

**ICANN
Transcription
Thick Whois PDP Working Group meeting
Tuesday 07 April 2013 at 14:00 UTC**

Note: The following is the output of transcribing from an audio recording of THICK WHOIS PDP Working Group call on the Tuesday 7 April 2013 at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-thick-whois-20130507-en.mp3>

On page: <http://gnso.icann.org/calendar/#apr>

Attendees:

Marc Anderson – RySG
Don Blumenthal – RySG
Alan Greenberg – ALAC
Volker Greimann – RrSG
Carolyn Hoover - RySG
Marie-Laure Lemineur – NPOC
Steve Metalitz - IPC
Mikey O'Connor – ISPCP
Jill Titzer – RrSG
Amr Elsadr – NCSG
Illiya Bazlyankov – RrSG
Tim Ruiz – RrSG
Frederic Guillemaut - RrSG

Apologies:

Avri Doria – NCSG
Susan Prosser – RrSG
Christopher George -
Evan Leibovitch - ALAC

ICANN staff:

Marika Konings
Berry Cobb
Lars Hoffmann
Nathalie Peregrine

Nathalie Peregrine: Thank you very much (Carol). Good morning, good afternoon, good evening this is the Thick Whois PDP Working Group call on 7 May 2013.

On the call today we have Mikey O'Connor, Steve Metalitz, Amr Elsadr, Marc Anderson, Marie Laure Lemineur, Volker Greimann, Jill Titzer, Don Blumenthal and Alan Greenberg.

We have apologies from Avri Doria, Susan Prosser, and Christopher George.

From staff we have Marika Konings, Berry Cobb, Lars Hoffmann, and myself Nathalie Peregrine.

I like to remind all participants to please state your names before speaking for transcription purposes. Thank you very much and over to you Mikey.

Mikey O'Connor: Thanks Nathalie and thanks all for joining us. We'll do the usual take a look at the agenda and take a pause for statement of interest updates.

Okay and I think what we're going to do - we're going to probably go through this first one fairly fast. The competition and registry services one is I think still yes you made it in. you're okay Alan.

I don't think we're done with this one. Isn't this the one that Marc and (Rick) were going to go work on? Help me remember?

This was one where we were thinking we needed some more - some more examples I think. Oh Marc's got his hand up. Go ahead Marc.

Marc Anderson: Hi Mikey. How's it going? It's Marc.

Mikey O'Connor: Just fine good.

Marc Anderson: Yes I agree. And you had asked me to post something and I had - I didn't have a chance to post anything so my apologies for that.

But, you know, I do think we need examples here. And I have to be honest part of why I haven't posted is I'm having trouble coming up with examples.

So I feel like there should be something but I'm not exactly sure what I should post, you know, or what, you know, what I can provide for examples.

You know, I feel like there were some cases where, you know, thick might be preferable and there's some cases where thin might be preferable.

But, you know, really - you really what we have right now is just saying that, you know, just acknowledging that there are, you know, there are differences but not really - you know, we say there are differences.

And, you know, having all registries on a level playing field, you know, would, you know, essentially, you know, and paraphrase and say all having all registries on a level playing field would be better but we don't really provide examples.

So, you know, I apologize for not having provided concrete examples up front but I do think that's outstanding and missing in the report right now.

Mikey O'Connor: Well I'll tell you what. Why don't we take a few minutes? We've got an awful lot of smart people on this call. Maybe they can help come up with some examples to get you started.

And the other thing to do would be to post that question to the list and see if other people can come up with some.

And let me presume one of two outcomes. Either we come up with a few and that would be great or we don't in which case we could write in the report something along the lines of smart people looked at this and couldn't come up with any so we're going to declare this mute. But, you know, let's see what some folks have to say. Alan go ahead.

Alan Greenberg: Okay I come at this from a somewhat different side are we still with me?

Mikey O'Connor: Yes were still with you. We've got a lot of noise. Somebody is not muted.

Man: And is wrestling with their dog.

Mikey O'Connor: Yes. It sounds like there's swimming underwater or...

Alan Greenberg: Okay.

Mikey O'Connor: ...Nathalie can you tell which call - which line is causing all that?

Man: (Unintelligible) it's gone now.

Mikey O'Connor: There we go. That fixed it. Go ahead Alan.

Alan Greenberg: It's - as the conclusion we've come to is it's not clear which is better or if there are cases where it's better.

We applaud innovative business models that if someone comes up with something that gives them a competitive advantage that's under their control.

It is less appropriate in my mind that someone may have a competitive advantage -- and we're not sure at this point which it is -- because of things mandated by ICANN.

So for things controlled by ICANN ultimately and this is one of them or we wouldn't be having a PDP.

Mikey O'Connor: Right.

Alan Greenberg: We should not be putting different companies in a position where one might or might not have a competitive advantage over the other.

So I think that's an argument for moving towards a level playing field. This is not innovative business models this is satisfying an ICANN requirement.

