

**IRTP C
TRANSCRIPTION
Tuesday 20 December 2012 at 1500 UTC**

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Attendees:

Avri Doria - co-chair
James Bladel –co-chair
Mike O'Connor – CBUC
Barbara Steele – RySG
Philip Corwin - CBUC
Simonetta Batteiger – Registrar SG
Jonathan Tenenbaum – RrSG
Matt Serlin - RrSG
Rob Golding - RrSG
Bob Mountain – Registrar SG

ICANN Staff:

Marika Konings
Nathalie Peregrine

Apologies

Paul Diaz- RySG
Michele Neylon - RrSG

Nathalie Peregrine: Good morning, good afternoon, good evening. This is the IRTPC call on the 20th of December 2011.

On the call today we have James Bladel, Bob Mountain, Mikey O'Connor, Matt Serlin, Barbara Steele, Jonathan Tenenbaum and Rob Golding.

From staff we have Marika Konings and myself Nathalie Peregrine. We have apologies from Paul Diaz and Michele Neylon.

I would like to remind you all to please state your names before speaking for transcription purposes. And apologies if I have missed anyone else. We're having meeting issues today. Thank you.

James Bladel: Good morning everyone or good afternoon, depending on your location. And thanks for joining the IRTPC working group call for December 20th.

As Nathalie mentioned, we're having some issues with meeting view, so if your name was not heard in the roll, or if you joined later, please let us know either through Adobe or later so that we can correct the transcript.

First item of course is to ask if anyone has any updated statements of interests. And also I believe that we have addressed our outstanding SOI issues that we've had, I don't know, as far as the initiation of this working group. Is that correct Marika? Or do we still have one or two holdouts?

Marika Konings: Yes this is Marika. I think we still have one person who hasn't submitted an SOI. But neither has attended any of the calls. So we're basically sending that person a last warning. And if we don't get any response, the person will be removed from the mailing list.

And the other person who hadn't submitted one indicated that he no longer wishes to be part of the working group. So we'll remove his list as well. And I think then there is just one person that just needs to submit their statement according to the new model. But we're sending some further reminders on that note.

James Bladel: Okay thank you. Okay so then the second item on the agenda is to discuss an update of our outreach efforts for SOs and ACs. I know that Avri did a fantastic job, oh I see that she's joined. So Avri if you don't mind, if you're on the call we can get an update on this.

I saw the letter that was sent out. And I thought it was excellent. Do you have anything to add?

Avri Doria: No, first of all just apologies for being late. I just found out my car was dead at inspection. So I was commiserating with my partner about what we do next.

Yes, no the letters went out. Thank you very much to Glen and Marika for doing that. Have gotten one acknowledgment I believe from ALAC, Olivier and ALAC saying thank you. They'll look into it. And that's all.

James Bladel: Okay thanks. I'm sorry to hear about your car.

Avri Doria: Thank you. Now I got to buy a new one.

James Bladel: I hope that works out for you, especially around the holidays. That's never fun.

Okay, and just kind of building on that we did, Marika and I were discussing before the call started that we had still received a grand total of zero responses to our call to public comment.

So if folks are intending to comment either individually or on behalf of their companies on behalf of their stakeholder groups, please be, you know, please be aware that the comment period closes on the 22nd.

I think that stakeholder groups have a little bit longer time for that feedback. But anyway that comment period is active but closing quickly.

Which then brings us to Item Number 3 and just a status update. We'll put Mr. Mountain on the spot here briefly. Bob can you give us an update on where the sub-team is at in compiling those examples...

((Crosstalk))

Bob Mountain: Absolutely - yes thanks James. This is Bob speaking. We've been moving forward. We now have two use cases that Simonetta and I had done. One is transferring a domain from Dynadot to Go Daddy. And the other is transferring it from one registrant account at Go Daddy to another account at Go Daddy. So those are both done.

And the draft of that deck has been circulated to the volunteers, the five or six folks who had been - agreed to help out. We're expecting a couple of more use cases before we finalize the deck and then circulate it to the larger team.

