

**IRTP C
TRANSCRIPTION
Tuesday 22 May 2012 at 1400 UTC**

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<http://audio.icann.org/gns0/gns0-irtp-c-20120522-en.mp3>

On page:<http://gns0.icann.org/calendar#may>
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Attendees:

Mike O'Connor - CBUC
James Bladel -co-chair
Simonetta Batteiger - RrSG
Jonathan Tenenbaum - RrSG
Rob Golding - RrSG
Michele Neylon – RrSG
Philip Corwin - CBUC
Bob Mountain - Rr SG
Kevin Erdman - IPC
Angie Graves – CBUC
Matt Serlin – RrSG
Avri Doria – co-Chair
Barbara Knight – RrSG
Chris Chaplow - CBUC

ICANN Staff:

Marika Konings
Nathalie Peregrine

Apologies

Paul Diaz - RrSg
Roy Dykes – RySG

Coordinator: Excuse me, I'd like to remind all participants this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Nathalie Peregrine: Thank you very much, (Kelly). Good morning, good afternoon, good evening. This is the IRTP-C call on the 22nd of May, 2012. On the call today we have Mikey O'Connor, Avri Doria, Barbara Knight, James Bladel, Bob Mountain, Matt Serlin, Angie Graves, Michele Neylon, Chris Chaplow, Philip Corwin, Simonetta Batteiger and Kevin Erdman. From staff we have Marika Konings and myself, Nathalie Peregrine. And we have apologies from Roy Dykes and Paul Diaz.

I would like to remind all participants to please state your names before speaking for transcription purposes. Thank you very much and over to you. And Jonathan Tenenbaum has just joined the call (equally). Thank you.

James Bladel: Thank you, Nathalie. And good morning, good afternoon, folks. Welcome to the IRTP-C Working Group call for May 22. As per our custom does anyone have any updates or changes to their Statement of Interest? If so please raise your hand now. Okay.

And following that has everyone had a chance to review the agenda, which was sent to the mailing list and is posted in the right hand column of the Adobe chat room. Does anyone have any recommended changes or additions to that agenda? Okay thanks. We'll consider that adopted.

So there has been a flurry of activity - I guess maybe a small flurry of activity since our last call. I know that we had a pretty productive Sub Team 1 or Ideal Process Sub Team call yesterday led by Simonetta and attended by Michele and Mikey that went about an hour - not quite an hour and a half.

And I noticed also that Bob - just before this call Bob sent his recommended language for the initial report to the list so I doubt anyone's had a chance to review that unless they were part of that sub team. But let's just go ahead and dive in with Item Number 2 on our agenda which is an update from

Simonetta on the ideal process and she can give us a recap of what we covered yesterday. So Simonetta if you're available take it away.

Simonetta Batteiger: Sure. So you want me to recap an hour and a half of intense conversation in five minutes or less, right?

Avri Doria: That's right.

James Bladel: Oh, you know, maybe seven minutes.

Mikey O'Connor: That's the standard deal.

Simonetta Batteiger: So we had a very good call yesterday and actually I think made a lot of progress on a number of our items which I am not sure - Marika, the email that you sent out this morning or yesterday about the new language that we have drafted for what we want to include in the report on Charter Question A, it went to everybody, right?

Marika Konings: No - no - this is Marika. That went only to the sub team because I first wanted to make sure that it actually captured what we discussed yesterday so I haven't sent that out to the whole group yet but I'm happy to pull it up if you think appropriate, you know, after you've maybe gone through this...

Simonetta Batteiger: Okay.

Marika Konings: ...the document that's on the stage.

Simonetta Batteiger: So we basically came up with a first draft of what we think we would like to include in the draft report for publication for Prague which contains both the current version of our process draft including the steps that you see on the screen right now and also some open questions that we have identified and came up with the options of what people might find helpful to discuss that we want further feedback on.

For example on the question of whether or not there should be a standard loan policy or if there should be a part of IRTP or if this should be kind of a hybrid where there's going to be transfer policy created in IRTP as well as the - there's no change of registrar - registrant piece - or two subsets of this new transfer policy.

So - and then the final item that was discussed in yesterday's call was the question of whether or the locking periods that are in the existing IRTP policy should also apply for a change of registrant. And James came up with a very nice overview of the options of when this may or may not be a good idea to do and what the status quo is and what we recommend should be done moving forward.

And both of these items should obviously be included in the report and also be items that we want to point out to the attendees at Prague because (unintelligible) this workgroup and obviously anyone else who wants to come in and then to give us further feedback on this.

So what you're seeing on the screen right now is a summary of these pieces that Marika has put together in the form of a first draft of this piece of our report. And we haven't had a chance yet to look at this within our sub team but we can take a look at this now and see if someone in this larger working group already has feedback for us on items that they have questions about or don't understand or feel it should be changed.

