

**IRTP C
TRANSCRIPTION
Tuesday 29 May 2012 at 1400 UTC**

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<http://audio.icann.org/gnso/gnso-irtp-c-20120529-en.mp3>

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

Attendees:

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

ICANN Staff:

Marika Konings
Nathalie Peregrine
Glen de Saint Gery

Apologies

Paul Diaz - RrSg
Kevin Erdman - IPC
Alain Berranger - NPOC

Coordinator: You may begin.

Gisella Gruber-White: Thank you very much. Good morning, good afternoon to everyone. On today's IRPT C call on Tuesday the 29th of May we have Hago Dafalla, James Bladel, Mikey O'Connor, Barbara Knight, Matt Serlin, Avri Doria, Michele Neylon, Bob Mountain, Chris Chaplow, Simonetta Batteiger.

From Staff we have Marika Konings, Glen de Saint Gery and myself, Gisella Gruber. Apologies noted from Alain Berranger, Kevin Erdman and Paul Diaz.

I hope I haven't left anyone off the roll call. We have Roy Dykes who has just joined us on the AC room as well who will hopefully be joining us on the call, and Phil Corwin has just joined on the call.

If I could also please remind everyone to state their names when speaking for transcript purposes, thank you. Over to you James.

James Bladel: Thank you Gisella. Always a pleasure and before we get started with our agenda, I noticed that there's some dialog in the chat box that the operator is telling folks that the call starts several hours from now.

So Gisella if you wouldn't mind, could you maybe check in with our operator and see what's going on there?

Avri Doria: Yes, because my operator had no problem.

Gisella Gruber-White: Absolutely. It's Gisella here. James I'll take care of it.

James Bladel: Thank you. Avri it seems to be the luck of the draw. It seems that there's someone who's new on the job and telling folks that they're very early for the call.

So welcome everyone. As Gisella mentioned this is the IRTP C PDP conference call for May 29, and as is our tradition and custom the first step is does anyone have any updates or changes to their Statements of Interest?

If so please indicate by raising your hand. Okay, thank you. Seeing none we'll move on to the next item, which is to review the agenda that is posted in the right hand column of the Adobe screen as well as was circulated by Marika to the mailing list yesterday.

Any edits or changes or questions regarding our agenda? Okay, thank you. We'll consider that agenda adopted and of course we'll change it as we go along if necessary.

So today's call will be primarily to review the draft language of the recommendations that was circulated last week by Marika, and some of the questions, comments and responses that those generated on the mailing list.

I don't know that we will resolve all of the issues, but I think it should be a goal to get through the three sets of recommendations for Charter Questions A, B and C.

And then if we have further discussion or if we can tell that we're starting to go deep dive into one of the topics, then I would recommend that we conserve our teleconference time as much as possible because we are starting to approach some important deadlines, and take those conversations to the mailing list because - and then hopefully by the end of this call we will also be able to establish a deadline by which we would close off discussion on the mailing list.

Now I think it's a little early to declare any particular issue closed unless there's unanimous feeling that we should start winding down discussion on some of the less controversial points.

But if - then if that's the case we should be working towards placeholders or questions where we can direct feedback and workshops, or questions that we can specifically ask in our calls for public comments.

And I think that that's a good approach to identifying and labeling any gaps in our agreement or any areas where we still need more information or more feedback from other areas of the community.

So let's go ahead and dive in to the draft recommendations for Charter Question A. And I think Marika is this what we're currently looking at here? It says it's - I think it's coming from Bob. Was he the latest author of these edits?

Marika Konings: Yes. Yes, this is Marika. Would you like me to just go through the document and, you know, just highlight the changes that were made following the last discussion and as well the edits that were provided by Bob?

Avri Doria: That would be good.

James Bladel: Sure let's - if you could tee us up and then we'll take a queue for discussion, and we'll do that for each of the three documents that were passed around, right.

Marika Konings: Okay. So this is Marika. So we had a initial version of this language up for review for the last meeting and what I did -- and red is the tracked changes -- I made, you know, based on those discussions and then, you know, there's also some other language that was sent by people to the mailing list or added into the document.

So starting at the top the first change there is in the first bullet point there, updating the terms to reflect what we agreed on previous calls and it should be prior Registrant and new Registrant instead of losing and gaining.

And also adding here the notion that authorization could also be provided by the prior Registrant in the form of a pre-approval or by a proxy, and which we also discussed at the last meeting.

Then you see a whole new section here going down on the same page that basically explains in more detail the discussion we had as well on the last call whether there should be any restrictions following a change of Registrant or having a change of Registrar.

And it basically outlines the two views where I think some members of the Working Group feel that there should be this 60 day restriction to change a Registrant - to change Registrars after change of Registrant and other view that supports that there should not be such a restriction.

On the - in the first view I've taken there I think language that was sent by Mikey to the mailing list outlining, you know, why he feels that there should be such a restriction, which I think was also supported by Michele and I think others.

So that would, you know, encourage people that, you know, support that view to make sure that it, you know, reflects their views on why such a restriction should apply.

And now on the other view Bob has provided proposed wording on, you know, why he feels that such a restriction shouldn't apply. And again there I would like to encourage people that, you know, are of the same view that there shouldn't be a - such a restriction to have a look at that language and see if that, you know, meets their views or whether there should be any further changes. So that view being here...

James Bladel: Okay, and just for clarity - I'm sorry. Just for clarity the pro or - now I don't want to say pro. The first position is in red and the second position is in blue, is that correct?

Marika Konings: Yes correct, partly. The blue language has been added by Bob and that's a rationale. The first part of that sentence is in red because I added that

sentence, but I left the next part open basically asking Bob and Simonetta to provide wording there I think, as they were the most vocal on the last call on the position that there shouldn't be any restrictions.

James Bladel: Okay. Can we pause there for just a moment because we have a pretty good attendance on this call? And I wanted to do something, not a vote necessarily because that's a forbidden topic here within ICANN PDPs, but I'm trying to understand which of these positions is the majority and which is the minority or if they're relatively roughly equally split.