So, and I think I expect those any day now. So hopefully before the next call we'll have those done.

One comment, the process has been - I think we were surprised at how many steps the process took, even though both Simonetta and I had been through that before.

One use case was approximately 50 slides. So there's a lot of steps to go through in one of these things. And I think you'll all see that when we - when you get a look at the deck, which again I think it's coming along nicely. And hopefully we'll have it wrapped up in a week.

James Bladel: Ouch, okay, 50 slides. Well thanks for the update. I see we have Avri in the queue. Avri go ahead.

Avri Doria: Yes thanks. That sounds good. One question I had is, and you say you have more cases coming. Is one of the cases one where you're both changing owner and transferring to another registrar at the same time?

Bob Mountain: Yes the first one is. It's the domain that I had with Dynadot.

Avri Doria: Oh okay because that was both. Okay I missed that. Thanks.

Bob Mountain: Yes, yes. Yes, no sorry if I wasn't clear on that so.

James Bladel: And Bob I put myself in the queue. I think you have a question - I had a question. But I think you may have already answered it, which is that you expect that this would be ready for discussion in our next call, which is not next week, but the following week, January 3 I think.

Bob Mountain: I believe so. We're, this is Bob. We're expecting, you know, two more use cases, which people have told me I should get any day. So as long as those are delivered then we should be fine, yes.

James Bladel: Okay great, Jonathan.

Jonathan Tenenbaum: Yes, this is Jonathan here. Yes, we'll have a use case within the next day or so. And Bob while we're on the line, is there a particular, I think it was Avri that had asked about one that changes ownership.

Is there any other particular kind of transfer that we want for the case I guess? Do we, you know, is there any other particular kind of transfer? Any other kind of nuance thing that we want to address or?

Bob Mountain: Well I guess, you know, it should be different registrar choices than we've made. So we have Dynadot to Go Daddy and Go Daddy to Go Daddy. So we should probably pick I would say registrar to - a different registrar. Both, you

know, change of ownership as well as change of registrar just so we have another example of that.

Jonathan Tenenbaum: Sure.

Bob Mountain: I think - yes, go ahead. Sorry.

Jonathan Tenenbaum: Oh no I was going to say, yes we're going to utilize, you know, nets all on one side and registrar.com on the other.

And then as far as ownership we can do whatever we want. I mean we could either, you know, have it the same owner. Maybe do one - maybe that's what - maybe we'll do two cases with the same utilizing our two, you know, utilizing the two of them.

We'll do one where the ownership doesn't change and one where the ownership is changing. You know, we'll move it from entity to another or something like that.

Bob Mountain: Yes, this Bob. That actually makes sense because we don't currently have a same registrant different registrar use case.

Jonathan Tenenbaum: Okay so we'll do that one first.

Bob Mountain: Yes that would be great.

Jonathan Tenenbaum: And I'm meeting with my guys this afternoon or some time tomorrow. So that should be within the next couple of days. I'll reach out to you, you know, independent if we're having - if there are any issues or other questions or whatever. But all right, sounds good. Thanks.

Bob Mountain: That's perfect. Thanks Jon. And do you - did I copy you on the template?

Jonathan Tenenbaum: Yes, yes. I'm on there.

Bob Mountain: Okay perfect. Thanks a lot.

Jonathan Tenenbaum: Yes thanks.

James Bladel: Okay thanks Jonathan. I'm just raising my hand to introduce some of the chat dialogue that was taking place there.

Avri asked is there any case, use case where someone either a buyer or a seller is using a proxy? I can address domains by proxy, which is the only proxy service I'm familiar with is that domains by proxy as a looped in registered name holder does not participate in any transfer operations.

So that service has to be canceled prior to initiating any transfer or any change of control. I'm not sure if that's the general case for all proxy services. But it's certainly the case for that one.

So Bob I guess if anyone has any strikingly different experience with proxies, perhaps I can be at least deal if it's a separate use case or maybe a variant of one of your existing use cases.