And we are in a more stable and controlled environment from an ICANN point of view if ICANN sets the same rules for everyone instead of having differentiated rules.

Mikey O'Connor: Yes I...

Alan Greenberg: So I don't think we need to know which - what the competitive advantages are or the examples if there are any and they're mandated by ICANN that's a bad situation.

Mikey O'Connor: Yes that's true. So that little paragraph maybe Marika and the rest can capture some of that in our next draft.

I like that idea. Marc what do you think of that as an approach rather than struggling to come up with examples simply handle it the way that Alan's describing?

Marc Anderson: Yes. I see where you're going with that. And I think, you know, I'm looking at the charter there competition and registry services.

So the question is what would be the impact on competition and registry services? Should all registries be required to provide Whois service using the thick Whois model?

You know, I think, you know, it goes on would there be more or less no difference with regard to competition and registry services?

You know, I think, you know, Alan makes a good, you know, a good point, you know, about a level playing field.

But I think, you know, we have to answer the question, you know, is does doing this create an impact on it? And it could be the answer is no it doesn't.

Mikey O'Connor: Yes.

Marc Anderson: Right?

Mikey O'Connor: I mean that's...

((Crosstalk))

Marc Anderson: That's the point you were trying to make earlier, you know, and I think, you know, I think the way I read the - what the draft so far is we're saying, you know, it does have an impact but we're not providing examples.

And I think if we don't have examples then I think what we want to say is that it doesn't have an impact.

Mikey O'Connor: Yes. I think that maybe what we do is we rewrite that paragraph to say something along the lines of we were unable to identify any impacts blah, blah, blah and then follow into Alan's point. Alan go ahead.

Alan Greenberg: Yes. I'm trying to find the right words for it. Let's pretend we could come up with a very salient difference where thick or thin is better in some way that will help or...

Mikey O'Connor: Provides a competitive advantage. Yes.

Alan Greenberg: Is it appropriate for ICANN to have set that environment up?

Mikey O'Connor: No (unintelligible).

Alan Greenberg: So if we were to come up with the advantage right now and if this is a much better business model that will attract more business to the company we'd be in an awkward position taking that away because well then we're having effectively unilateral ICANN action impact a business.

I don't think we want to strive to find some tiny little advantage or disadvantage. I think not knowing the details is to our advantage right now. It allows us to level the playing field.

And I don't think we should agonize over trying to find that specific difference because it hasn't popped up yet and it doesn't really serve us to have it.

Mikey O'Connor: Well and I - on the converse side I think we don't want to avoid trying to find one of those.

Alan Greenberg: Well true but we already have tried.

Mikey O'Connor: Yes. That's I think...

((Crosstalk))

Mikey O'Connor: Right that's the key point is if it's really hard to come up with one and Marc's in a pretty good position to be a person who would know about those and the rest of us can't -- which I'm taking as sort of a hypothetical right now -- then I think the draft can be reworked to reflect that.

I think we certainly don't want to avoid looking for one simply to avoid that awkward situation. But if we've looked hard and we can't come up with one I think it's perfectly fine to write a report that says we've looked hard and we can't come up with one and proceed from there.

So maybe the thing to do -- I'm going to wrap this up because I really want to get onto the rest of the agenda -- is Marc if you could keep working on coming up with some I think it's important to keep doing that.

I put that question to the list as well. Caroline Hoover is not with us today but she wrote a note to the list and let me just read her comment into this conversation so that you can hear it in so Marc you can take that forward.

Carolyn writes I'm curious as to why the last comment -- and then she quotes the report -- although it is noted that a possible - that possible requirements for thick Whois would affect over 120 million domain name registrations unquote was added I don't see how the number of entities affected has any impact on competition.

I think we would need to explain that statement at the least sorry if I missed the discussion on this point. So I think that's just another piece of this section that we want to highlight and tune up.

You know, I think it's the same sort of thing as the point that you raised Marc which is we say some stuff that implies we're going to give examples but then we don't give examples.

I think those are drafting errors that we need to fix. But I think the substantive point is to make sure that we know of no examples especially substantive examples before we do all that tuning.

So I think the puzzler for the week is try and figure out one of those and get that back. And if the answer next week is no we still haven't got it then I think we have a drafting course set from this discussion and, you know, we can turn Marika, and Lars, and Berry loose on reworking the draft.

I'm not seeing any outrage in the queue so I think we're going to move along here. The next one is accessibility.

And I can't remember the status of that one. Is that one that we've chewed on enough times that we feel like we're done? Anybody got any strong feelings about that? Alan go ahead.

Alan Greenberg: I think we decided to change the overall title and leave the rest alone last time.

Mikey O'Connor: Oh that's right. And so we've done that. It's now access to Whois data right? That's where we're at.

