don't know a lot about IANA codes and some of the other stuff, you know, the specific questions that we're addressing, but you know if the team needs help, I'm more than willing to dive in and do what I can. So...

James Bladel: Excellent. Thanks. Appreciate the - appreciate you volunteering.

Roy?

Roy Dykes: And I'll volunteer as well.

James Bladel: Excellent. Thank you.

Roy Dykes: Thanks.

James Bladel: Item Number 5. Now we are diving into the meat and the potatoes of Issue - Charter Question A, which I think a number of us have acknowledged will probably be the heavy lifting of this PDP effort.

If you recall, the Charter Question A deals with whether or not there is a need for a change of control function. And - but we've identified that this function is absent in ICANN policy, and it is defined in some other areas. Notably some ccTLD's. And that in the absence of a formal policy number of service providers and registrars and aftermarket services have developed some - let's call it workarounds, it seems to work most of the time.

However, I think that we've also identified that it has some vulnerabilities from security - from a security perspective and I think most significantly it is exceedingly confusing. At least, that was my take away from the presentation of the subteam led by Bob and Simonetta and some others.

When we first started this effort, we put together an approach for each of the charter questions. And before we you know, jump in with both feet, we wanted to just circle back and just review our approach that we identified for Issue A, Change of Control.

So let's take a look here. I think I may have jumped the gun a little bit by getting into the first two items here of understanding the problem that we're trying to solve and providing some background on the issue.

So maybe my introduction of the topic covered those, but let's - if we can expand those two branches and just make sure that we're understanding - make sure I didn't miss anything here.

The first one is review an issue report. And I think that the issue report does have some important considerations here on this topic. I don't know that we need to re-read that on this call, but I would strongly encourage folks to take a look at the issues report and make sure that they're - familiarize themselves

with the different challenges that were uncovered when staff took a look at this issue.

And perhaps, Marika, maybe it wouldn't hurt to cut and paste that section or a link to that section and send that around to the mailing list just so that we're all - so that we all have our nice review there.

As far as the background here, and I think we addressed these. There's no current policy in ICANN that addresses change of control. A lot of registries, registrars, and aftermarket individuals are using the transfer process to effect a change of control. The aftermarket is something that came up - you know, I want to say it was a happy accident that didn't - that was not foreseen when this policy was developed.

Registrars and registrants have a confusing time trying to navigate all the different procedures. There are a lot of different providers in this area. (Unintelligible) providers is something I think we touched on briefly.

And so I think that's - you know, if there's anything missing from the background I think it's right there in this - there's a gap here in the policy. We've identified some of the vulnerabilities and confusion that result from that, and maybe there's an opportunity for this working group to address that gap without disrupting these activities.

Okay. So let's take a look at the next bullet point here. We'll talk about how this is currently achieved. And I think that we have put up here some of the differences here that we've identified that some ccTLD's have a more formal process for effecting a change of control. And I think that - I'm reading as we go, so - understanding and actually between policy and practice in experience of registrants.

Okay. So I'm not really familiar with what we were trying to say in that branch.

And then use a real transfer between members and working groups to demonstrate this. I think we had an excellent demonstration of that with the subteam (slides).

Okay, let's go back and take a look at the next branch here. We're reaching out to the ccNSO. We're scheduled to do that in San Jose.

Draw up an ideal process based on what we have learned. And I think that this is something that we have not yet done, which is what does the - what does an ideal process look like?

It's - interestingly, I'm not sure Helene Wolk, we would even begin to do that in the context of this working group. I think we're going to need to take that to the list I think first of all. And the branch here has identified that we need to lift out the security concerns, where the checks and balances would have to be, and then make sure that it captures the parties - the buyer and the seller.

Or I guess we would say something like a signor and a signee, or whatever we want to call that. Though it doesn't necessarily have to be change of control based on a financial transaction.

And then, develop a visualization of that, which I'm going to look to Mikey on that because he's just a wiz with (Mind Maps) and flow charts.

So right away, I see that we've got one task as we undertake this topic, which is to draw up what we would think an ideal process would look like.