So could we say for example if you support - we're going to put 60-day loss I guess is on the table, 60-day transfer prohibition after a change of Registrant. Can we have green tick marks if you approve of this or consider yourself supporting this, and red Xs if you consider yourself opposed to this?

And let's just get an idea of how - where - how this breaks down, because I really don't know which is which. I see we're kind of accumulating here. I don't know.

We got some greens and some reds. I mean, okay and then is there anyone that is not - that is on the call that is not currently on Adobe or not able to register their support for either?

Angie Graves: Yes, Angie Graves. Go green for me. Thanks.

James Bladel: Green for you. Anyone else? Thank you Angie by the way.

Phil Corwin: Yes this is Phil. I'm having a computer issue and can't see the text at the moment. It should be fixed in a few minutes.

James Bladel: Okay Phil, but in general do you come down on the side of wanting to have that 60 day period where a domain name cannot transfer to a new Registrar, or would you rather see that go away?

Phil Corwin: Let me think on it and then weigh in once I'm logged in, okay?

James Bladel: Okay.

Phil Corwin: Thank you.

James Bladel: There's tick marks disappearing now and I think maybe that times out, but it looks like we had about three, four - three or four red Xs and then - and maybe twice that - maybe eight green check marks.

So, you know, not - yes okay. So I'm sorry. It was a count of 9 to 3 so I was just eyeballing it but thank you. So okay, well I think I was just trying to understand whether this was split down the middle.

I honestly thought perhaps it would've been reversed, nine red and three green. But I think it's just important to see what the general sentiment is as we go forward.

And so I'll let you continue Marika but wanted to indicate that we need to direct commenters and workshop participants to this question in particular, because I think we need to start to get past this one. Thanks.

Marika Konings: Yes this is Marika and if I can just ask for clarification. Do you want me to note that in the report basically saying that the first view - it seemed to be supported, you know, seemed to have strong support, while those that, you know, voiced significant opposition supported the alternate view, or do you want to leave it as is which is more just saying that there were two views that were put forward and leave it more neutral somehow?

James Bladel: I think definitely leave it more neutral if we include anything at all, because now we're starting to stray into consensus calls using chat rooms, and I know that some folks have some discomfort for that.

And I see Avri's hand up so hopefully she can provide us some guidance. Go ahead Avri. Avri you may be on mute.

Avri Doria: Yes. I think I respectfully disagree. I think it's important at this time to start capturing these things. They could change so I think what you just did was kind of like a visual hum.

And the way we find what the consensus point is, is by taking a guess at it. I think the guess that comes out of this meeting is there's strong support with significant opposition.

Then you - and then you list the significant opposition. And also from reading Simonetta's notes I think there's probably a third position that needs to be added as part of the opposition, because also in doing that split we just sort of said, "There's strong support for View Number 1," and then we didn't - and then there are other views.

We didn't then go through view by view and that's fine but I do - it does look like Simonetta probably has another view. I think in an initial report it's important to say that, you know, "At current glance we believe that there's strong support."

You know, you can couch it in but I think we have to start putting those things down now if we're going to get to a final report that has them, because we need to get people to say, "Yes, I think that's right."

"No, I think you've got it wrong." And if we don't put them down we don't get that. Thanks.

James Bladel: Okay thanks Avri and I think that that is important that we do characterize it with - as a strong consensus with significant opposition. I think that is the

correct assessment and that we can put that out there, and then gauge the level of response.

Simonetta has described or referred to a hybrid approach or a one or the other approach. Perhaps Simonetta, you know, you could describe that by changing - by offering some edits to this document or did we - is it further down and we maybe jumped the gun on that one?

That would be another question. But then I'll go to Michele and then I wanted to turn it back over to Marika for continuation of the document. So Michele you're up.

Michele Neylon: Thanks James. I'm going to do something very, very strange for me. I'm going to violently agree with Avri. I think it is very important that, you know, that we can't just send through some kind of report, even a draft report, saying, "Some people like something, some people don't like something."

That's like incredibly vague and totally useless. It's pretty obvious to me that as Avri worded it - what was the wording - strong support with significant opposition in ICANN speak would be the current state of play with regard to the two different options here.

And I don't see why that's an issue that - why we can't put that into a draft report. Thanks.

James Bladel: Okay thank you Michele. And with that let's move on then to the remainder of the document. But I do agree that it was fairly - I'm going to defer to Michele and Avri and say that we should Marika include that statement or that characterization of the level of support for this proposal.

Can we then move on to the next part following? I think it's as a result of these deliberations or is that the next section?

Marika Konings: Yes this is Marika. And just to know that, you know, there is still one sentence there as well after this section that specifically calls public input on the two different views, you know, to help inform deliberations going forward.

And I'll indeed clarify that the two, you know, the support that was there and hopefully it will help people as well then to provide their input. Then there's some other small changes to the different steps, basically just updating the prior and new Registrant.

And then on Step 5 I've made there a, you know, we haven't had a final agreement on that yet either, even though there is, you know, strong support. Significant opposition I added there the possible Step 5, and then between brackets the, "As outlined above the Working Group has not decided yet whether this step should be required or not."

Or maybe I can change it. "They have not taken a final decision yet, you know, whether this should be required or not," just to indicate that this is still under discussion.

Then moving on to the notes, there is actually still an element highlighted there in yellow basically noting that the change of Registrant is defined as an update to any of the following: a primary contact, email, name, organization.

And there's between brackets, "Make email required per a Rob Golding email." I think that's a note that was added by Mikey. I don't know if that's still needed in highlight or if there's something needing confirmation from the Working Group at this stage or - as there haven't been any comments. People are happy to leave it as is and just take away the bracketed language.

James Bladel: Well, let's circle back to that because I think that that is important but I want to make sure that we're not being too restrictive with that. So I did have one question.