Okay so I'm going to treat that is done tentatively. We all get another try to fix anything in here when we see it in the draft of the initial report. But I don't want to chew on one's that we've already chewed on a lot. Marika go ahead.

Marika Konings: Yes this is Marika. There is one question in there that I think I did raise on the last call as well but haven't received any further input on because it was in the comments I think some argued that having Whois data available in multiple locations provided easier target for misuse and abuse. And I was just wondering if there's any data available to substantiate that statement?

I don't know if there have been any studies or research done in relation to Whois data abuse and whether indeed having thick versus thin whether that makes any difference. If anyone is aware of anything that, you know, we could reference that would be helpful.

Mikey O'Connor: My sense on reading that is that that was more of a sort of security theory based comment because in general, you know, the more copies of something you have sprinkled into more different places the more possible links in the chain there are to attack and so the weakest link is the one that one - it goes through.

So I'm not sure that this is really a data driven thought more than it's a theory driven side. But Alan go ahead.

Alan Greenberg: Well I don't think that's an access issue anyway. But in fact since all of these are emanating from what we're deeming to be a single definitive source multiple copies gives you more security that is someone playing with one and changing it means you have other copies to verify against.

And on top of that we have so many copies in the world of this information that it's not clear that, you know, this extra one is a significant delta in terms of overall, you know, number of copies and replications.

Mikey O'Connor: Yes.

Alan Greenberg: I think (unintelligible) positive but I don't think it's an access issue anyway.

Mikey O'Connor: Yes. So maybe we just drop this sentence because it's a some also argued that type sentence. I could easily see just losing this sentence.

Why don't we tentatively lose it for the draft and move it along because we could get into angels on the head of a pin in terms of security here and chew on that one. So I'm going to dispose of that one that way.

Okay on to the main event of the day which is the privacy and data protection draft. So before that - as that gets up on the screen let me just take another deep, deep bow to those who worked on this draft so hard and a special tip of the hat to Don for leading us through this effort.

And Don do you want me to hand it over to you? Do you want to walk us through it or do you want to take a vacation from this and let me stumble through it? How do you want to proceed?

Don Blumenthal: That might be a more entertaining way to go (Unintelligible) for the transcript. I'll briefly set it up but to be honest I think we all had bashed at this for so long and through a whole lot of iterations and it might be better to step back and let others just comment.

We wrestled for a long time with both issues from a data security standpoint and how they tie into privacy data collection and also looking at laws, and regulations, and frameworks that are in play now and may come into play.

And they may come into play was a particularly tricky part at times because so much is going on now both within ICANN and out in the real world.

You know it's a lot of going back and forth I think we came up with a document that we all are comfortable with that we're all on. And it -now it's open to other peoples interpretation and opinions.

Mikey O'Connor: Well yes but I think it's very helpful to have had those debates because I think as we walk through this there's a depth of knowledge and understanding of these issues now that we didn't have before.

And so I...

Don Blumenthal: Yes, yes. No I certainly agree. I'm not saying that we would completely step back from the process but I think in terms of going through them I think better for the folks in the room to be here to address issues as they come up and provide perspectives on how and why we looked at them the way we did.

Mikey O'Connor: Yes. I - there you go. Perfect. All right so Marc is this quick or can I run us through the draft real fast first and then circle back to you whichever...

Marc Anderson: I can go quick. I was actually going to try and provide a little context supplementing what Don said and, you know, tip my hat again to Don for his drafting effort.

But I wanted to mention one of the things in the working group is we recognized that we didn't have the ability or capacity to analyze, you know, every international law right?

So, you know, it just, you know, that just isn't something we have the capability or the expertise to do. And so that's certainly, you know, outside of our scope or any, you know, reasonable scope for this working group.

And the other thing, you know, you see from Don's draft that there's a lot of focus on, you know, data at rest and data in motion which we're important, you know, were continual themes of the working group.

So you see that reflected in Don's draft. And I was just trying to add a little context there before you proceeded.

Mikey O'Connor: Yes. And actually keep, you know, I don't want to cut you off on that. And other people who were in this subgroup if you want to chime in behind Marc and offer your observations too I think that is very helpful instead of me just stumbling through this pretty much cold.

I've, you know, been observing its progress but haven't anywhere near the understanding of the nuance in this draft.

So if there's anybody else from the subgroup who'd like to offer comments like Marc did by all means jump in.

Okay so I don't know quite what to do here. I'm not sure I want to drag us page by page paragraph by paragraph through this draft.

But I do want to sort of force us to read it because I think that this is either A or D a very important piece of our report. And I want to make sure that we give it a vision, review and, you know, sufficient testing.

Presumably you've all seen it on the list. It's been out for a few days. This is our first reading and so I would encourage - I'm debating whether to sync up this thing and force us through it page by page and I've decided not to do that.

But please do as we're discussing this today try to give it at least a brief reading because, you know, I think this is a centerpiece of our report that we need to make sure were comfortable with it. Alan go ahead and then Steve.