Bob Mountain: Okay good point. Maybe we can try that at a couple of others and just see if it works. If - so that's essentially privacy services right?

James Bladel: Yes.

Bob Mountain: Yes.

James Bladel: And then Mikey had a question about if are any of the use cases employing an escrow service?

Bob Mountain: No they're not. Do you think we should?

James Bladel: Well I guess my only question in response to Mikey's question would be if that falls within the umbrella of what we're trying to tackle with change of control? Or if that's sort of kind of an outside third party service that really shouldn't have an impact one way or the other.

But, you know, I plead ignorance on this one. I don't know how it would or would not affect. Mikey go ahead.

Mikey O'Connor: I think that it would be an interesting one to add to the pile because it's - I've used proxy several times on some of the big domain transfers that I've done. And it adds a lot of layers to the process.

And actually in a way makes change of control clearer because there are usually contracts that point to the proxy service, etcetera, etcetera. So in terms of showing how a change of control is affected during a change of registrar, it's I think a useful use case to bring in.

((Crosstalk))

Mikey O'Connor: That was garbled. I couldn't tell - two people were talking.

James Bladel: I'm sorry, I stepped over Bob there. Is that for proxies or for escrow? I think I lost track of which one we were talking about.

Mikey O'Connor: Escrow is the one that I'm familiar with. I don't use proxy services. And so, you know, just to sketch it out, the way that it would work, at least the way it's worked for me is that the transfer is done twice.

It's done first to the escrow service. And then once the money and the domain are in the same place, then it's done again out of the escrow service to the gaining registrant's registrar.

James Bladel: Okay. Bob do you think it's at this point in the game we can still add in that discussion? And maybe Mikey you could assist?

Bob Mountain: Yes we have, we actually have an escrow service here. So I'm just wondering if we might be able to just use that as, you know, to walk through this process. So yes, let me take that one and give that a try. And see if we can't do it.

James Bladel: Okay, excellent thanks.

Bob Mountain: Okay.

James Bladel: Okay so I appreciate that Bob and for everyone that's working on compiling those, I think Jonathan and Simonetta and some of the others appreciate your help on that.

We look forward to the PowerPoint, although 50 slides is going to be - I hope they go quickly. But that will probably be the first item on our agendas when we return from the holiday break.

So if there are any other questions on this, otherwise we will move on. And re-start our discussion on the approach.

Now according to our work plan this is the last session for hammering out the approach to our three charter questions. Which if we recall we tackled Charter Question C and Charter Question D, in reverse order, in fairly short sequence.

But then we spent (the devar) question since then on Charter Question A. My question for the group is we should continue Charter Question A with the goal of wrapping that up here in the next 30 minutes.

And then perhaps spend another 10 or 15 minutes re-visiting Charter Question B and C. And then towards the end of this call we can then say that we have something that is a solid approach. We can boil this mind map down to some sort of an outline and then - or whatever is the most portable convenient format.

And send that out to the group for a final sign off on the list. Does that sound like a reasonable approach everyone? Okay Simonetta go ahead.

Simonetta Batteiger: I just had a thought on something that we should perhaps add to the approach. And that is basically we're going to have to review what's coming in through the public comment period to see if there is something that we need to add here. And that is just kind of missing just as a stepping stone I guess.

James Bladel: Okay. And that's for all charter questions I believe.

Simonetta Batteiger: Yes.

James Bladel: Okay I see Mikey capturing that now. Good catch Simonetta. And of course that presumes that we will start to receive some comments. We certainly could use some at this point. Any other feedback on that or we can just dive right in and continue our discussion of Charter Question A?

So where we last left our heroes, Mikey if we could scroll up just a touch. I just want to make sure that we're capturing everything with Charter Question A.

I think that we have a fairly comprehensive handle on all of the information that we want to gather. The background, oh yes, that expands quite a bit. The background I think is there.

The investigation as far as data that needs to be collected. I think that the change of control presentation that we'll see next time will be a good source of data. But are there other sources of data that we need to add to this particular list? Any comments or concerns that we're missing something? Okay.