Where will these notes go in the draft report, or are they being discarded or will they be preserved somehow?

Marika Konings: This is Marika. The idea is that this - these pages are just inserted as is on the section of the recommendations, so that the notes are part of the outline procedure.

So - and it gives some further insights to the Working Group's thinking. That was at least my idea behind this document, so it really would be inserted together with the process and, you know, followed then by the, you know, the different sections there. So it's basically a cut and paste idea of this document into the initial report.

James Bladel: Okay. I'm thinking that perhaps the notes should be attached to that area where that - but we can discuss formatting later. I don't want to take up our time on that today.

But - okay, so for this one I think is Rob - Rob is not currently on the call. Mikey would you - I think Marika attached your name to this rightly or wrongly. Do you have a - any kind of context you can provide here sir?

Mikey O'Connor: This is Mikey for the transcript. I was using several emails as the basis of this, and in the case of Rob's the outline that you see in front of you pretty much tracks with what he said in the email with one suggestion, and that's the one that I highlighted.

I wasn't sure about that one so I just - I called it out and put it in yellow so that we could discuss that more broadly. It would be probably helpful to have Rob on the call for that part of the discussion, because I didn't know quite what he meant.

And so I haven't got a whole lot to add except that for the most part this aligns pretty much with what he was suggesting, and this is the one exception.

James Bladel: Okay. Thanks Mikey. I raised my hand to offer something from our perspective as a Registrar. GoDaddy is probably notorious or infamous, however you want to look at it, for being one of the more sensitive Registrars to changes of Registrant information and what we consider just an update, a routine update of WHOIS information versus what we consider to be reassignment of the domain and registration.

We do not include the email address. We recognize that people will occasionally change email addresses or that in some activity unrelated to, you know, to a change of Registrant for example if there was a transfer or something along those lines where someone would just have occasion to go and review their Registrant data, that they might notice that a, I don't know, email address looked at in their WHOIS data was out of date and make a change, and then we wouldn't want them to inadvertently block transfer of that domain name through that method.

So I'm coming down as a representative of a very what I would consider strict Registrar. I'm coming down in the position that the changes should be triggered by - change of Registrant should be triggered by name and organization, but not one of the contact methods such as email or telephone.

So that's just my opinion on this. Okay, can you continue with the remainder of the notes Marika?

Marika Konings: Yes this is Marika. Can you then just confirm what we do with the yellow language? Can we just take that out for now or should we make a note that that's still under discussion or further detail is under discussion or...?

James Bladel: I think I would like to see it taken out. Any strong opponents of that? In ICANN world the silence is agreement, so any - or silence is often taken as agreement.

So anyone believe that it - feel very passionately that it needs to be included, that a change to an email is considered a change in Registrant? I see - okay, Michele go ahead.

Michele Neylon: How do I answer this. I'm currently writing a rather large rant about Registrant validation and verification, and of course email is one of those - is one of the areas that causes me the most - one of the most - one of the largest headaches. What is the actual wording at present James, just for my - for the...?

James Bladel: I don't know that we have any wording. It's - we're defining what a change of Registrant is and we're saying that it's a, you know, a new entry in the fields of name, organization and the proposal on the table is, "A new entry for the primary contact method," which would be requirement for email I believe.

I'm paraphrasing but I think that the idea is which fields in WHOIS should trigger this discussion of, "Yes, now we're talking about a change of Registrant?"

Michele Neylon: Right. Well okay, the thing I would say is this. I mean, this - I don't know how to actually word this sanely but I'll try. Most of the Registrars I deal with both - and by Registrars I mean primarily ccTLDs, have a clearly defined concept of a domain holder and, you know, which - and they have obviously a very clearly defined concept of a change of holder.

But as we're discussing - and I am supportive of the idea of locking down domains when there is a change of Registrant, I'm very, very wary of explicitly including the email field as a - an identifier of a Registrant.

However I'm also very conscious of the fact that the email field in many respects is possibly the only bit of data that you can actually rely on, so I'm quite conflicted. Thanks.

James Bladel: Well Michele, maybe I can help. In my theory - thinking, and I'm not - I'm speaking just in a personal capacity. In my thinking if the email is invalid to begin with, it's going to be invalid anyway.

This is not necessarily an accuracy issue. This is a change. So if someone comes in and changes the email whether to make it more accurate one could assume, does that mean that they have, you know, reassigned the name.

So I don't know that the accuracy or validity of the email is necessarily on the table with this discussion, but that's just my feeling. I'll go to Jonathan next.

Jonathan Tenenbaum: Yes this is Jonathan here. And, you know, I think Mikey just made a comment in the chat saying this is something that probably needs a little bit more thought.

But I do think - and I agree with that but just to kind of throw my 2 cents in. I think when the email by itself changes - and I agree with what Michele said too.

I mean, there are definitely concerns, you know, when an email changes and, you know, it being such a, you know, key piece of the Registrant's contact information.

But when the email address by itself changes without changing any of the other contact or Registrant information, I think that you'd be pretty hard pressed to say that in and to itself is a change of control, because if none of the other Registrant information is changing and it's just the email, I mean, really then it's just the contact, you know, it's solely the contact information by, you know, by itself at that point.

You know, I just don't see how that becomes a change of control if the rest of the Registrant information is staying the same. I mean, if it's a company that owns the domain and it's a different contact, but at the same time it's still the same Registrant that is, you know, it's the same Registrant.

So I don't think again, you know, my 2 cents just in this, you know, limited context is just that when the email address is by itself changing, although it could be a marker of, you know, of fraud and some of the other things.

I think just for the purpose of defining or identifying it as a change of control, I don't think the email changing by itself qualifies. Now whether or not that change is, you know, whether a Registrar or, you know, or even a, you know, if a Registrar want to have other safeguards in place, you know, to prevent the transfer because it's evidence of fraud when an email changes and, you know, part of some, you know, some other transfer, you know, part of the transfer, I mean, that is sort of a separate issue.