And obviously all of this is a draft and we're hoping to get more feedback and comments in this group and in Prague to then come to a refined version that we can use moving forward. I hope that captured everything we were discussing yesterday. Anyone want to jump in and add if I forgot something that's important?

James Bladel: I see applause from Mikey. And I'll second that here as soon as I find the little icon so, you know, good update. Bob, go ahead.

Bob Mountain: Yeah, thanks, James. This is Bob. I guess just two questions. First are we proposing here that the 60-day lock be made - be mandated and made mandatory as opposed to - I believe it's optional now right?

Simonetta Batteiger: No, Bob, that's not what we're proposing. We're not really proposing anything. We have put together a summary of - well status quo versus what we think should be done. And there is not - we're not adding that we are in consensus on all of these items.

There is one - there is one use case where both James as well as Mikey felt that it might make sense to put a lock in place which is when - not when the registrant changes but when the registrar and the registrant change over both at the same time in a certain case.

So - but that is - one of those items that definitely we all are looking for feedback on and I have a feeling that you may have an opposing view on this one and I - myself also see that this is restricting something that isn't currently restricted so there will be comments on that particular item I'm sure.

But - so we've basically just summarized what the status quo is and we tried to come up with a pros and cons for what could be done moving forward and why. And that's really all there is right now. There's no conclusion or consensus or it's not worded as we all feel strongly it should be done this way.

Bob Mountain: Yeah, okay because I guess my impression, right or wrong, would have been that that - that was a fairly significant topic and probably one for its own discussion rather than, you know, including in a, you know, in a process document like this although, you know, obviously I can see why, you know,

there would be different perspectives on the, you know, whether or not this makes sense to mandate or not.

James, I had another point. Do you want to just respond to that one or should I continue?

James Bladel: Yeah, before we go too far - just responding to that point, you know, what we try to do, Bob, is boil down all of the possible permutations - and there were several. And we discussed I think - we walked through just about all of them. And either we determined that no additional protections were necessary or that the existing protections were fine.

Except for there was just this one particular use case which is when there is a transfer between registrars immediately following a change of registrants. And we just, you know, and again there's no - we're not declaring that there's a consensus on this but I think that we wanted to capture that someone in the working group or on the sub team anyway felt that that was a special case that needs to be looked at.

And it's distinct from all of the other cases. And I think that, you know, a lot of folks point to Go Daddy's 60-day lock practice which we declared was a fairly blunt instrument and this would turn it into more of a scalpel and less of a machete because I would go after that specific use case.

But, you know, there's a lot of information, a lot of things happening very quickly here. And I think we're recognizing that we're putting things down on paper for people to comment on not to declare that these things are settled by any stretch of the imagination.

Bob Mountain: Yeah, okay, got it. I understand. I guess I'm commenting that - I would ask that we have further discussion on that particular point. That's one that jumped out at me. So - before I move onto my next point though anybody else commenting on that one?

Mikey O'Connor: This is Mikey. I'd like to jump in on that one.

((Crosstalk))

James Bladel: Go ahead, Mikey.

Mikey O'Connor: Let me try and explain what we're trying to do here because I worry about knee-jerk reactions. The scenario we're dealing with is the scenario where somebody captures someone's credentials and essentially hijacks a domain name. And what we're trying to prevent is a domain name hopping too far away from the rightful owner too fast.

And in most cases these changes of control happen - at least in this scenario - happen within - well in this scenario all changes of control - all change of registrant happens in the same registrar. And so as a result in most cases if somebody's domain is hijacked they can talk to their registrar and the registrar, as they often do today, can resolve the dispute entirely within their organization.

The circumstance we're trying to slow down is the one where a domain is hijacked and moved across registrars. And so what we're trying to do with this 60-day lock is trap the domain in the gaining registrar for 60 days so that if it's actually stolen it's not moving very rapidly across a whole series of registrars.

And so that's the intent with the lock. The premise is that a lot of changes of control can happen inside of a registrar. But when it transfers across registrars we want to slow things down. That's all.

James Bladel: Okay thanks, Mikey. I see quite a queue going here. Bob, do you mind if we continue on with this topic before moving on to your second issue here?

Bob Mountain: No, no I totally support that.

((Crosstalk))

James Bladel: Okay so Simonetta please. Simonetta, you may be on mute.

Simonetta Batteiger: You were completely right I was on mute. I had a point - I wanted to add a point to this but I'm not sure if it was - if I expressed it well on yesterday's sub team call and I just wanted to make sure that the idea is captured as well.

From my point of when we're looking at this whole hijacking thing this to me in comparison to how often we have a regular transfer with completely legitimate functionality is the exception and not the rule. So when I'm designing a new process I would like to design the process for - to make it easy and simple to use for everyone who is trying to just get the thing done that they legitimately want to get done.