And then looking at all of the examples I think again that's also part of the discussion that we'll have next week. Identifying applicable models and country code space. Now I believe that we have reached out to the CCNSO.

But we had also asked a few individuals on this working group to lend us their expertise on this subject. I think Michele for example was one. I think Matt perhaps? I don't know, maybe I'm picking on Matt a little bit.

But I think there were a couple of folks that had indicated that they were willing to just write up or find a few examples and write those up. And we'll have to reach out to Michele and see if that was indeed what he was volunteering for.

But I think it's important that we do get some feedback from - yes, you probably shouldn't put Matt's name up there Mikey. I think I was probably jumping the gun on that one a little bit.

The next topic on this particular issue would be drawing up an ideal process based on what we understand the current landscape to be. And what we've identified as in our findings as potential security concerns for barriers to trade I guess, or barrier friction in transacting in domain name registrations.

And then I see that the next is - next few items here are about sending that ideal process. And Mikey I think we should probably, I know you would never let us get away with designing a process without flow charts.

But if we could explicitly add that we would want to have some visual representations of whatever process we come back with. I think that that - I think that's probably called for in this example so.

Mikey O'Connor: I'm loving that.

James Bladel: Yes, I knew you wouldn't let us put something out there without a flow chart.

Mikey O'Connor: Although I will take that it's going to be a hard one to draw.

James Bladel: Yes possibly. But, you know, we'll - may have to take a (piecemeal). Oh I remember why Matt's name popped into my head. And I'm sorry to pick on you Matt.

But you had raised an excellent point in the previous call regarding the change of control that was not the result of activity on the secondary market. But it was part of more of a merger and acquisition transaction.

Matt Serlin: Yes.

James Bladel: And I thought that that was something that was, up until the point you raised that, that was something that had been overlooked. So maybe if you could describe your experience with those types of examples.

Matt Serlin: Yes so it's actually not even, it's not even that specific frankly. And I mean it obviously can be. But just for a variety of reasons, tax reasons, legal reasons, structure reasons, all sorts of other things. Lots of times corporate clients at least will need to update the registrant information on their domain names that really have nothing to do with the fact that they're buying or selling said domains.

They're just sort of, you know, for example, you know, in a large global corporation that may have different divisions or different subsidiaries, you

now. So local business unit in, you know, Belgium for example may register domains in their name.

But then the main corporate office in London or whatever wants the name, you know, wants all of the who is information to be standardized. So they update the who is information to reflect the main corporate entity. So all sorts of examples like that.

James Bladel: But would that strictly be a change of control? Or is that just more of updating of the registrant context?

Matt Serlin: Well it probably depends on how we're defining change of control right?

James Bladel: Yes.

Matt Serlin: I mean I thought we had drawn some parallels between change of control and registrant information.

James Bladel: Well I think, yes I think it's definitely a fuzzy logic problem right? At what point does it tip over and become a change of control?

Matt Serlin: Right.

James Bladel: But I think that your experience in the corporate transactions is slightly different than what we're talking about in terms of more of retail or wholesale aftermarket.

Matt Serlin: Yes that's totally right.

James Bladel: Okay. I see something Mikey put down here. But I want to go to Rob next who is in the queue. Go ahead Rob.

Rob Golding: Hi, yes we've looked at the acquisition side of it from a slightly different angle. In that about (unintelligible) policy is to take on the customers of failing, struggling or just simply wanting to get out of the market where post and domain registrars.

I know as a credited registrar, one of the things we like to do is move the domains from wherever they're currently registered into our systems.

Now our standard procedure for doing that is to email all the customers and tell them what's going on to say that you should be getting an EPP code in the first email. And if don't understand then please call us.

Or if you do understand then please action them. And if you want any help, you know, we've got our support system at (blah).

And one of the biggest problems we have had in moving in sort of bouts, not really massive amounts, that some bulk levels is not receiving EPP codes when requesting them.

And not receiving the I want to let it go emails. We're requesting them. Not receiving the you must confirm these emails (unintelligible) misleading emails from certain registrars where you say that you must, you know, if you don't want this transfer to go ahead and do this.