Simonetta's in the queue. Go ahead.

Simonetta Batteiger: I'm just wondering on drafting something like this, I mean if I were to do anything like that for one of my products here at my work, I would sit down with a whiteboard and actually start like shifting things around like that. I'm not sure how we can achieve anything like that as part of our working group

calls. I'm not sure because there's no way to just like take a pen and draw on my screen here and then make everyone else see that.

Maybe this is something we could find some time and Costa Rica as well to use that in-person meeting or maybe even have just a few people there try and toy with it there where we can actually really take a pen and paper and try to like get some of this work done there. It's just an idea.

James Bladel: Yes, and it's a good idea, Simonetta. Thank you. It's exactly how I would approach this as well, but maybe the limitation we have working within ICANN that we can't just brainstorm in front of a whiteboard.

I think that's - you know, I think that's a good idea. I mean the only concern is that if we wait until Costa Rica, we might be behind schedule. We should probably have something hashed out at least on the mailing list. At least an outline of something before Costa Rica.

And then if we wanted to refine it or open it up for a wider discussion there, I think that that would be a good opportunity to do that. So maybe it's something that we could at least take a very coarse or rough swing at before then.

Mikey is in the queue. Go ahead Mikey.

Mikey O'Connor: I just wanted to volunteer to try leading a session like that on a call, either a full call or maybe a subteam could go off and we could stumble and make lots of mistakes and not embarrass ourselves in front of everybody else.

But I've been doing a fair amount of this kind of stuff in the DSSA working group, because we're sort of building an airplane in flight on that one, and so we have to do a lot of live brainstorming on those calls. And I think that although not as good as a bunch of people in a room with a whiteboard -- I

love that scene -- it's not terrible. And it could at least get us a running start on something.

And so if people (unintelligible), I'd be happy to join maybe a subgroup (unintelligible).

James Bladel: Okay, thanks Mikey. And just a heads up here. You were sounding very robotic there. More so than your normal self. So I'm wondering, are you using Skype or something? Because it might be...

((Crosstalk))

Mikey O'Connor: No. I'm juggling fax and my son, printing out his job application and doing Live Meeting at the same time, and it's probably beating the hell out of my Internet connection. So...

James Bladel: Okay.

Mikey O'Connor: ...that's probably why it sounds so bad.

James Bladel: Okay. All right, thanks.

And I agree, Simonetta, with your approach, and Mikey if we could - I see where we could mention that Adobe supposedly supports this whiteboard function, so Marika said she'll take a look to see what that would do.

But yes, I agree. We can start to hash some of that stuff out.

And Simonetta, I just want to emphasize that I think that's the right approach that you've outlined. I just want to make sure that if we wait until Costa Rica, it might be a little late.

Okay.



I'm sorry, Marika, go ahead.

Marika Konings: Yes, this is Marika. Just a note that we do have an approach as well. You know, I don't know if that's the step before you know going to the whiteboard, but actually looking at some of the country code models and learn from there. And that is actually only something I guess we'll get when we're in Costa Rica, as we have a meeting scheduled with them then.

So I don't know how that fits in with the whiteboard action and, you know, getting some information on what works and what doesn't work.

James Bladel: Yes it will be good to hear from them in Costa Rica. I think we can - we have enough aftermarket and Registrars on the team that can at least speak to some of the country code practices.

But it will be more effective I think to hear it directly from them when we're able to meet with them. But this is clearly - I think this step that we may have them just put up here in passing is going to be an important milestone, is coming up with an ideal process based on all of our findings, and then sending that process back to Registrars for review and comment.

And I would add, you know, not necessarily limiting that to just Registrars. I think that the wider of a group that we - and that too initially will probably be most beneficial.

Okay, hold a real-time workshop with Registrars and I - yes, I don't know. When we first came up with this I don't know if we were thinking that we were going to shoot more of that into the San Jose schedule.

But sure that we don't want to limit this to just Registrars and we would invite this to everyone, and then of course feedback those changes into our ideal

model. You know, it's - the next - oh I'm sorry, go ahead. Simonetta, go ahead.