And I feel that we have done a lot of work in previous IRTP workgroup where we actually designed the process to resolve the hijacking situation. So from my point of view - and that's actually one thing that I would like to see added as a comment to our own document here - it is sufficient to have the hijacking resolution mechanisms that would be applicable to any transfer that also happens to involve a change of registrar along the chain; to resolve these situations if and when they do happen and come up.

And I would prefer to leave the existing status quo alone that you don't mandate a 60-day lock just because a domain name has just changed registrars. That's my point of view. And I'm not sure if this whole entire workgroup will agree with this. But I will - want to make sure that it's included as a comment and considered when we come to our final recommendation.

James Bladel: Okay thank you. I see a green checkmark from Bob. Next in the queue is Michele.

Michele Neylon: Who naturally disagrees. I would - just wanted to echo what Mikey put it very, very well. And if anybody didn't understand what Mikey was talking about I can go through it again. But, I mean, the idea from my perspective is that if somebody wants to change registrant - control of a domain name within a registrar let them do it.

We can have checks; we can have balances. We can keep an eye on that; they can do it as many times as they want. If you're moving domain names between registrars then I would be very - I would be fully supportive of allowing a change between registrars but once it moves to the new registrar it cannot be moved again for 60 days. That would remove a huge number of headaches. Thanks.

James Bladel: Okay thanks, Michele. I can see a green checkmark from Matt Serlin and note that you were echoing some of Mikey's statements. Next in the queue is Barbara.

Barbara Knight: So this is Barbara. I guess my question would be - is - and I'm definitely in favor of being able to restrict the transfer of domain names from one registrar to another for 60 days after change of registrant and a change of registrar. And obviously the policy allows for that as well. I guess my question would be whether or not that would be systematically enforced either through the use of EPP status codes or at the registries.

James Bladel: I'm not sure - if I understand the question I would say I'm not sure that we thought that far down the road.

Barbara Knight: Okay.

James Bladel: Does that sound right? I'm looking for the other folks on the sub team to see if anyone has a concrete answer for Barbara's question. I don't think that we captured that part.

Michele Neylon: Was this specifically (unintelligible), James?

James Bladel: I think...

Michele Neylon: Hello?

James Bladel: I think Barbara is saying that we would lock the name at the registry. Does that - am I understanding you correctly?

Barbara Knight: Well I think the question would be is, you know, whether or not - we would obviously not have, you know, really insight into, you know, a change of registrant. And it sounds like, from what Michele was saying - and correct me if I'm wrong, Michele - is that you wouldn't necessarily have an issue with, you know, additional changes being made so long as it stays with the same registrar.

Michele Neylon: I have no problem with that whatsoever.

Barbara Knight: Okay. So what I'm wondering is though if it makes sense to - and I guess it - locking a domain and preventing it from transferring can be accomplished in a couple of different ways. I know that, you know, VeriSign as a registry does restrict based on some historical and legacy items.

We do restrict the transfer of a domain name from one registrar to another systematically for the first 60 days after the domain name is created. Obviously if we were to be asked to do that after a transfer of a domain name from one registrar to another. That would involve some additional development.

The other way to be able to I guess systematically enforce that particular restriction would be at the registrar level to have the registrar put the client

transfer prohibited status on that domain name at the time that, you know, that it's transferred or a modification is made.

So I guess my question would be, you know, how you would want to actually implement that. And to the extent that there would be development required then we just need to keep that in mind when we're asking for this particular provision if it ends up going through and becomes I guess approved we would just need to keep that in mind from an implementation perspective to make certain that all the parties that could be impacted by this would have the appropriate to be able to implement that change.

James Bladel: Right, okay. Good point, Barbara. And I think that you're correct in pointing out that there would be some implementation concerns if this were adopted. And there's a couple of different ways to actually enact this recommendation.

Let me - I see we've got a queue here. And I'm going to do something that's a little unheard of in ICANN circles. And I'm going to go ahead and preempt the queue because I believe Michele and Mikey have very eloquently expressed their positions on this as well as Bob.

But I am looking at the clock and I would say that Bob had another point and I would like to dive into that as much as possible and hopefully wrap that up quickly so that we can move on to Charter Question B and C and the other sub team. So I think that the way that we bring this conversation in for a landing is to say that we have I think two - maybe three but at least two sides to this issue that we need to capture in the report.

We need to engage the folks in our report - the public commenters - and the workshops as well. So I don't think that we're going to have any flashes of insight or particularly persuasive if not hypnotic statements on this call that's going to bring us all to a single point of opinion on this so I think we need further work on this.

So right now what we've done is we've just kind of set some boundaries. I think we need to discuss it further. Bob, can you raise your second issue please?

Bob Mountain: Yes, with great reluctance I move on because I did have more to say but I'll defer to the Chair.

James Bladel: You and a lot of other folks. I'm trying to equally disenfranchise everybody equitably.