But if you ignore this email the transfer will go ahead. And then they automatically (unintelligible) because you haven't locked in and clicked confirm because the fact that their email explicitly says not - that you don't need to do anything.

And also getting in some places the contact information for the act being outdated. Which has (AD) for a lot of registries of being the registry themselves.

It's further complicated where previous transfers have taken place due to property service because the amount of domains I've looked at recently still have directives proxy service mentioned in the who is contacts. Yet have moved registrants at least twice since then.

Now I know what is supposed to happen is that you get your reminder to say please update your details for the WDLP. But of course if those emails are going to a proxy service that isn't passing them on anymore, the end user is not getting them.

So the end user is not getting at least the reminder. And then they find out this a problem when they want to move registrar or they want to renew their domain name but you can't authenticate who they are.

James Bladel: Okay. Thank you Rob. I'm just trying to unpack some of that here. And turn that - turn your comment into some specific action items. So would you say that, I mean it sounds like some of those issues are related to the partial bulk transfer problem that we identified earlier.

Rob Golding: So much if it's bulk or single transfers. It's a combination of less than helpful registrars who obviously don't want to see their business go away to somebody else.

And a lack of overall cross registrar and registry definition of exactly what should happen. And if everybody says hold, you know, we must send the EPP codes to the acting contact and the registry contacts.

Then that would be great. But some they need to register. And some they need to (add me) and some tending to (bouts). Some...

((Crosstalk))

Rob Golding: And what I think is missing is a set of rules that everybody should have to follow.

James Bladel: Yes I agree. Just as an aside, the policy is very clear that you send to the - the EPP codes should be sent to the registered name holder, which I find interesting and curious because every other instance of the policy refers to the transfer contact. Which can be the - either the registered name holder or the admin contact. So it is an inconsistency.

Rob Golding: Yes so I mean if you type the reseller club directed, they don't send it at all. They show it to you on the screen. Which means that the registry who has absolutely no access to the (aint) registry system and the reseller does, would never get their EPP code. And this is a compliant (unintelligible) who is actually trying to help them.

James Bladel: Yes and I think Simonetta has a good point in the chat here which is that the people leading the policy and the people implementing the policy are not always coming from the same areas of expertise.

It's usually a legal or businessperson reading the policy. And then a technical person implementing it. And there could be gaps in the understanding there.

Rob Golding: We can, rather late to the party as we were in terms of accreditation. And, but we dealt with 13, maybe more registrars over the years. We still have accounts of whole load of them.

You know, we still have some domain (unintelligible). You still have domains open at the (risk). You still have domains to (email). There isn't a common implementation for transfers.

There's certain things that are similar. But there's no common implementation. And that's a bit, from a systems point of view as well as explaining things to customer point of view, it's quite difficult. Because you

can't give them one set of instructions to move in and move out because it can depend who they're moving in from or out of.

James Bladel: Okay. Okay well that's a lot to take in. It's good information. I'm just trying to figure out where it goes here in our flow chart for change of control.

So maybe we can - I see Mikey furiously navigating the map here. Maybe we can - I think that there's a bit in there about different implementation inconsistency.

And then, you know, maybe we can expand a little bit on that point relative to the way EPP codes are disclosed or distributed, the way that FOAs are treated. And that, you know, overall it just comes down to registrars using the transfer process or as using the transfer process as a means to gain or retain customers.

And I think that that's definitely not what it was intended. In fact it sounds like it's almost counter to the intention of the transfer process, which was to foster competition and choice, Marika go ahead.

Marika Konings: Yes this is Marika. I just making a follow up to the comment that Matt made. And I couldn't find it that quickly in the mine map. So maybe we already discussed and it's already listed there.

But I guess one of the obvious issues that need to be addressed in relation to Item A is like a definition. What is meant by change of control? And if there will be any policy recommendations, what kind of changes would fall under that?

Because I know as well I think in the IRTP Part B discussions I think we also discussed for example the case where someone gets married and changes their last name.