Alan Greenberg: Thank you. A little while ago I tried - this is a long paper. It goes into significant detail and analysis. And as I was reading various earlier versions of the draft I was trying to come up with a short statement of what it said or at least what conclusions it came to.

And I have such a statement which may or may not be acceptable to other people including Don but I'm hesitant to read it out right now before other people have a say but I will if the group feels it's appropriate or I can send it to the list afterwards.

Mikey O'Connor: I'll tell you what let's let the conversation proceed for a while. I really want to hear it on the call.

Alan Greenberg: Okay.

Mikey O'Connor: But I agree with you that, you know, it would be good to get sort of an open ended conversation first and then circle back to that maybe.

Alan Greenberg: Okay.

Mikey O'Connor: So let's save that one that's...

Alan Greenberg: Call on me when you're ready.

Mikey O'Connor: Okay. And if I drift off don't be shy about jumping back in. Steve go ahead.

Steve Metalitz: Yes this is Steve. I'm in favor of Alan reading his - his summary also. I just wanted to say about the organization of this because I mean it is a long paper.

But I think if you look at the first four pages are really looking at what are the, you know, trying to identify what's - what is the - taking a snapshot of the issue in a thin environment, the issue in a thick environment, and then which is, you know, what are the advantages, what are the disadvantages, and is there any significant impact?

And I think the conclusion is is that there is not significant impact for either model either at data at rest or data in motion.

Then I think the next - the second half of this -- I see these pages aren't numbered -- but the second half of this is about some of the legal issues.

And it really consists of a recommendation that some of us think may go outside the scope of this group but others obviously don't.

But it's more directed outward to other entities or other groups that are working on Whois issues notably the experts group and what's going to come out of that rather than to the output of the working group.

So - or the specific task of the working group has been assigned to take up. So I just think it may seem intimidating to have an eight page document but I think if you break it into those two halves perhaps that's a more useful way of looking at it.

Mikey O'Connor: Now let me stick with you on this for a minute Steve. One of the habits that we've gotten into in this working group is saying well okay we have recommendations and findings that are specific to our charter.

And then we have observations or interesting things that we want to highlight for other people that we're going to put in I think in a separate section of the report towards the end so that they're not lost. We keep finding, you know, like the UDRP issue that we identified somewhere back there.

Does the second half of this fall in that category? Do you want to react to that?

Steve Metalitz: In my opinion it does.

Mikey O'Connor: Okay.

Steve Metalitz: Again it's kind of advice to other groups, you know, it has some observations about what might end up in the RAA and adjusting policy or procedure on handling Whois conflicts with privacy laws.

So yes I think that would be in my view that's a reasonable way to...

Mikey O'Connor: To go okay. (Amr) you're next.

Amr Elsadr: Hi this is (Amr). Just a comment on Steve's comment the impression I really got from the last four pages on what we - what I personally admit is probably outside the scope of the working group.

But the issue was really I think a lot of I believe should be that because we - because it was very difficult in our work as a working group to come up with all of the ramifications considering all the different laws and legal jurisdictions on WHOIS data I think this is why we made these recommendations and - or

at least we wanted to include them in the report to the (unintelligible) data protection section.

I think if we had the capacity and we had the ability to analyze everything in detail which admittedly we don't I don't think this would have been necessary.

So we would have concluded the work of the sub team on this topic as per our charter. But since we don't I think it's prudent to keep this part (unintelligible) concluded thanks.

Mikey O'Connor: Oh yes. I'm certainly not I'm really pursuing an organizational, you know, report structure question rather than a content question.

I'm certainly not in any way advocating that we get rid of it if that was the impression let me correct that.

Amr Elsadr: No, no that wasn't my impression. I'm just I'm trying to highlight at least my perception of the rationale including this part even though it is - when you read it is kind of out of scope of the working group and that is true because we were not requested to make any recommendations on how ICANN operates in the future and that sort of is what is implied in that part of the report.

But I'm just trying to at least give my own perception of why this part of the report was drafted the way it was. And Don can correct me (unintelligible) as well. Thanks.

Mikey O'Connor: Yes. That's very helpful. Don go ahead. Oh and Marika let me go to Don first and then Marika you can go. I'm sorry I missed your hand.

Don Blumenthal: Okay I was going to wait there but that's fine. Yes I basically agree with what (Amr) just said with one qualification and this is where I kind of drift a little bit on we're in scope were out of scope.

And the fact is the recommendations that we say we need other people to look at we suggest other people look at to me in scope in the sense that if we had these answers these are the types of answers we would need to do everything in scope.

The fact is we're not equipped to do them. The fact is I'm a little disappointed that historically they haven't been done.

So yes I don't know about whether in scope or out of scope. What I might suggest is that in the process of rewriting and incorporating we look at the second halves and maybe pull pieces of it out in terms of what we all would agree is in scope and then do the recommended action as an appendix section or whatever route we decided to take.