Simonetta Batteiger: Well if we actually manage to have a - some initial draft and I'm sorry it won't be the final one, kind of put together before Costa Rica then maybe we could even bring that to our meeting also, the cc and the how and also just show it around there to get more feedback on something that's more graphical, because I think people have a much easier time looking at some kind of a flow chart and then say, "Oh, but it won't work here," and really point to it on that piece of paper.

Then if you're trying to ask them to comment on something that's written out and - as part of a public comment period and things like that. So maybe we could use that opportunity to gather some more feedback so we can make a better iteration of that process based on that as well.

James Bladel: I agree and that's a good idea. Take whatever we have I guess to Costa Rica and make sure that we have an opportunity for folks to comment on that.

Simonetta Batteiger: And I think it would be important to address there that we view this as a very initial draft, and that we definitely - now it's not perfect yet and we want their feedback.

So I think if we frame it that way we'll probably get much better response and a much more productive and positive one than if we say, "Oh this is what we're shooting for," and then people go all crazy because they think like, "Oh you forgot this and you forgot that and this is not good enough."

And so if you frame it as a - just as a work in progress I think it'll be much better.

James Bladel: Understood and good - I think that's very sound advice. Mikey?

Mikey O'Connor: This is Mikey. Hopefully the connection is better. I have relieved a little bit of the stress on my Internet connection. The only thought I had is if we're going to hit Costa Rica we better get moving.

We may want to try and set up an initial try at this sometime in the next, you know, between now and the next call so that - because we haven't gotten many weeks left until Costa Rica. That's all.

James Bladel: I agree Mikey and I know you volunteered and I'll go ahead and put my name out to help you with that as well. So I think if we can at least get an outline going and we don't have to have pretty flow charts at this point, but we should at least have a numbered outline and what it should, you know, what something like this might look like.

Okay, so if we can then move - I think we - we're actually a little bit further down the road here on our map here. We had - this last one here - these last three are mainly follow up.

I think that this is an important consideration. "Determine whether such a policy is even appropriate for ICANN to consider." I've got to be honest with you.

I'm not sure how to do that. I mean, we can ask for an opinion from ICANN Legal and then we can put that question out in our call for comments, or in any kind of a public workshop or public outreach we're going to have.

And suppose we get 25 responses and, you know, 12 say yes and 12 say no and one says, you know, one says I don't know. I mean, I'm just not sure that - I think that, you know, we need to get - before we - especially before we do a lot of work on this effort, I think that we should get some level of comfort with this question that this is something that ICANN can do and should do.

And I'm open to suggestions. I see Marika throwing a few - or is it Mikey that's driving? I'm not sure who has the screen at this point. But, you know, I think it's something that this group - and perhaps something that we should discuss within our own constituencies and stakeholders as we go on this path here is that is this something that everyone feels is appropriate from - for ICANN?

Is it, you know, we hear the term within the picket fence. Is that thrown around quite a bit? Is this - does this fall within that realm? You know, I'll put my hat on and say I think it does.

But if there's any strong opinions one way or the other I think we should capture the vote as early as possible and discuss it. So any thoughts from the group on how we can - and I'm not sure we will ever, you know, get any kind of ironclad ruling on this one way or the other.

But I think that for the PDP Working Group to continue in good faith, I think that we all would have to reach some level of comfort with this. Any thoughts on how we would achieve that?

We're building up a little queue here. I don't know who came first so ladies first. Simonetta.

Simonetta Batteiger: Well, I mean, I don't have to speak first. I'm just wondering about this question in general. I mean, would there be even a charter for a work group to take a look at this question if ICANN wouldn't think this is appropriate for us to consider?

Is there - and I'm asking Marika here. Is there some kind of like a broader framework of the types of things ICANN wants to develop policy around? Does - is there anything that makes us think that this falls outside of the scope of that, because otherwise if you bring up that question you could basically question absolutely anything any one work group is doing unless

there is some kind of a general charter of what work groups are supposed to be looking at?