Is that a change of control or how is that dealt with as it is a change of registrant. So I guess that would be part of discussions on, you know, how do you define that concept and, you know, are there different kind of scenarios that you would be looking at of different rules that apply to the different kinds of situations where you might have that occurring?

James Bladel: Okay good point. And I see that there was something in that chat as well from (Phil) that noted that it's going to be difficult to tackle this if others just so much variation in registrar practice.

I agree and I think that there's a couple of - I think Rob has identified just a couple of strategic surgical areas where some definition and recommendations and some registrar education could go a long way to smoothing out those - some of those differences.

For example if you're using ABB, you know, you would, you know, some clarify exactly how the EPP code must be delivered and to whom and by when.

I think the policy contains some ambiguity there or some inconsistencies there. If we can smooth out some of those issues that might - while it might not address everything that Rob is discussing I think it goes a long way to surgically attacking a root cause of a lot of what he's seeing out there.

Okay and then before we went on this path we were - the problem is mine map in my opinion that I love it. But I think the problem is that it encourages ADD like behavior where you can kind of jump around a little too quickly and move the handle on certain threads.

But going back to where we were just prior to that, Mikey had typed out something about holding a real-time workshop as part of our presentation of the ideal process to the ICANN community. Some of that I believe in the chat thought that that was a good idea as well.

I agree and I think that, you know, that should be a part of our, you know, coming out party I guess for this particular process.

But my question is when in the work plan would we hold that? And we have I think identified the San Jose meeting as an area where we would solicit feedback from the community on the problem and some of their ideas for the approach to the problem.

It seems like the opportunities to do this would be in Prague to either do it there or to have some sort of a virtual outreach session where that would be held via, you know, via a teleconference with a mine map going.

So I think that if we assume that we're going to be on track with our work plan in releasing some sort of an initial report plus or minus in the area of Prague then I think we should have something, a draft of a ideal process along with the draft of our flowchart that we could discuss at the ICANN meeting in Prague.

Any thoughts on that or any objections to that approach or Marika have I made just too many assumptions on our work plan to realistically expect that?

Marika Konings: This is Marika. I actually just quickly pull up the work plan. And it would coincide very well because we have for (unintelligible) to present the initial report by Prague and also includes a workshop where we would present initial report to the community but that could at the same time also include a meeting with the registrar stakeholder group or a specific session that would focus on that specific part of the report.

James Bladel: Okay, thank you. I guess my only concern with that, it's just more of an ICAAN cultural concern which is that by the time something is written into an initial report it seems to have a certain degree of inertia and so that taking an initial report and the taking it out to the community for comments and

feedback, if there's something that's dramatically proposed at a workshop or in those types of feedback sessions, it really has to be fairly significant in order to, you know, cause a complete rewrite of the initial report.

But that's just - you know, maybe that's just an editorial or opinion on my part but Marika go ahead.

Marika Konings: Yes this is Marika. I mean in that case there's of course other ways to already discuss initial ideas around that on an earlier stage.

For example if this would be the first topic the Working Group tackles, you know, you might already have an idea by Costa Rica on what the process might look like.

And in that case, you know, you could schedule a meeting with the Registrar Stakeholder Group to just, you know, talk around it or, you know, have the workshop and specifically invite representatives from the Registrar Stakeholder Group to go through the, you know, thinking or the most current thinking at the time by the Working Group to get input in that way.

Of if it's at a later date indeed do it in a virtual manner where you have a Webinar or, you know, meeting call scheduled with the Registrar Stakeholder Group to, you know, talk about the proposed process so that the Working Group indeed can still make adjustments before it gets - goes out for public comment.

So there are different ways I guess to accommodate that or deal with that.

James Bladel: Okay, thank you. Okay so we're now 20 minutes before the top of the hour. And the question I would pose to the group is do we see any other glaring omissions in our approach to Charter Question A?

I think we spent a couple of calls on this. I think we have a good handle on what we want to do. And I think that we're flexible and we are allowing for the idea that we could alter this as the situation changes so particularly in response to public comment or feedback received from the SOs and ACs and stakeholder groups.