Mikey O'Connor: Okay. Marika.

Marika Konings: Yes. This is Marika. I do believe that based on previous discussions in relation to some of the other sections where we've also come up with some I think we called them observations instead of recommendations that we said that we may want to create a separate section in the document where we do highlight some of those observations or, you know, recommendations that are maybe not within our scope but we do believe are important to at least put on the radar screen either on to the GNSO council to take action on or, you know, be able to refer those two (unintelligible) initiatives that are currently ongoing that may benefit from that information.

So that may be a way as well as (unintelligible), you know, recommendations or observations into that we have a section that do - does list some of the items that we've, you know, covered in our conversations and maybe have, you know, concrete ideas on even realizing the, you know, they may not be within our mandate or scope to make, you know, firm recommendations on but at least we suggest maybe certain steps forward or at least the direction

of where they should be fed to so that they don't go lost as I don't believe valuable work and an discussion has been had on these topics. So that may be a way of moving forward on this.

Mikey O'Connor: Thanks Marika. Don is that a new hand or an old one? I'll bet it's an old one. Okay I think it's time for Alan's summary.

Do you want to read it now Alan? We haven't got - anybody else want to jump in the queue before I do that? But I see nobody in the queue. Yes Alan go ahead.

Alan Greenberg: Let me paste it into the chat at the same time and...

Mikey O'Connor: Oh and as...

Alan Greenberg: ...allow people to focus on it.

Mikey O'Connor: As Alan is doing that I want to note that we've got a pretty lively conversation going on in the chat that I think is about -- I haven't been able to watch a real carefully -- but it's about the previous topic.

And so we probably either need to circle back to that and at least summarize it in the transcript here or again capture the chat and get it out to the list because there's a lot going on today in the chat which is great but it's hard to keep it all going.

Alan Greenberg: If perhaps people could stop typing for just a moment so this doesn't roll off the screen. Okay the main gist I think of what it says is that there may be issues with regard to privacy in the future perhaps even probably with the issues with regard to privacy in the future.

But those issues will apply to other gTLDs as well. And thus will need to be addressed by ICANN. The agreement with the registry - the policies and

practices -- sorry I'm going off I seem to have posted an old version into the chat -- so ignore it. I'll fix it later.

The registry agreements and policies have allowed registries to address privacy issues with regard to Whois.

The new registrar RAA has provisions which are much stronger and much more supportive of registrar's needs than the older version.

The fact that the registrars have agreed to support the thick Whois says in their perception there is no immediate problem that needs to be addressed.

So although privacy may become a (subset) issue in the future and should certainly be part of any investigation of replacements of Whois it doesn't seem to be a reason to not proceed with thick Whois for all at this point.

Mikey O'Connor: Okay. And Marc's...

Alan Greenberg: Having said that I will try to get those words and post them into the chat because somehow...

Mikey O'Connor: Yes because I can...

Alan Greenberg: ...as I was talking an old version popped up on my screen so...

Tim Ruiz: And I'm confused this is (Tim). I'm just confused by the last sentence because it reads different than what I think you said.

Alan Greenberg: It does. And that was the new version and there was a not missing in it. So I said please ignore what I posted its wrong.

Tim Ruiz: So it's not a reason to not proceed.

Alan Greenberg: No. I had - it's not a reason to not proceed. I made some changes in a Word document. And then I cut and paste and somehow along the way it reverted to an older version. I apologize and I will try to fix that as soon as I stop talking.

Tim Ruiz: Okay thanks.

Mikey O'Connor: Yes I think that would be good. I'm seeing the queue build and I'm hoping that the queue is sort of building along the lines of what of the question I'm going to ask which is what the other people in the subgroup think of Alan's summary.

Of course anybody can chime in but I'm especially interested in subgroup members and we have a couple. So go ahead Marc.

Marc Anderson: Thanks Mikey this is Marc. If I can do, you know, slightly different than what Alan said. I - one of the things that occurred to me is sort of early in the subgroup we, you know, we had discussions around the fact that, you know, certainly, you know, the thick data, you know, thick data in general is, you know, is a somewhat, you know, hot button topic right?

There's, you know, there's sensitivity around having that data. And, you know, so I think, you know, as a subgroup, you know, we sort of we recognize that yes this is a hot button topic.

And, you know, we recognize that there are, you know, there isn't universal agreement around this. But then as sort of a subgroup we tried to focus on, you know, not on, you know, the controversial aspects of it but rather focus on what it meant to migrate from a thin to a thick.

You know, recognizing the fact that there are existing concerns and that we're not as a working group we're not trying to address those.

We're not trying to fix, you know, everybody's concerns around who, you know, thick Whois. What we tried to focus on is what would be the implications of migrating from a thin into a thick registry?

And, you know, what, you know, what that means around transitioning the data from registrars, you know, having the authoritative data to, you know, migrating it to a registry where the registry will also have a copy of that data.