And then is there anything that makes us think this falls outside of that scope, because if not if you raise that question of course you're going to get someone who will say, "No, no, no," and then you open the door to basically have other people in other work groups just raise the same question, and it basically becomes like a killer of policy development processes? So I'm just wondering about that. I don't know the response to that question.

James Bladel: Well that's a good point Simonetta and I'll let Marika respond. I think the fact that this went through the charter and went through an Issues Report and was voted on by the Council is at least somewhat encouraging that it's been through some of those checks already. But Marika do you want to respond? Go ahead.

Marika Konings: Yes this is Marika. This is basically exactly what I wanted to refer to, because if you look at the Issue Report there's always a requirement for the opinion of General Council to determine whether the issue that is proposed for a PDP is considered within scope, so within ICANN's mission and within GNSO to look at.

And of all the three charter questions it was confirmed that that was indeed considered within scope. Of course, you know, at the start of a PDP we cannot foresee what end recommendations might be.

So if at a certain stage there are more clear recommendations, you know, there might be a desire from the working group if there indeed is a feeling that it might not lie within the scope or, you know, if we're looking at consensus policies as those are, you know, prescribed topics, you know, maybe at that stage there's a need to check back with the General Council's office to say, "Look, this is what the working group has come up with.

Do you still consider that within scope as, you know, initially with the Issue Report?" But I think at this stage at least from a Staff perspective I don't think we have any concerns or hadn't received any indication that this wouldn't fall within the GNSO Council's remit or a PDP.

James Bladel: Thank you Marika. Mikey you had your hand up.

Mikey O'Connor: This is Mikey. This is all running right down the tracks I was going to bring up, so there's no need to duplicate it.

James Bladel: Okay thanks. I put myself in the queue. I want to take my - put my Registrar hat on here for just a moment and say that, you know, I think this issue is definitely within the realm of what working group or ICANN policy could make recommendations on for that's policy.

With one caution and that would be that if the - I think this kind of goes to what Marika was saying, that if any kind of a recommendation were to come out of this working group it would say, "You can't, you know, change control of domain names, you know.

Or you - or only Registrars can do it or only Registries can do it or, you know," or some sort of recommendation that would come out that would dramatically and irrevocably impact what we would consider to be existing industry practices.

That would - and I think that would be an example of maybe ICANN policy exceeding its remit if it actually goes down into, you know, the business practices of whole industries.

But, you know, I think that's just something that we should keep in mind while we deliberate this topic. I think that we want to make sure that it's adding security and integrity to the process and not - I don't want to say this - not

creating barriers to the primary or secondary domain name industries. So that's my only thoughts on this. Mr. Serlin you're up.

Matt Serlin: Well yes, everyone stole what I was going to say. I mean, I was just going to essentially reiterate and say, you know, that I think our job as a work group is, you know, to make recommendations based on, you know, all the work that we do and then obviously any suggested changes to policy have to go through the GNSO Council, you know, and get reviewed and voted on there and all the way up to the whole process.

So I think we should take the fact that it does fall within our remit and proceed accordingly, and if it gets to Council level and there's some, you know, issue with it then they can take it up there. But I think our goal should be to make recommendations.

James Bladel: Okay thanks Matt. And Mikey's hand went up and then down again, so did we steal your thunder again Mikey?

Mikey O'Connor: Well let me just chime in one - I'm a little concerned by the last thing you said James. I don't want to predetermine the outcome but Matt cheered me up, because I think if we come up with something that fundamentally changes the industry we did it for good reasons.

And I don't want to precondition our outcome by saying, "No we're not going to take this up if it threatens that." I think the safeguards are in place to address that issue.

If it turns out that change of control is in fact something, you know, to stay with your example, if it turns out that we conclude that that's not something that should be done and it totally disrupts a big industry, that doesn't make it bad policy.

It just makes it disruptive and I don't want to plant landmines or great concerns along the way. I'm pretty sure that we won't come up with that conclusion, but I don't want to predetermine it either.

James Bladel: Okay thanks Mikey. And, you know, if I could clarify it, you know, if we need to disrupt or change or modify an industry I think that's, you know, completely within bounds.