Bob Mountain: No, I - so I share everyone's pain. I guess the only other comments I had on this was that - and again I compliment it; it's a very thorough I think well-constructed document so my comments are only just meant to continue the good work that's already been done.

The other comment I had on - let's see it looks like on Page 1, Bullet 1 both the losing registrant as well as the gaining registrant need to authorize the change. I just want to be sensitive of the timing of that. Taken by itself it might appear, you know, one might assume that that would be a - at the time of transfer. And, you know, there may be scenarios where the approval would be offered ahead of time.

So I would want to make sure that - or I would request or propose that the documentation that's - or the verbiage that's finally written would accommodate that scenario as well as the, you know, the immediate transfer scenario.

James Bladel: So meaning that they don't necessarily have to occur simultaneously or at the time of the change; that we can preauthorize these.

Bob Mountain: Exactly, yeah, a losing registrant would have the ability to preauthorize a transfer and not be required to (act), confirm or, you know, do anything at the

time of transfer but yet the transfer would be automatically approved on the losing registrant side. That would be my...

James Bladel: I see a lot of folks stepping all over themselves to agree with you on that. And I would say that we should probably try and capture that in this language. I have a queue of Michele and Mikey. I would ask, gentlemen, let's please keep our comments brief and we will go through the queue. So Michele, you're up next.

Michele Neylon: Just for the record since I know it's hard to capture hand signals and stuff. No, that to me makes perfect sense and that would help anybody who wants to trade in domain names. Personally my objective with any changes to policy of this space is to increase the security and remove a lot of the headaches surrounding the security aspects, the hijacking, the negative stuff.

And, you know, this also - outside of the entire ICANN circus, you know, you can enter into agreements with companies to do things that don't have to follow specific timelines and everything else. So I don't see why you can't have that.

So that if I say that I want to sell my portfolio of domain names - I'm giving Bob's company my carte blanche permission to do that and I'm agreeing to it so those domains get listed. So that - if Bob can sell those domains names for me really quickly great; I've already given him permission. Thanks.

James Bladel: Thanks, Michele. Mikey.

Mikey O'Connor: Sorry, I was on mute. This is Mikey. Just to add on I think another concept that we may want to fold into this conversation is the concept of a proxy where if Bob's company or Simonetta's acts for the registrant in those circumstances where the registrant wants to give up some of this security in exchange for ease of use and they sign a contract with the registrars that offer that kind of service.

I think that may be a way through this dilemma because, you know, I think what we're going to want - if we don't figure out a way to allow both of these things to happen we're going to have a - essentially a pissing contest between two sides both trying to prove that their use case is prevalent. And so I think we need to figure out some way to accommodate both.

James Bladel: Thanks, Mikey. That is a very intriguing idea. I think it probably warrants a little more work. It's going to require a little more work but I think that's warranted. And I think that's an interesting idea.

A question would be would not the admin contacts be a good use or way to designate a proxy? I don't know, it's maybe something that we would need to talk a little bit further but I like the idea.

I just wanted to put myself in the queue to - both as a placeholder and then to say that I think that a lot of folks are agreeing if not expanding what Bob commented on originally.

I think that the key thing here from my concern was that we - and I noticed a number of folks expressed this as well is that we wanted to make sure that the gaining registrant or the new registrant needed to authorize this change so that no one could assign domain name responsibilities to parties who were unaware.

And I think that that's captured. I think that the timing of these things is really - there should be - as much flexibility as possible. I think the proxy idea is something new but worth exploring as well.

I wanted to close this up but it looks like Bob has another comment on this so go ahead, Bob.

Bob Mountain: Okay thanks, James. I'll make it brief. I do - I also agree; Mikey's proxy idea is a good one and it definitely merits I think further, you know, a longer look. To Michele's point I totally agree with Michele that the, you know, commercial agreements can be valid.

I would just, if possible, try to avoid apparent conflicts between policy and commercial practices. So if we can have that have both in (line), great. And I would strive to do that. You know, it would sort of I think make everyone sleep better at night if we didn't appear as if there was a, you know, a hard distinction between what was actually happening and what the policy said. So that's my only interest in trying to synchronize these two. That's all I have.

James Bladel: Okay thanks, Bob. So that's the change of control. I guess we're now referring to it as change of registrant process. I think Avri made a point in the chat room - and, forgive me, Avri, if I'm misstating this. But we need to probably standardize some of our terminology before this goes into our initial report.

And that would be to note that we are referring to change of control as change of registrant. And that we are - we have new terms for gaining registrant, losing registrant. I think we had old or new or - we may have to go back and see what we had. But otherwise I think so can standardize some of the language.

And we have a couple of questions that are still open. There's still, I think, the separate but combined issue which is down a little bit further. It's actually I think the second to the last page or the - so I think that there's quite a bit to take in. I would encourage the folks on the working group to please spend some time with this document.