So this sort of, you know, as we're having this discussion and, you know, when Alan was making that summary --thank you Alan for doing that.

You know, that sort of occurred to me is sort of, you know, those conversations we had early on and I guess, you know, the full group wasn't part of those conversations. So I thought that was useful background in sort of the focus of the subgroup.

Mikey O'Connor: Thanks Marc. Don go ahead. I think at the end of Don unless somebody has something really urgent I'm going to wrap up this chunk of the agenda because it looks like there are some revisions that are going to come back next week but go ahead Don.

Don Blumenthal: Okay. I just wanted to I guess present some other viewpoints. I mean I appreciate the - I think some kind of wrap up here or a summary is really important if nothing else as a setup for the thin document.

But I'd just like to suggest a couple of things that came up in the discussions as a counter for people to consider.

The first is there are some people and I'll say I'm one of them who believes that this isn't - that it's not it may be an issue in the future.

I think what we're seeing particularly with some ccTLDs suggests that privacy is going to be an issue in the future in the gTLD space. There is no question

about that. And I think what's happening the negotiation suggests some recognition of that.

I would - I think to say that I'm obviously agreeing on this but the other - another thought that came out of our talks was that saying this is accurate for all gTLDs is true.

We have to think how much of this paper is focusing on the transition as opposed to also being the blueprint for a new gTLD part two if anybody ever has the guts to try to do this again.

And what we say here in terms of should things be thick or thin well that's going to apply in the future. So what we say now that applies to all gTLDs I think is still in some extent in scope.

And I'll hold it there I've got a bunch of other things but I think I tipped my hand there. I was trying to be neutral and say what discussions came up but I said I a few too many times.

Mikey O'Connor: I think it's okay not to be neutral. Here's a thought. It sounds to me like there's a pretty solid draft here. There also sounds to me like there's preamble draft, or an executive summary draft, or an abstract draft that's underway that Alan has started.

What if we left it at that for today and looked for a revised version of Alan's preamble -- let's call it a preamble for now but whatever you think is right -- for next week.

Would that work? Would that be a way to hammer out some of these things because I think what's important is to get that distillation done so that people especially people in the subgroup who have been through these discussions are comfortable with the wording.

And I'll go to Alan to see if whatever he has to say but then also to see if he thinks that's the right way to go. So go ahead Alan.

Alan Greenberg: Thank you. I certainly have no problem with changing the may probably too will. I - the, you know, predicting the future is hard.

But predicting that no one will care about privacy more in the next few years than they did before is not something I'm going to predict.

Privacy is on the table and will continue to be on the table. And that in fact is one of the reasons I believe that the transition is a good thing because when we go to this brave new system in the sky in the future having transitioned all registries to thick to begin with there is a single transition path to move to the replacement instead of trying to have two parallel transition paths that we architect to happen at the same time but through very different mechanisms.

So that's one of the reasons that I think the very fact that I think we will be going to something which may be quite different.

And heaven help us maybe closer to a thin model than a thick model it may be something eligible together.

Whatever it is moving from a single uniform model across the gTLD space is going to make the transition easier. Thank you.

Mikey O'Connor: That last little bit I would capture as sort of an operational advantage of thick...

Alan Greenberg: Yes.

Mikey O'Connor: ...and put it in, you know, so anyway just...

Alan Greenberg: Yes is not a privacy issue but I...

Mikey O'Connor: Yes.

Alan Greenberg: ...wanted to...

Mikey O'Connor: Right and...

Alan Greenberg: ...you know, sort of put that out.

Mikey O'Connor: And it's a good one. And we don't want to lose it. But, you know,...

Alan Greenberg: And I certainly have no trouble changing the verb in the first sentence to something more definitive.

Mikey O'Connor: (Tim) welcome to the gang. What's up?

Tim Ruiz: Yes thanks. Yes I think that that Alan makes a really good point there. And thinking too just and not necessarily something that we might have that we'd have capture but just keeping in mind that, you know, I don't think there's going to be - I think they'll be - will some transition like Alan has indicated.

But I think too it won't be like a one size fits all. I think it's going to be, you know, when we have this many gTLDs in the mix I think there's going to be some that, you know, are going to have different issues that may press the privacy issue a little bit sooner maybe than others just simply because of the nature of the TLD, you know, I don't know what it may be like .bank or something, you know, who knows?

But so I think that's, you know, another point that, you know, that I don't think it's going to be a single one size fits all for these huge mix of gTLDs.

Mikey O'Connor: I think that's another really good operational point that we need to capture. Okay I'm going to draw a line under this now. I think this is a great first read

of a great effort. And again I belabor the thank yous because this was terrific work and it's not done.

So I'm going to hand that one back and sort of leave it with Don, and Alan, and the rest to sort of drive us through another iteration based on this conversation today.

Don says gee thanks in the chat. Well, you know, there's the old adage let no good deed go unpunished.