But, you know, elimination industries with a stroke of a pen and a PDP I think is something we need to be very careful about. That's all. And I agree with you and I think what Simonetta has posted in the chat that it doesn't sound like something that would be very likely to be on the table.

So, you know, I know that we've only spent about maybe five to seven minutes on this but it sounds like we may have talked ourselves into a level of comfort with this particular question.

Does anyone strongly disagree with that assessment of the last ten minutes of deliberation? Marika?

Marika Konings: Yes this is Marika. I don't disagree. I didn't mean to imply that but I just wondered because something I didn't see back in our approaches issue is the second part that is in the charter question, the review of the locking procedures as described in Reasons for Denial Number 8 and 9 and, you know, are presumed as maybe implicit there.

But I don't know if that should be called out as one of the elements to be considered when looking at this issue.

James Bladel: I think that's a good catch that we did omit that and perhaps we can tack that - Mikey if we can tack that into our discussion of what an ideal process looks like, if we can add that we want to - I think we need you to go up one more where the green checkmark is, and add that - include the review of locking



procedures for Reason for Denial 8 and 9 and make sure we don't develop an ideal process that does not include those elements that are called out in our charter specifically.

So good catch. Thank you Marika and thanks for capturing that Mikey. Okay, and then the last bits of the - the last bits of our approach here will be that we would then actually draft the new policy or modifications to existing policy, figure out exactly where those would need to go in terms of a new consensus policy or existing policy or language in RA or something like that probably would like - don't want to presume the outcome too much but it probably would be either an addition to or a modification of the IRTP language that we have today, or a separate standalone policy I think would be another possible outcome.

And then drafting educational materials and explanations. I think this is something that's kind of pro forma added to any policy development exercise, but it's going to be - with this IRTP and this particular charter question I think that this is going to be extremely important, almost, you know, on par with, you know, some of the outreach and communication efforts that ICANN has taken with New gTLDs because I think a lot of folks could be affected by this, and we certainly don't want to blindside service providers or different aspects of the primary or secondary market with, you know, we don't want to surprise them because we want to make sure that everybody, you know, if they didn't participate into the formation of the policy, we want to make sure that they are given significant advanced notice before it's implemented or adopted.

And that includes I think service providers, Registrants, you know, even Non-Contracted Commercial folks like who we identified earlier like auctions, you know, auction systems or SO providers. Okay Marika?

Marika Konings: Yes this is Marika. Just one more general comment that I think comes more back to, you know, once the group has the recommendations or the ideal process outline because one of the requirements of the new PDP is for a

working group also to include a statement or a consideration of the impact or an impact assessment on, you know, what the recommendations might do.

So that is something as well that should be considered and probably, you know, reflected maybe here to make sure that that is not forgotten at the end of the day, that there's an expectation that the working group provides that kind of information or at least highlights which areas might be impacted, or if there is indeed an indication that further research should be done that it should also be highlighted.

James Bladel: Okay, agree. The impact assessment that we've discussed in drafting the changes can be the roadmap to what the educational materials or explanations or FAQs or whatever needs to be produced can kind of track that.

Okay, so that's - if I'm not mistaken that was the last branch on this topic. I'll wait for Mikey to finish capturing that one and then we'll take a look and see if there's anything else.

Mikey O'Connor: You're right James. That's the last one.

James Bladel: Okay thanks Mikey.

Mikey O'Connor: I'll shrink back down so you can see the whole list. There you go.

James Bladel: Definitely appreciate you being the scribe on this. There's a lot going on here on this mind map. Okay so, you know, we've got about five minutes left in the call and wanted to just kind of tie a ribbon around Item Number 5, which is reviewing the approach.

Does anyone feel like we've missed something, a major branch or a major deliverable in addressing Charter Question A?

Simonetta Batteiger: Can we bring it back up so we can read the whole question?

James Bladel: Yes it disappeared.

Simonetta Batteiger: And also Marika can you maybe - oh I guess I can scroll myself on the right. I apologize.

((Crosstalk))

Mikey O'Connor: No it's Mikey. I'm bringing it up. I thought we were - so that's my bad. Hang on just a sec. It should be back.