And, Marika, would we be able to release a revised version here to the larger mailing list here in relatively short order?

Marika Konings: This is Marika. You mean from what is up on the screen now?

James Bladel: Yes.

Marika Konings: Yes if maybe - if sub team members can just, you know, review it and send in their comments if possible, you know, by the end of today I can share an updated version including, you know, some of the discussions we had on the call now tomorrow.

James Bladel: Okay thank you. Yeah, I think the two main topics are relative to Step 5 that that is proving to be an area that needs a lot more discussion and then the item with the - the first bullet point which needs to indicate that preauthorizations should be allowed and we're looking at something called proxy authorization and then the standardization of the language. So, Simonetta...

Marika Konings: Yeah, and this is Marika. If I can ask for one other thing that indeed on the position on the locking or not locking if those in favor and those not in favor of that position can maybe send some rationale because I think it would be helpful indeed in explaining those two positions to maybe include that, you know, to facilitate people commenting and understanding the different viewpoints better.

James Bladel: Okay that makes sense. Simonetta. Simonetta may be on mute.

Simonetta Batteiger: Sorry, I always forget to unmute myself. I have a question for the whole workgroup. And my gut feel is that at this point where we are right now with a version of process drafted and the open questions phrased the way they are I wonder if we still want to continue working in that sub team or if we are at this point where we gave input to the workgroup and it now is the task of the entire workgroup to take this and move it forward?

I don't know and I want to check in with the workgroup and ask for everyone's feelings on this one.

James Bladel: I'm seeing green checkmarks which I'm not really sure because you kind of asked an either/or question so I'm not sure what green is supporting.

Mikey O'Connor: Whole workgroup.

James Bladel: Oh okay. In that case I will agree with that as well. Avri, go ahead.

Avri Doria: I mean, at this point I would think that it has been delivered to the group and unless the whole group sends it back to the workgroup and unless they feel they have any incomplete items that they felt they still need it for they could, you know, stop functioning as a workgroup unless somebody says oh let's send this back to the workgroup.

But at this point I would think that generally the work could come into the main group and we got to work on getting the, you know, the consensus determined and the initial written. Thanks.

James Bladel: Thanks, Avri. And I think a lot of folks who had their green checkmarks would agree with that and I agree. And I think that this is a good finished product for that sub team. Simonetta?

Simonetta Batteiger: Okay than I just wouldn't want to schedule another sub team call at this point but we're using the mailing list to refine these open - to add the comments in that we just spoke about.

But unless someone now brings up something that they feel strongly should be brought back into the sub team then I think we - this sub team's work is, for now, finalized. And it might be something that we may want to pick up after Prague again when we've received feedback. But at this point I don't see a need for extra calls outside of Tuesday calls.

James Bladel: I agree. And I know that's been a challenge getting everybody's schedule aligned. But I think that until we get some further feedback both in Prague and then we get to a point where we start having some impact statements that working group - or that sub team is probably complete.

And I'd like to be able to say the same thing about the other sub team so can we now move onto Item Number 3 with an update from Bob including his recommendation language that snuck in there just under the wire right before this call started off. So, Bob, could you perhaps - I see Marika is loading these and perhaps you can bring us up to speed?

Bob Mountain: Yes. Thanks, James. So apologies for the late date; last week I had some unexpected travel and things just go away. But we did, you know, manage to get it in before the call so hopefully you've all received it. And if you haven't had a chance to look at it, you know, the - it's up there on the screen now.

Essentially before - and also to the other point we may have inadvertently already made the jump to the entire workgroup. I may have misunderstood but I thought that the recommendations at this point were going to be worked with the entire workgroup rather than with the data gathering sub team so my intent was to just work that at that level.

So if everyone's in agreement with that we'll continue that way. You know, if people would rather have us iterate it within the data gathering sub team I'm perfectly okay with that too. But I'll assume we're expanding this at this point.

So I think the introduction - essentially what we're - it's maybe self evident but we will be looking for public comment from this so these, you know, both from the workgroup and eventually from, you know, from the greater community so anything we're putting here is simply a starting point.

Recommendation Number 1 is essentially noting that the, you know, the IRTF is to both ensure - ensure security but also that it evolves - it's an evolving - the domain transfer process evolves to meet new and previously unforeseen threats to the transfer process.

At this time there is no time limit on the form of authorization once it has been completed by the registrant and finalized. So as we've all agreed there is a risk that the - an unexpired FOA could then be used in a subsequent transfer. We've also noted that many registrars have already implemented time limit on their FOAs even though it's not required.

However we have noted in our survey that in fact an extremely small percentage of registrars report ever either having experienced a problem or heard of a problem with domain transfers due to the time limitations of an FOA. This applies for both registrars that, you know, have implemented the time limit and those that haven't; the number of incidences is still extremely small.