But I think just as far as defining change of control, email by itself changing, I don't think necessarily it qualifies by itself so - and it's just my 2 cents.

James Bladel: Okay thanks Jonathan. Marika, do you want to weigh in on this and then move us through the list please?

Marika Konings: Yes this is Marika. Just to make a suggestion on maybe how to move forward on this, maybe we - what we could do is take out it as a bullet point but just note underneath it something like, you know, "The Working Group is still considering whether a change of primary contact method on itself or possibly in combination with other changes should also be considered a change of Registrant and is - want comment input on that," something like that.

James Bladel: Yes I agree and I think that captures the flavor of Rob's - comments from Rob and others and it - but it still kind of establishes the support for the default position, so I think that's good.

Marika Konings: Okay, I'll suggest some language there and people can have a look at them then. So moving then further down the list there's still here as well another one.

There's separate policy or part of the IRTP on Page 4. Again a question here if we want to include or do a little poll on what people prefer so we can actually include where the Working Group is currently leaning, whether it's, you know, that this should be a separate policy, whether it should be a combined policy with the IRTP or whether there should be some kind of head bridge where, you know, you would have an overall transfer and change of Registrant policy where, you know, one like would be the existing IRTP and the other part would be, you know, the change of Registrant function.

So I don't know if we want to do a, you know, quick show of hands on that one so we can just note that or other people...

James Bladel: Well I think in this particular case it's a little more difficult to gauge consensus. I'm looking to Avri for help as well, because we have three choices as opposed to a binary choice.

And also I believe that this was one of the questions explicitly asked in our survey, so perhaps I would propose to the group that we go back and take a look at the responses of the survey and then try to put some narrative around that as a sentence, rather than conduct a very complex and possibly lengthy test here.

Avri what are your thought on that approach, because I believe this is a identical mirroring of a question that was asked on our existing survey?

Avri Doria: Okay yes. I think that at the end of the survey - hi, this is Avri. I think at the end of the survey, and I don't have it in front of me now, you and I and Marika had talked and we had come up with a, you know, one of the ICANN views really to apply to that.

I don't remember it offhand. I'm not looking at the results at the moment, so what I would suggest that we do is that we put that out on the list once one of us discovers it again or looks at the results, and see if we get any pushback from people for the use of that phraseology, and if not put that in there as the approximation of the time of the initial report.

Marika Konings: And this is Marika. I'm actually looking at the survey results and they're not very helpful, because actually it was split between change of control should be a new consensus policy and the other half are saying it should be in addition to the existing IRTP consensus policy.

So maybe we should just note that, you know, there was support for the different views and leave it. It's vague but...

Avri Doria: Yes.

James Bladel: Yes. I think that's a good characterization.

Marika Konings: So then moving on, the other open item is the level of consensus for this recommendation and, you know, we have some notions I think in between but, you know, option is here or there.

If we don't, you know, we don't have a final recommendation yet so I guess it's hard to say this is a, you know, the final level of consensus. But the Working Group, you know, might want to say, "Based on discussions to date, this is a, you know, the preliminary sense of consensus.

A final determination will be made, you know, once we've reviewed the public comments and then finalize these recommendations and will be included in the final report."

James Bladel: Okay thank you. Any final inputs here on what we reviewed from this call for Charter Question A? Any parting thoughts? We'd like to cover B and C in the next 30 minutes or less, so I see the queue is clear. Oh, there's Mikey. Do we have a quick thought Mikey?

Mikey O'Connor: I'll struggle with that. This is Mikey. I just want to circle back to the notion that Simonetta raised as maybe trying to struggle a little more to find a middle ground between the two; not on this call but between now and Prague.

I do think that there is some middle ground where the default can be 60 days, but there are mechanisms whereby Registrants who want to waive that condition, waive that policy could do so. And maybe there's a way out of the log James with that, so that's the parting thought.

James Bladel: Yes the - okay. Can I ask that you and Simonetta and anyone who's interested, and I would be interested as well, circulate or start a thread on the mailing list and we could start to draft some language?

It may not make it necessarily into this version depending on timing, but it will definitely be on the table for discussion in Prague and beyond.

Mikey O'Connor: Sure. Happy to do that.

James Bladel: Thanks Mike. And I note that Simonetta also wants us to refer back to some of the comments and contributions made by Phil, so let's make sure that we capture that and it doesn't - it isn't lost from the chat.

And thank you Simonetta and Phil. Can we then move on to the draft recommendations for Charter Question B? And I am naively optimistic that

what - that this one will be shorter, but it's possible that we'll actually spend the same amount of time here or even more.

This is a question about time limiting the FOA, Form of Authorization. Marika, can you tee us up and then we'll open the queue for discussion?

Marika Konings: Yes this is Marika. What I basically did - because for the last meeting the recommendations for B and C were in one document, I basically took them apart and added, you know, the different sections on, you know, level of consensus and impact and suggested some wording there.

So for this recommendation what I added is an introduction on the Form of Authorization, because we had the discussion again at the last meeting, you know, what is actually a Form of Authorization versus, you know, the auth info codes.

So I took that other language I think that was suggested by Bob and I think as well by Paul in here to have an explanation of that, and also added as an annex the standardized FOA and would be included in a separate part.

Then also what we discussed on the last call, separate out the findings from the actual recommendation so the part that, you know, the language that Bob suggested is in here first as the findings.

I added there as well as was suggested on the last call to call out the fact that the expected scope of the effort involved in time limiting FOAs was considered minimal to some, and some suggested that it was missing.

And then you have the proposed recommendation there that follows I think different email conversations - I think language suggested by Mikey as well as James.

And I think that the only outstanding item on this specific recommendation is if, you know, people are happy with the language as is. There was a suggestion whether the time for which an FOA would be valid would either be 45 or 60 days.

I don't know if that was an open question that was going to be put out for public comments, or whether the Working Group wanted, you know, to choose, you know, this maybe or make a suggestion for either 45 or 60 days, you know, to make it more definitive in the report itself.