So - but I, you know, it's my sense just on the outside looking in is that we're getting to a close on this.

And so if I can lean on you guys one more time and see if we can't come around to that I think that would be great.

Maybe Alan can kind of take the lead in being the repertoire or drafter of that summary to take a little bit of the load off.

Okay I lost track. (Tim) is that a new hand or an old one? I'm assuming it's old but if it's new just...

Tim Ruiz: Oops its old. Sorry.

Mikey O'Connor: Yes. No worries.

Tim Ruiz: There we go.

Mikey O'Connor: Okay. Let's will get just about ten minutes left. And I just want to introduce you to the cost of discussion. I'm not sure - Marika can you - do you have that goofy draft that I sent out? It's coming good.

And then the other thing I want to see if I can do I'm going to grab control of this because I want to sort of walk you through it in pieces.

Here's what I was doing and Rick Wesson, and Berry and I had a pretty good call on Friday but I don't think we're necessarily done.

What I did is I wrote a little draft and I was looking for so I'm going to zero us in on chunks of this first and sort of say well there are sort of two kinds of costs.

There are ongoing costs and then I arbitrarily made the choice of after transition. So otherwise you get into this goofy double entry bookkeeping which there's before and there is after and that's too hard.

And so this little list is the list that I came up with and we hammered on a bit on the call. So one of the questions to you all -- and I'm putting these to you so that we can this is essentially first read on this as well we'll visit this again next week and then feed it into the draft -- it, you know, are there any other ongoing costs that change, you know, after the transition to thick from thin? So that's one thing.

Then there's the cost of the transition itself. And I came up with two chunks the getting ready, develop the system, and the actual do it part.

And again I've got are there other costs in either of these buckets or is there another whole bucket that we need to think about so that one question for you all.

Then I want to take you to the question across the top which is I had entities that incur costs.

o clearly there are costs, ongoing costs and conversation costs for registrars and registries. And then there might be costs for registrants and other people who consume Whois data.

And so again the question is are there any more buckets in which to throw these costs?

(Rick) is really good at keeping me from overanalyzing things. So one of the things that we came up with which I think is a good idea but I want to try this out on you is that rather than coming up with dollars and cents numbers it's going to cost \$45 to do something in here we start talking in terms of what are these costs comparable to in today's world so that people can from their own perspective sort of look at this and say oh it's like this other thing.

Okay well I know what that other thing is from my perspective. So I have a rough guess as to the magnitude of these costs.

So that was what we started to focus in on. And so I'm going to take you over to a notes chunk first. And then I'll open the whole thing up again. Whoop that was a little extreme. Hopefully you can read this.

One of the things that we started talking about was sort of what can we compare this transition to? And one of the things we arrive at was well this is a lot like the transition from the original RRP to the ETP. These are the underlying protocols that are used.

And way back in the early, early days the protocol for transferring data between registrars and registries was RRP. And that got revised quite a while ago into ETP.

And that was a pretty big deal transition at the time. And it's our sense that this one is smaller than that, simpler than that.

Another kind of comparable that we came up with was well this is like starting to escrow your data if you're a registrar or a registry. It's kind of on the scale of one of those projects.

So if you're - if you've lived through one of those that might be a way to get a sense of how much it would cost to do this.

And then one of the things that, you know, I was getting all into the details on and (Rick) sort of yanked me out of my rabbit hole and said well you do have to bear in mind that running a Whois server is a lot less complicated than running the front of back end Web servers for either a registry or a registrar. This is a much simpler system than that.

So those were some sort of broad scoping scaling kind of things.

Then when we went into the actual costs and now this is going to become an eye chart and I think I may let you control this on your own so I'm going to give you back control.

But what we said was for escrow costs for registrars there's probably no change because registrars are going to have to escrow the data anyway.

There may be - and that's why the no change has a question mark behind it. There may be a change for the registries but we don't think it's real big because this isn't that much data.

And Volker's pointing out that registrar escrow is free to the registrars right but yes and so that's a good point. So still no change he said dodging a bullet.

Another is the Port 43 costs. And there given the changes in the new RAA for registrars this would be eliminated. And for registries this we decided would be incrementally higher.

For Web access, you know, the Web delivered Whois this would be a negligible change for either. And (Frederick) you're right, it's paid for by ICANN.

And so the conclusion that we wound up with out of all this was the ongoing costs don't change very much.

And so, you know, one of the things to add to the mix of questions for the group is if we've missed one that changes a lot.

But, you know, we were hunting for big cost changes and we couldn't find one.

When we got to the transition costs the...

Alan Greenberg: Mikey may I interrupt? It's Alan?

Mikey O'Connor: Oh sure. Go ahead.

Alan Greenberg: Yeah. I think what you've lost in the Port 43 is with the new RAA. It's not only your eliminating Port 43 for these GTLDs, that's the last GTLD that it's necessary for.