Therefore my proposal is that we do not make this mandatory but we elevate it to a best practice where documentation on how to do a time limited FOA will be available on the ICANN Website and will be included in ICANN training materials for registrars but will not be mandated as a requirement for registrars.

So I'll stop there on Recommendation 1 and, you know, open it up for feedback.

James Bladel: We have one agreement there from Mr. Corwin and we have one hand raised in the queue. Mikey.

Mikey O'Connor: This is Mikey for the transcript. I'm not sure that the - as I read this I have to parse the logic. But it seems to me that - I wish I was a better logic guy. I don't think that the pieces in this paragraph support each other. I don't think

that the fact that very few registrars have ever experienced a problem with a transfer necessarily supports the conclusion.

And again I don't have the survey in front of me but my recollection from the survey was that there was pretty broad support for time limiting FOAs amongst those who were surveyed. So I guess I'm looking at that recommendation and my initial reaction is that it's been watered down a bit and I'm not terribly supportive of it.

Bob Mountain: James, do you want to just go through the queue or do you want me to respond or how do you want to handle it?

James Bladel: Let's go through the queue and then I put myself at the end as a kind of a place mark and then we'll try to address all of those.

Bob Mountain: Got it.

James Bladel: Okay, Michele, you're up.

Michele Neylon: Okay how do I word this? I'd like to add - okay a couple of things. First of all I'm quite happy with that recommendation but with one caveat - actually I'll give it two. Well one is to - to explain to Mikey why I'm happy with it and the other is to make it a little bit - to bring it around full circle. I would add something in here that if this - that this be reviewed after say 12 months or 24 months.

At the moment if a registrar time limits their FOA theoretically - well actually it's not theory but it's all a bit up in the air; there's no real guidelines there, it's all up in the air so some - you could end up - I can imagine in a situation where if you did implement it and people were moaning about it you'd end up wasting a lot of time explaining your logic to them whereas if it's a best practice, which is laid out as a kind of an advisory or whatever then ICANN is subtly recommending it without making it binding.

Making it binding, yes, that would be probably a more forceful, a stronger message to send but I think this is quite a good - I think this is quite a good compromise. I mean, what you're saying is you're making it so that it's considered a best practice and so that most registrars will probably do it anyway. At least that's my reasoning anyway. Thanks.

James Bladel: Thanks, Michele. Simonetta.

Simonetta Batteiger: What I like about this proposal is that it actually is kind of a nice compromise to what we had just been talking about with the whole proxy conversation and all these things because one way to achieve this you give your authorization for the sale very early on and then you don't have to do anything at the point in time where a transfer is happening is exactly by using this FOA.

Give it up front when you list the name for sale and then it kind of stays there until maybe the name sells. Whereas - and that's (up) and choice that someone is making with the registrar and/or with the marketplace like Sedo or NetMedia versus other registrants that might not even think about listing their names for sale could have something set up in their registrar system where the FOA isn't saved and stored for any continuous amount of time and expires quicker and/or whatever.

But it kind of leaves choice and gives options so I really like that this is flexible in that regard. In terms of the best practices for time limiting FOAs if there were some things recommended such as, for example, whenever a registrant information changes over make sure that any preexisting FOAs also gets taken away; stuff like that makes sense. And if we can come up with a list of these type items to support this I really think this is a nice way forward.

James Bladel: Okay thank you, Simonetta. I had a couple of comments here and I also wanted to put myself at the end of the queue to turn it back over to Bob. I kind of agree with both Michele and Mikey. And I know that may sound a little contradictory so let me back that up a little bit.

I think that I like this as a compromise position. And I think that it established something as a best practice and certainly registrars who are concerned about the potential or real problems associated with unlimited FOAs would probably adopt this best practice.

But I agree with Mikey that the conclusion is not necessarily supported by the language prior in the recommendation. In fact - and I'm just kind of being a little weird here - is I think that what we have here under Recommendation 1, and again with Recommendation 2, is everything that comes before the underlying sentence is actually a finding or a recap of the working group's findings and then the recommendation is the underlined part. So I would recommend that we change our report to reflect that.

Furthermore I think that the survey also described whether or not there would be any negative impact if this were adopted. And while I think that the language does state that there has - the problem is not very well substantiated I think that we're missing a bit here that the survey also said that there was probably no negative impact for time limiting FOAs or that it would be minimal.

So I think that that needs to be captured in here because I think we're unbalanced if we leave that out. So those are my thoughts here; I think that we need to break up each of these paragraphs into finding and recommendation and then the finding for - the findings for the first section needs to be beefed up to balance out that - there didn't seem to be any perceived harms.

But otherwise I think we can probably go into the initial report with this as it stands. Thanks. Turning it over to Bob then.

Bob Mountain: Okay thanks, James. Excellent points and I appreciate the guidance. And I would be the first to admit that it doesn't really flow and it needs work and so I appreciate the input.