James Bladel: Okay thank you Marika. All right folks, let's - if we could keep this to about a ten-minute discussion. First up I'd like to - using the green and red marks, can we gauge the level of support for the draft recommendation, which is currently labeled 2.1.4? Once obtained, a form of authorization is valid before some period of time. Let's leave the question of whether it's 45 or 60 off the table for a moment until the domain name expires or until there is change of registrants, whichever occurs first.

What is the general level of support for that statement? I see some green ticks appearing, but Bob, you have a question?

Bob Mountain: Yes, this is Bob for the transcript. I think, James, the agreement on that is, at least for me, contingent on the, you know, the following verbiage as well. So is that - I guess the question, is that 2.1.4 alone or is that, you know, in the context of the rest of the changes that are also made?

James Bladel: I think that that is in conjunction with the working group's further recommends. I think that we would assume that those are coupled together.

Bob Mountain: Okay, yes. In that case, I would agree. Thank you.

(Rigan): Yes, and this is (Rigan). I'm probably in that case of new line, which should actually move up one level. So it's clearly together with the recommendation, and then the appreciate input can then follow underneath that.

James Bladel: Yes, and I see - both - I see red and green changing in two hand raises. Can we - well, so maybe this is - maybe this was kind of a futile exercise. Go ahead, Mikey.

Mikey O'Connor: This is Mikey. I am not violently opposed to Bob's new language there, but I think it needs refinement. I like Phil's concept better that we say, "Registrants can opt out if they're more sophisticated and are concerned about negative effect on liquidity." The problem with this particular language is that I could see a preauthorized sale leading to a hijack. And so I'm not throwing my body on the tracks on this one. I'm just not ready to sign off on this language quite yet.

So maybe what we do at least in terms of my comment here is we add this to the pile of the email thread that we're going to start, because I'm not adverse to the idea, but I'm quite concerned about possible security breaches.

James Bladel: Thanks, Mikey. And my support for these combined recommendations was predicated on - or at least acknowledges that that language in blue is probably a work in progress. But I think it's a general concept that I think is on the table from Bob and from Phil's comments, I think. So go ahead Simonetta.

Simonetta, you may be on mute.

Simonetta Batteiger: (Unintelligible). Yes. I had to unmute myself first - find the right button. I just wanted to also leave a comment for the transcript and say that I agree with Bob that it's kind of hard for me to say just like blanket, "Yes, I like this," versus blanket, "No, I like - I don't." But I would agree that I like this recommendation as a combined effort.

I would not want to support and say that I'm in favor of this recommendation if it doesn't have this idea in there that someone who would like to give their FOA ahead of time and for auto renewal, whatever period of time that he feels basically could be indefinitely. I think that that idea is really important to me in this recommendation, and so I wouldn't want to support this if that were not the case. But I understand that this is not what we're talking about.

And then secondly, I'm not so sure (Rigan)'s question of, "Do you support or don't you support it," if it's always just that black and white. So if there's only a yes or a no response to the question, then you get a lot of green or red checkmarks. But maybe sometimes people have questions or have comments about these and it would be nice to capture these as well.

James Bladel: Certainly, and that's kind of the point - is just to explain that's kind of the point of engaging at least a rough or preliminary level of consensus so that we can understand whether or not we need to hash out those further questions or those further comments or whether an issue is starting to take shape.

I think though there's always the danger in ICANN circles or any of these consensus type organizations that we will get a bunch of very, very bright folks together and debate and deliberate on these issues indefinitely. But at a certain point, we do, uncomfortable as it may seem or feel, we do have to start boxing ourselves into decisions, yes or no, right or left, black or white, only because, you know, that's the nature of the final work product that we're expected to deliver to (unintelligible) community.

So let's take a further look at this. I think that the blue item is interesting. I'm starting now after reading some of the chat windows and I'm trying to think maybe it is important. Maybe it doesn't necessarily address the FOA time limiting issue, but it addresses maybe perhaps a larger concern about revocability of authorization, which maybe we need to leave it open.

I would suggest - and I would look to Avri to respond - that this is again a level of rough consensus with significant minority, but we have to finish - I think there's a lot of work in progress here relative to the language of the blue and how strongly it is handcuffed to the recommendation in red. Simonetta, is that an old hand or is that - you have a new question?

Simonetta Batteiger: New hand.

James Bladel: Okay. Go ahead.

Simonetta Batteiger: So on the question of the security topic, I really - it almost is the exact same line of reasoning that we looked at under the Charter Question A. Outside of the 60-day lock were my point of view is that yes, for some people who might not be that sophisticated when it comes to trading domain names, they need further protections. And for these people things should be in place like, okay, they can't - they would - someone would have to tell the registrar, for example, that, "Yes, they are saving this FOA expiring within five days or something."

But if someone chose to do that regardless of whether or not sophisticated or not, but just the mere fact that they actually deliberately chose that option, I think should be - would be one way to think about this. And then yes, if that hijacking situation happens, then it's - and it may happen. Let's face it. I mean there's no such thing as complete security around things that you do online. But then there's also what we put in place as IRTP Part B and that part should help in those cases.

So I think all of these things are connected, and it's not that one has to make a blanket rule of it can only be one thing and there's no exceptions to it, because I - the blue language in here points to a compromise. And that is something that can be done too.

James Bladel: Okay. Thank you, Simonetta. Avri?

Avri Doria: Yes. Thanks.

James Bladel: Avri.

Avri Doria: Yes, can you hear me?

James Bladel: Your voice is - yes, you've been very faint on the audio. Is it possible you could, you know, go ahead and shout at us, I guess? (Unintelligible).

Avri Doria: Okay, yes. I'll shout. I never know when my microphone is working well or not. I would think that actually on 2.1.4, we were - we had a rough consensus on it. But you have two subjects that are broken away that still have, I think, pretty much mixed support, which is the one of how long 45, 60 longer and then this last question that Bob brought in.