And I suspect for most registrars not having to run that system which has been the subject of various sorts of criticism targets makes their life easier.

How much it actually reduces out of pocket dollar costs I don't know. But removing one of the...

Mikey O'Connor: A whole system.

Alan Greenberg: ...annoyances from their...

Mikey O'Connor: Yeah.

Alan Greenberg: ...life I think certainly has to be considered a plus.

Mikey O'Connor: Yeah that's a very well taken point. I - I - I like that point a lot because by being able to eliminate a whole system like that that does make a big difference.

Alan Greenberg: And it's one which is being subject to scrutiny. It's being subject to criticism. It's subject to, you know, little operational anomalies and, you know, making you potentially in violation of your - of the RAA. It's a whole rat's nest which will be gone.

Mikey O'Connor: Yes, yes and I like that.

Alan Greenberg: I'm thinking not being a registrar but, you know, I can't imagine it's anything other than relief.

Mikey O'Connor: Yes I think that's right. I'll take that as a wholly embraced friendly amendment.

And that's the kind of thing that I - this is a first reading and we're running real close to the top of the hour.

So that's the kind of thing I want us to dig into a little bit in more substantive conversation on the next call.

But let me just scream through this last little bit and then leave it for conversation on the list.

One of the scoping things that we said is one way to think about this transition is that in terms of developing system it's less than adding a TLD for

either a registry or a registrar and that the stuff that's in the matrix there is just our sort of first guess.

And the one tricky bit is the - in the developed transition costs those are sentences. So similar to a startup escrow project is the scooping sentence.

And similar to the transition from RTP to ETP but much easier cheaper is the sentence there. That doesn't come through in the format real well.

And with that you've had your first reading. Alan is that an old hand or a new one?

Alan Greenberg: No it's a new hand actually...

Mikey O'Connor: Oh.

Alan Greenberg: ...but very short statement.

Mikey O'Connor: Cool, okay go for it.

Alan Greenberg: It dawns on me as we're talking and I'm going to propose a possible implementation which is not necessarily our job but I want to throw it out to demonstrate that this may not be as onerous as one has described.

It dawns on me that a possible vehicle for the transition is whenever it's time for registrar X to transition their data a copy of the escrow data goes to the registry.

Mikey O'Connor: Yes.

Alan Greenberg: But it's the very data set that's being used to escrow which is in a format the registry's already familiar with...

Mikey O'Connor: Right.

Alan Greenberg: ...because I'm presuming they use the same format.

Mikey O'Connor: Right. There you go, implementation possibility.

((Crosstalk))

Alan Greenberg: (Unintelligible) goes to the registry. That puts zero implementation costs on the registrars other than turning off, you know, certain functions at the right time, you know, once the registry confirms they got the data.

And I mean it that may be a stupid way of doing it. But it demonstrates there may well be vehicles for doing this which are not nearly as onerous as some people have described. Just a thought.

Mikey O'Connor: Yes, cool idea. (Tim) I think you get last word today.

Tim Ruiz: Yes I don't think that's a necessarily stupid idea at all Alan. But yes I just wanted to ask though what's the next step with this if we're going to like then take this and say, you know, take it to the registrars and to what registry we can and say do these comparisons make sense, what are we missing here? You know, what are things that we should take into account or...

Mikey O'Connor: This is a...

((Crosstalk))

Alan Greenberg: (Unintelligible) that we've had so far is sufficient.

Mikey O'Connor: I think what we do - the steps I was thinking is answer my more question marks, my other question marks question this week on the list just to make

sure that I haven't missed anything huge, come up with bright ideas like Alan's and others.

But this document will go away and it will get translated into a narrative for this section of the report as its next drafting step.

And so the thought I think I'm having at that moment although Marika can course correct me here is let's stare at this for a week and chat about it on the list.

Let's go through it again, come up with more of these ideas. That'll give Marika and Lars and Berry Some pretty good meat for the bones of a draft section of the report.

And then that draft can go out to the registries and registrars for a reality check. But certainly this document wouldn't make any sense to anybody unless they've been talked through it. So it certainly doesn't stand on its own.

Alan go ahead.

Alan Greenberg: Yes I think the in summary (will) this week. But I think the target that we want for this section is to be able to have a summary which says the costs do not appear to be onerous compared to the profit margins to both registrars and registries for handling the domains in question. I mean clearly if it's going to cost a registrar or registry three years' worth of revenue to do the transition it's out of the question.

Mikey O'Connor: All right.

Alan Greenberg: Our target is to have a high level of comfort that's not an outrageous cost compared to the profit margins associated with the TL with the domains we're moving.

Mikey O'Connor: I think on that note we're two minutes - oh we're way over the end of the hour. This has been a great call but we're going to end it.

So Nathalie we can end the recording and thanks all. I think we're chugging right along. We'll see you in a week and that's it for me.

Alan Greenberg: Thanks Mikey.

END