I think to Mikey's point I think what I was trying to say, Mikey, is that the - let's see, while there was support for the implementation of it there was not necessarily the need. In other words the stated problem was not significant or even I would hold material and therefore we sort of have our cake and eat it to by allowing the registrars the option to do it or even making the recommendation that they do it but not making it mandatory.

For those people that do feel it's a problem they do have the option to do it but it's not necessarily mandated just because, you know, the reported problems - the incidents of reported problems was so low. So that was why I came up with what I came up with but again just a first cut. And thank you all for your feedback on this one.

James, we have Barbara in the queue. Should we take that one?

James Bladel: I'm sorry, now I was on mute. Barbara, can you wrap us up on this one?

Barbara Knight: I hope so. This is Barbara. I'm a little concerned that there's still some confusion over what the FOA is. Because from what I'm hearing from Simonetta it sounds like she wants to have just a general FOA. When you look at the language, that can be held indefinitely, and it's kind of assuming that the I guess registrant would somehow complete this.

But it sounds, to me, when reading through the language of the FOA that it's really intended and would be kicked off at the registrar when they receive a request from a registrant who wants to move their name to them, to really

detail the specifics associated with that specific transfer from, you know, their - registrants/registrar of record into the gaining registrar. So I guess I'm just a little confused or I guess I'm questioning whether or not there's still some confusion about what the FOA really is and what its intent is.

James Bladel: I'm not sure I know how to respond, Barbara. It's possible that we're confused about that the FOA - what the intent of the FOA is. What do you - where do you see us going off track?

Barbara Knight: Well I guess, you know, when I'm looking at the language of the FOA, I mean, it basically just says very specifically it says, you know, the current registrar of record for this domain is X; that's optional language.

But it just says - it says that the gaining registrar has received a request from whoever the entity is requesting the transfer via whatever the method is whether it's email or fax or whatever. Well actually with a request for email address and what have you. And it says on this date for us to become the registrar of record.

So, I mean, it really is specifically related to a specific transfer request versus just - I know Simonetta was indicating, you know, something about being able to just have this on file for use later. And I guess it doesn't really seem to me to be the intent of the FOA to be used in that particular manner.

So I don't know, maybe, Simonetta, you can expand on that a little bit. I mean, I don't want to completely sidetrack the entire call but it just seems like there is some confusion that - to me that I was under the impression that the FOA was really for a specific transfer from, you know, Registrar B into, you know, the gaining registrar, Registrar A or what have you.

So from that perspective it seems like, you know, the intent is for this specific transfer only and it does make sense to time limit it to a degree. I'm happy to leave it up to the registrars if they want to implement it as a best practice. I do

feel that it would be a good best practice but that's just my opinion I guess.
I'm not sure if there's anything you really can answer to that, James, I just...

James Bladel: Well...

((Crosstalk))

James Bladel: Well, I see your concern and I can just - if I could just maybe hope to address it quickly. I'm probably going to open a can of worms here. But it has been, I think, a practice for a while now, at least in the aftermarket registrar space to get approval or an FOA in advance and then when the transfer occurs to then execute the FOA with the date and the gaining registrar at that time but understanding that there's no need to go back then and reconfirm that with the registrant.

So I think that this has been done to kind of - if you can think of it as, you know, like with real estate where you would list a piece of property and then you would preauthorize the - in this case the registrar acts almost as an agent to process that transaction and then they have this sort of - I want to say like a preauthorization document to go ahead and sell that.

You know, and I don't know that it's right or wrong I just - I know that it's fairly prevalent currently. And maybe that's not something that the registry has a lot of visibility to.

But I see Bob and Simonetta in the queue and I note that we have seven minutes left on our call. I think what we need to do, especially with this recommendation is perhaps give Barbara and Mikey an opportunity to weigh in before it's included in the initial report.

And if there are others on the mailing list that feel strongly the way they do then perhaps we can break it down into options for whether that's best practice slash mandatory and see where the comments come down.

Bob, would you be willing to take us into Recommendation 2?

Bob Mountain: Yes, absolutely. And again on this one, you know, probably on a little less firm ground just because it's not the - necessarily the space that I operate in. But Recommendation 2 was obviously the IANA ID versus proprietary ID. And the workgroup notes that under the current system we have an ID from ICANN and a proprietary ID from some registries.

While most registrars hadn't reported problems from the use of proprietary IDs the majority felt that standardization would simplify the transfer process. The - we also noted that the impending release of new TLDs will introduce potentially hundreds of new proprietary IDs into the system. I guess we could infer from that further complicating matters.

As such the recommendation is that new registries standardize on IANA IDs. We recommend also that the existing registries that currently use proprietary IDs switch to IANA but be allowed to continue to use their proprietary IDs. And finally the workgroup recommends that the option to maintain the use of proprietary IDs be reviewed in 24 months and reconsidered.