So I think that in a sense, it would be good. The way I've been listening and seeing is to indicate that there is rough consensus on the FOA having a limited lifetime, but that there are various concerns and there is various mixed views on length of time and other constraints such as. And I think that's - at least that's what I think I'm hearing.

James Bladel: I agree, Avri, and I think that that's a good synopsis of what Marika should be pursuing for the language in this section, which is that there is rough consensus for the idea that an FOA should be time limited, however, the - there remain a few open questions or implications such as the length of time and this question of whether or not an FOA can be preauthorized - I guess preauthorized to renew or automatically renew at the end of that timeframe, which - or perhaps - well, you know, we - capturing the bit in blue about eliminating the ability for the prior registrant to cancel a transfer.

So, yes, I think that - I think that if we can capture that, we can go forward with that. And I think that here where we say, "Prior registrant," that's

confusing, because that refers to the change of control process whereas this FOA, in my understanding, is specific to the existing intra-registrar transfer, but I am willing to admit that I'm wrong or misreading that. So we should probably take a look at that.

Bob, can you bring us in for a landing on this one, and we can touch on Charter Question C before the answer?

Bob Mountain: Yes, absolutely. And I - again, I'm not as experienced, you know, as James and Avri on this. But I just want to make sure that the rough consensus on 2.1.4 from my standpoint is intimately linked with the ability to qualify that and to offer an option to extend - have an extended time limit or a auto renew. So, you know, that kind of - I thought what I was hearing was there was some concern, but with me, it would be a - you know, an extremely high level of concern on the time limiting FOA without those other things.

So I just want to make sure I'm - you know, certainly from my standpoint, that's a - it's not a some concern, it's a very high level of concern.

James Bladel: Yes, Bob. I think that's correct, and I think we have to assume that - for folks who have concerns about either the time limit or the linking of this issue in blue, it's possible that if this is their concern, they're not met on one or the other or both of those issues, that their concern or their support for 2.1.4 melts away. And so I guess what we're saying is, "Everybody's support is contingent at this point, on some blanks that need to be filled in." Does that accurately capture what we're talking about?

Bob Mountain: Yes, I think so, yes.

Simonetta Batteiger: (Unintelligible), yes.

James Bladel: Okay, okay. So I think we've kind of all arrived at that, which may or may not be helpful.

Avri Doria: Yes, this is Avri again. If I can jump in. I didn't get my hand up.

James Bladel: Go ahead.

Avri Doria: I think that that's a part of rough consensus is that people understand - and I think you'll probably find among some of those in the rough consensus that support it if the time period gets too long or if the auto renewal is too easy, too ongoing, too evergreen, you know, that could force people that liked it to sort of say, well, they don't like it anymore. So I think you have to be - yes. There - it's a rough consensus, you know, and these are open issues related to that, I think hold.

James Bladel: Absolutely, absolutely, Avri. So Marika, is that helpful at all?

Marika Konings: Yes, this is Marika. I think I can work with that. I can write something up, you know, "This is a rough consensus recommendation, but, you know, support may be contingent on resulting, you know, the following two issues or three or whatever comes out, that the working group is looking for specific input on and, you know, a final determination will be made, you know, following review of public comments for the final report."

So I think I can work with that, and then said, you know, people should be - feel free then as well - if one player suggests the language to make, you know, further edits or changes if they're not comfortable, whatever language I put forward.

James Bladel: Thank you very much, Marika, and thanks group. I think that's a good way of going forward into the draft report. I'm just naive enough to think that we can tackle Charter Question C and the draft recommendations for that, realizing that we're 90 minutes from the top of the hour and some folks may have a hard stop. But if you can spare an extra five to seven minutes, I would - I

think we would all appreciate it if we can at least get this - drive this home to the finish line.

So Marika, if you would please set us up here, and then we will take some questions.

Marika Konings: Yes, this is Marika. So indeed what I've done here is separate out the findings and the recommendation. So Bob made some small suggestions here to clarify the wording, but I would just like to point to an email that Barbara had sent to (manning) list just prior to this call, and I've pasted that language on the right side of the screen where I think she's basically suggested a reformulation of the recommendation to clarify some concerns.

And just to note as well, I've noted some expected impact of the proposed recommendations, and if people have any suggestions or anything else that needs to be added there, and it would be appreciated. But maybe Barbara can explain the changes she's proposing and see if that's something the working group can agree with.

James Bladel: Thank you, Marika. And I think we should probably just true to form test this draft recommendation, but before that, Barbara, do you have any thoughts, concerns or additions to this language before we throw it out onto the table and let folks poke at it?

Barbara Knight: No, this is Barbara for the transcript. I don't really have anything to add, and I wish I could take credit for it, but Paul actually drafted the language. And I saw he had done a pretty good job of it. So I don't really have anything to add, but I'm happy to answer any questions relative to, I guess, the thoughts behind it, should anyone have some.

James Bladel: Thanks, Barbara, and thanks, Paul and (Fisinsha). Roy, good to see you, sir. Could you please give us your thoughts?

Roy Dykes: Yes, the only thing I wanted to do was - and I haven't been able to do this yet - is get an assessment on that language from what it means to our - from our engineering group. And the other thing is there's another registry that actually uses proprietary IDs, and I asked them for input on the language and haven't heard back yet. So it's not that I want to - it's not that I want to respond in consensus with them, but I would want their thoughts as to the approach and if the language - if there's suggestions or thoughts about possibly tweaking the language.

So I'm kind of in a holding pattern right now with those two entities. Me, personally, I think it's okay, but I did want to check with those other parties.

James Bladel: Okay. Thank you, Roy for clarifying. And I think that when we gauge level of consensus, we're all kind of shooting from the hip a little bit in our personal capacity, not speaking for constituency and recognizing that we have to take some of these things back internally and turn them over as well. At least that's certainly the case for registrars, and I assume that applies to registries and other stakeholders as well.