James Bladel: Your printer's out of paper too Mikey. I don't know...

Mikey O'Connor: I know. That's a bummer man. You cannot believe what's going on in this household today. It's like a three ring circus so that...

James Bladel: Okay so here's our list. If there's anything missing, you know, please indicate now or send that to the mailing list. I think that we have a couple of takeaways here, the largest one I think being the green checkmark, which is that we've got a couple of folks who before the next call have agreed to sketch out what an ideal process looked like.

And again we're borrowing your term from Simonetta. This is a very, very rough first swing at this process, so it's nothing carved in stone or, you know, that we want to consider that it's just written in pencil at this point.

And then we had a - I think we had one other item. Can you expand that green checkmark? There was something else I seem to recall. Okay so that was part and parcel of that previous one.

So - but that's clearly one takeaway that we have in addition to the information gathering that we've identified for the subteams. So in the last

couple of minutes here let's recap that we are going to break up into one subteam, and we have a few volunteers for that and that's going to be data gathering for Charter Question B and C.

And we then have another - what did we want to call it, a formal subteam where we have a couple of individuals, Mikey and Simonetta and I think I volunteered for that as well, James, put on the list that we'll start to hit some of the - hit on an outline for a rough process of what a model change of control would look like. Any other action items on this topic for next week? Mikey?

Mikey O'Connor: This is Mikey. One thing we might want to do before we actually kick off the subteam is run off to where we were going to go look for models. I think we were going to - I think maybe we were going to go ask Nominet.

Somebody has - I can't find it. Well anyway, does anybody have the list of places we were going to go look for examples, because it would be helpful to have that list and have scanned it when we start doing this rough sketch?

James Bladel: Yes, I think we're going to have to put Michele's name, even though he's absent. I think we're going to have to add Michele's name to that list Mikey, because if I recall he raised a couple of examples from Nominet, EPNIC and some of the other ccTLDs.

So I think you're right and I do recall that that was something that either he volunteered or he was drafted for that.

Marika Konings: This is Marika. Just a comment on that because the ones that were highlighted in the Issue Report are Dot EU, Dot UK and Dot IE, because what I've started doing and it's something that will come to the working group shortly as well is to prepare a background briefing for the ccNSO in an attempt as well to, you know, have them prepare for the session and really try to nail down what is - it actually is that we're looking for.

And on the basis of that everybody started like building a little table of, you know, the different ccTLD models that we found and with some of their characteristics, so everybody shared that with James and Avri and, you know, following their review that will go as well to the working group hopefully, so that might be a starting point.

James Bladel: Okay thanks Marika. And I noticed that Rob has also offered his experience with UK. We are now at the top of the hour and I have Simonetta and you will be our last speaker today. Go ahead.

Simonetta Batteiger: Oh hi. Okay, I just wondered if one of the items I think we talked about a while ago is to also ask some Registrars for their experience with these ccTLD examples to see if they actually like these processes before we start modeling after something that people already say is also not working.

So I'm not sure how and where we would put this in and fit this in, but I'm - I just wanted to raise it again to see if people thought this is an important piece.

James Bladel: I think it is an important piece and I think it's something we definitely need to capture when we're discussing in terms of ideal if we were holding up an example and we hate it, that we certainly don't then build an ideal model on top of something that is generally not, you know, not well received. I agree.

Okay so let's - with that let's wrap up discussions for today. I think that we did not get through Item 6 but we I think very extensively covered Item 4 and 5.

Next meeting will be one week from today at the same time, same channel and we've got a couple of folks with some homework. So for our agenda next week look for at least an initial report back from those folks, and before we dive back into the discussion of deliberations on Charter Question A.

So thanks for your time this morning everyone and have a great week, and for those that are getting together in the interim, look forward to chatting with you.

Matt Serlin: Thanks James.

Man: Thanks.

Mikey O'Connor: Thanks James.

Man: Thanks James. Bye now.

Man: Thanks James.

Man: Thanks.

Woman: Thank you sir. You may now stop the recording.

END