So I hope that's - I hope that's clear. Again, first pass at the wording. At this point I'll open it up for comments.

James Bladel: Thanks, Bob. Just quick comment here. Again I would ask that we break this into finding and recommendation similar to structuring the other one. And I think that you're correct; you've identified something here which is that as a registrar our concern is that the new gTLDs would all adopt their own little scheme and that we would have to manage all of that.

It might actually be more work to fix it with the legacy folks so I think the idea of having them grandfathered in would probably make a lot of sense. I would prefer that we have more of our registry reps on the call. I know we have

Barbara, which is great but I think that Paul and Roy probably should weigh in on this topic as well.

And then the only thought would be I'm not sure if we're married to the concept of 24 months or if we just want to say review, you know, in the future or something or perhaps at the end of this process to see if it's working. So those are just my comments here.

And I don't know if this a topic that's particularly controversial but I kind of like the compromise of grandfather in existing but new gTLDs should adopt the IANA ID as a standard.

Were there any other thoughts or comments on this before we proceed? Oh my goodness; an empty queue but Barbara has pointed out in the chat that she still has concerns.

Okay so we're making progress here. And clearly we're running up against those issues that people feel very strongly about and that we have split opinions and that's good; that means that we have boiled the oceans of all the possible permutations and boiled them down to two or three positions on these critical questions.

We're about ready to hit the top of the hour. I see Simonetta is going to drop off. But I wanted to just touch on a couple of things. First off is that we are pushing to get some updated draft of the initial report so, you know, the folks who are on the agile process team or even the working group in general if you could weigh in on those items that we identified in Simonetta's update.

And then Mikey, I know Mikey and maybe some others who feel fairly strongly about the first recommendation of this group. So please weigh in on the mailing list so we can incorporate those into a new draft of the initial report that we can release before our next call and that we can discuss that.

And then I think that beginning next week and the week prior our goal will be to review that initial report. And we're going to have to do a lot of homework here because if we go through the initial report on the call we're going to run out of time.

We have a document publication deadline that we're going to have to meet fairly shortly. And so we're going to ask that everyone please read the report offline and then come to the call prepared with comments because we're going to go through that fairly quickly.

Second thing is is that this is a holiday weekend in the US. I know a lot of folks take a three day weekend and they either add the Friday or the Tuesday and make it a nice four-day mini vacation. I just wanted to let folks know that while I'll be traveling over the weekend I will be on the call next week.

But if you know now that you're not going to be attending next week's call I strongly urge you to please submit your comments as quickly as possible either on these open questions or on the draft initial so that we can get them on the record even if you're not here next week.

So with that we'll go to Marika. Go ahead, Marika.

Marika Konings: Yeah, this is Marika. Just to note that I think it might be easier if the, you know, the different parts that we've discussed today that we keep them for now as separate documents as it will be easier just to, you know, circulate those on the mailing list and produce different drafts and leave the rest of the initial report of which I circulated, you know, the latest version on Monday as a separate document and really encouraging people to already look at that.

Because I think those pieces are all, you know, ready as they are. I think this is what we're looking at now - these two, you know, parts; those are the ones in flux and where we need to finalize and do some word-smithing. So if people can already focus on as well the other document and, you know,

provide any comments or edits they have or anything they think is missing, you know, so I can really start working on that as well.

And then, you know, I'll make updates based on the comments that will come in today to, you know, the proposed text for the Charter A question. And I'm assuming that Bob hopefully can do the same. And I'm happy to support there on the recommendations for B and C so we can keep on circulating those to the mailing list based on the feedback that is received.

And I think as we discussed in some of the items where we don't have disagreement or where we have disagreement, you know, we might want to op, you know, into outlining the two different positions with some rationale. And specifically encouraging people to provide input that will hopefully then in the next stage, you know, will help the working group come to some kind of conclusions or agreement on what the recommendation should be.

James Bladel: Okay thanks, Marika, and I agree. Can we send both of these documents as well at the draft initial to the mailing list and specifically call out those items where we want folks to weigh in on those two separate documents and then we can build them into the initial report?

Marika Konings: Yes.

James Bladel: Okay with that I note that we've got some folks that need to drop off and it is the top of the hour. I think we made a lot of progress here, folks, I think we are getting close to a structured report - something. We're going to have a lot of things to talk about when we get to Prague and I think that's exactly where we wanted to be at this point.

We're maybe shorting ourselves a little bit in our timeline to review the report but I would say that that just means we're not going to have bedtimes stories and read it to one another over teleconferences which is probably a more efficient use of our time anyway.

So please watch the mailing list. For those of you who are traveling or whatever stay safe. And we'll catch up the next week same time. Thanks.

Nathalie Peregrine: Thank you, James.

((Crosstalk))

Mikey O'Connor: Thanks, James.

END