So let's take a look at this draft recommendation, folks. And once again, using the green checkmarks or the red Xs, indicate your support for the language as it stands with the inclusion of the blue underlined section and blue - I guess the blue or section as well, and see if we can determine where the group comes out on this question.

Marika Konings: James, just to clarify, are we now talking on the language that's in the document itself or the new suggested language by Barbara, which is on the right hand that's not what is on the screen? That's the old...

James Bladel: I'm sorry. I'm sorry. That was not clear. Okay, everyone, please clear your pick marks. And Marika, what is the material difference between - I'm doing it right to left. I thought they were the same. So I'm sorry on that one.

Marika Konings: No, no. I'm sorry. As the language just came in before the call, I didn't have time to update the document. So what you'd see on the middle part, that's the original language as suggested by Bob who made a couple of small edits just to clarify, and on the right-hand side underneath the agenda you see the recommendation as updated by Barbara. And I think that's what people were discussing.

James Bladel: Okay.

Marika Konings: And...

James Bladel: And the primary difference between the two is, Barbara, can you help me here? What is the primary difference between these - this, your language and the language that's on the document?

Barbara Knight: Okay. So basically what it does is it - as opposed to just addressing the - that new registries (enterdize) IANA IDs, it basically says that all new - or all gTLD registries would be required to add the registrar of records IANA ID and the Thick Whois. So it ends up becoming, I guess, you know, I think it's a little bit better, because, you know, you now have existing registries that are now also making the IANA ID available versus, I believe, the old language allowed them to use the proprietary IDs but then have the option of switching to the new IANA ID.

James Bladel: Okay. Thank you. I think that makes a lot more sense now. So the primary difference is that even if a - an existing registry chooses to exercise their option to be grandfathered, they would still have to display the registrar's IANA ID somewhere in the Thick Whois data. Is that a correct assessment or synopsis of your language?

Barbara Knight: It is, and again, you know, there could be, you know, some - as Roy was saying, there could be some development requirements. So the timing of when they would be able to implement that, obviously, we would have to take

into consideration, but I think that it would give the registrars, I guess what they're looking for in having the IANA IDs being more readily available.

James Bladel: Okay. Thank you. One final question, Barbara, Roy, there was another sentence there at the end of the draft language about reviewing this in the 24-month period and reconsidering whether that grandfather clause was still - or whether this entire requirement was still useful. Do you - was that intentionally removed from your draft, Barbara, or was that something - was that just an artifact?

Barbara Knight: Well, I - please this is Barbara for the transcript. I had indicated in the email that I had sent out to the list earlier this morning that I'm not certain revisiting it in 24 months, anything really would have changed, because I think that, you know, to the extent that registrars - registries - excuse me - that are currently supporting, you know, TLDs that don't necessarily require registrars to be ICANN accredited would still have to have some way of identifying those registrars within their systems.

So I think there's always going to be a place for proprietary IDs, and I don't know that this policy really should dictate whether or not a registry can or cannot use a proprietary ID so long as, you know, they are currently using or would be using the IANA ID for those that - for those TLDs that do require a registrar to be ICANN accredited.

James Bladel: Okay. So I'm going to go to Avri here in just a minute. But just so we're comparing apples to apples, Marika, I'm going to ask that we remove or that we - everyone in the group, please imagine that we have removed the last sentence from the draft that's in the main window that says, "Finally the working group recommends," because that may - even if that is retained in the report, it may not be part of the language of the recommendation but more of a - you know, more of a follow-up type of a language.

So with that, Avri, can you...

Avri Doria: Yes, first I want to...

James Bladel: ...maybe (unintelligible)...

Avri Doria: ...right - first I want to agree with you on that last sentence, because it would need to be isolated off in any case, because what mechanism are we talking about for reviewing it? And I think that's a whole other thing.

On Barbara's question itself, I think I get confused reading it, because first of all, it says that all new ones are required to - or to publish it. Now (unintelligible) - then I see the second sentence saying that all old ones would be required to publish it. In neither case - and it seems the only thing that adding that language seems to do is to restrict new gTLD registries from also publishing a proprietary one, because we have two sentences saying, "These guys publish it," and then the second sentence says, "These guys publish it," but they're also publishing their proprietary one.

Now I don't know, but I can imagine situations where we have an existing non-gTLD registry such as the ccTLD registry who uses a proprietary and would really like to be under the regulation of being able to publish both its proprietary and the IANA. So I really don't understand what the second sentence adds other than the ability to continue to use a proprietary should you wish to. Thanks.

James Bladel: Okay. Thank you. I think that's an important point, I mean because really what it - it's the net effect of the recommendation as written by Barbara is that - says that - it's really a prohibition on new gTLDs from developing or publishing proprietary IDs, if I'm understanding or stating that correctly, Avri.

Avri Doria: That's the way it reads to me. Both of them say, "You've got to use the IANA, but one group of people can also continue to use proprietary."

James Bladel: Okay. Okay. So I'm trying to think of how we can clean this up so we have something that we can, you know, put to - put out to - for a test. Let's - and because - all right - so let's take a look at it this way. Barbara, let's go back to the original language. Let's strip out the last sentence, which I think as Avri and others have indicated is probably better considered as a secondary issue.

Let's take a test on that question in the main - in the language in the main body of the Adobe chat room, and then let's consider the addition of this requirement that Barbara has proposed as a - an open question along with the open question of whether or not this should be reviewed in some future period of time.

So Marika, can you help me here with the language of Recommendation Charter Question C from that beginning through to the end of, "Or continue to use their proprietary IDs?" Can we get some gauge of level using the green checkmarks or the red Xs of whether or not folks would support that draft language recognizing that there are now two open questions?

Yes, and I think Mikey has summed it up very well in his chat. Okay. I'm the only one that understands what we're voting on. Go ahead, Roy.

Roy Dykes: James, I'm going to abstain for the moment on this one, given my comments from earlier.

James Bladel: Fair enough and understood. And it looks like I've got a couple of other folks that want to sit this one out. Now Matt's supporting. Okay. So Marika, can I ask that we copy and paste into the chat the draft language of the recommendation minus the last sentence, please?

Marika Konings: With (unintelligible)...

James Bladel: Or into the agenda or...

Marika Konings: With Bob's change.

James Bladel: No, without.

Marika Konings: Oh, without Bob's change.

James Bladel: Without Bob's change and without Barbara's additional.

Marika Konings: Okay. That's what I wasn't clear on.

James Bladel: So extracting all of the - what - I guess what we're saying is the new questions or the contingent questions.

((Crosstalk))

Marika Konings: ...no, I think that the only edits that Bob made were just to clarify the language. I don't think he...

James Bladel: Yes.

Marika Konings: ...(unintelligible).

James Bladel: The blue text is not material. Can we - okay. So - okay - here it comes, folks. It's on the - it's on the chat window on the other side here. That is the language that we're discussing, which essentially says, "New registries have to use IANA IDs. Existing registries can opt out." And the question of whether or not they are - they should adopt it at some future date or we should review it or all those other things that were added need to be - need to be separated.

Avri Doria: I did.

James Bladel: Still no one is voting. Okay. Avri is - okay - myself and Avri. Any other level of support here? We've got several folks who've abstained. So Michele, is that clear? You're asking what you're voting about. You said you were confused. Go ahead, Bob.

Bob Mountain: Oh, sorry. Yes, this is Bob. I guess I maybe - I may just need a little bit more time to understand this, but it's - it looks to me like Barbara's point was around Thick Whois, and I'm not sure how that does or doesn't interact with the original recommendation, which was that, you know, they're using the proprietary IDs with the option to switch to IANA.

So I guess I'm just confused on how that - the Thick Whois plays into that, because that's, you know, a term that I just didn't consider on the original wording. So I guess just to summarize, I'm just confused. I just need to understand how that plays into it, and then I would be able to, you know, vote one way or the other.

James Bladel: Okay. So I see queue building up here. We're five minutes past the hour. I think there's still a lot of confusion, so I'm going to declare my attempt to gauge consensus on this a failure. And I'll just go ahead and take this issue to the list. Marika, maybe you can help me draft some options, A, B, C, chocolate, vanilla, strawberry, and then we can at least get this maybe hashed out on the list a little bit better before we can gauge the level of consensus. Does that sound fair everyone?

Marika Konings: Yes, and this is Marika. If I can make maybe a suggestion, because it seems that people, you know, don't have any strong objections to the language suggestions by Barbara as long as it clarifies that this does not prevent, you know, new gTLD registries to use a proprietary ID as long as they also publish the IANA IDs. That's what I got of it from the comments, and I think as well the comments in the chat. So maybe just a question of clarifying that language in Barbara's recommendation if I got it right.

James Bladel: Okay. So I see Nathalie and Roy, and I don't mean to be rude, gentlemen, but I think that we should probably - should close this off for now. But we will take this particular issue to the list and see if we can't clean it up into something that is at least more intuitively understood.

So with that, I thank everyone who was able to stay a few minutes past our cut-off. Michele, did you have a closing thought or is this still about Charter Question C?

I think Michele is on mute.

Woman: Muted.

James Bladel: Yes. Okay. So with that, we will probably also be starting a thread, Marika and I need to get some times and dates narrowed down as well, so that we can establish some deadlines for submission. Of course, we weren't able to get through everything today. So today can't be the deadline, but perhaps we could clarify that what we want to - what we want to hit by our next call and then how that's going to impact our intentions for Prague and beyond.

So thank you. I think we made some good progress. And...

Marika Konings: James - James...

James Bladel: Yes, Marika. Go ahead.

Marika Konings: Can I just clarify something? Are we still aiming to publish to the Prague deadline or, you know, I know we saw some open issues that we're trying to resolve on the list or what (unintelligible), because the deadline for publication is Friday. So those would require...

James Bladel: Right.

Marika Konings: ...commitments from people to review language. I can send out updated drafts later today on all the recommendations that we discussed.
(Unintelligible)...

James Bladel: Well, I guess the question - and I'll have to check with Mikey and Simonetta, because there's a couple of things that they want to propose as well. Mikey and Simonetta, can that happen quickly? Do you think Friday's on the table? I think we can get this recommendation for - language for Question C wrapped up by then, but I just think that we should still be pushing - as I already noted, we should still be pushing for Friday as our finish line. Mikey, is that something that - and I see Simonetta has left the call - so are you willing to, you know, pick up...

Mikey O'Connor: Yes.

James Bladel: ...and get started and - okay.

Mikey O'Connor: I'm willing to give it a go. I'm going to drop off the net on Thursday for a four-day weekend of drinking and carousing. So I'll be done before then no matter what. So Friday's fine.

James Bladel: Okay. Fair enough. And...

Marika Konings: (Unintelligible) I did take - I did take note of some of the discussions that Simonetta and Mike, you were having, so I'm also happy to write it in the updated draft - make some suggestions saying this was a third option that's also on the table, you know, as a, you know, possible compromise option. So to opt out, I think that was suggested by Bill - by (unintelligible).

Mikey O'Connor: Marika, do you want to take a crack at that before Simonetta and I do or do you want - if you wanted to do that, that would be hugely helpful.

Marika Konings: Yes, yes, I'm happy to do so. And as I said, I'm planning to get all of this out, you know, later in my day. So hopefully that should give you sufficient time to turn it around it by tomorrow for, you know, people to review before you go off on your drinking weekend.

James Bladel: Okay. Thanks, Mikey. Thanks, Simonetta. Thanks, Marika. And Avri and Marika and I will continue to wrap up these last items for the Friday deadline. So thanks everyone for staying a little later, and we'll chat next week.

Avri Doria: Okay. Thank you. Bye.

Mikey O'Connor: Thanks, James.

((Crosstalk))

Man: Bye-bye.

Man: Bye.

END