So we're going to close this off going once, going twice. Excellent, thank you. That is definitely the largest of our three questions and will probably consume, you know, the (Parado)'s distribution. That'll probably consume 80% of our attention during this PDP.

Looking at the other 20% and I hate to just sound dismissive of Charter Question B and Charter Question C but, you know, hey them is the brakes right?

Item B (unintelligible) FOAs, I think that we've - going back here and just kind of dusting off our memories from a few calls back we talk a little bit about what the issue was with Item B, what we were trying to solve, what some of the various use cases of scenarios for this would come into play, existing practices, existing policies, understanding the concerns.

And then I think that based on findings in those three or four areas we would then make some sort of recommendations on whether or not we believe that this - the (epilate) should be time limited or if they currently are they should not be time limited and in any case what a reasonable time limit or expiration of an FOA should be if we determine that they are indeed a perishable (document).

So any other comments? I see Mikey's got his hand up. Go ahead Mikey.

Mikey O'Connor: Yes, I want to talk while I do this so I don't blind you all with the mind mapping. But I think what we might want to do is steal some of this later stuff and repeat it.

Basically, you know, this is the beginning of the process but we don't then finish it. We then don't do anything.

And so if we were to pick from the memo, this menu up here of things that we're actually planning to do I think we have to repeat some of those in order to actually get a product out the door. See what I mean James...

James Bladel: I do see what you mean. That's a good catch. The...

((Crosstalk))

James Bladel: ...with respect to Charter Question B it may not necessarily require a flow chart. But I think in general we need to close it off with some sort of a what is our action and how do we present that to the community and, you know, what do we - you know, what do we take away from that. So...

Mikey O'Connor: So we could...

((Crosstalk))

Mikey O'Connor: ...at a minimum take these two and repeat them. Let me show you what I mean and then if you don't like it you can take it out.

James Bladel: Well I think it's the last three.

Mikey O'Connor: This one too?

James Bladel: The one about - yes, determining whether it's appropriate. I think it's probably safe to assume that it is. That's why we're modifying an existing policy or examining and existing policy.

But yes, I think it's - I think that's good.

Mikey O'Connor: All right. So I'm going to go ahead and repeat those again for the third one as long as we're on a roll because like, you know, I think these we can cut down on some of these less complicated items.

But I think we need something in our work plan that acknowledges that we have to do some drafting and come up with some materials and circle back to the community so...

James Bladel: Got it.

Mikey O'Connor: ...there you go.

James Bladel: Hey good catch and thanks for keeping us consistent.

So aside from that Mikey and team, any other additions to Charter Question B? Simonetta?

Simonetta Batteiger: Actually maybe another one that applies to all three of them is to kind of at some point I think we're going to have another round of feedback and comments right?

And if so, we would have to look at these and see - review our approach and maybe review what we've done so far and plan for that time and whatever the output of that is as well right?

James Bladel: Yes I agree. And typically those are fed back into our discussions, into our deliberations. And, you know, in some cases folks who are submitting public comments for participants on the Working Group and understand the approach that was taken and some of the tools and materials that were employed and in some cases they're not in which case we make sure that it's not a revisiting of ground that's already been covered and it's more of a introduction of new and, you know, novel concepts and data or information or

if it's something that the Working Group missed the first time around we definitely want to capture it as a result of those comments.

So I think Mikey's got a kind of an overall capture here for public comment cycle of how that feedback loop effects or plays back into the overall distribution and exactly how we deal with the comments, yes, correct.

Yes, so all this stuff I think is always going to be done in the open and of course frequently presented to those that are interested in the community.

Of course that doesn't preclude the idea that some folks will still continue to I want to say throw rocks from the outside, you know, don't like what the Working Group is doing, don't like what they're coming up with. I think that's just kind of the nature of the multi stakeholder environment.

So any other thoughts on Charter Question B?

So Mikey has very astutely picked up that we need to close off each charter question with the discussion of our action items.

And Simonetta has identified where we need to leave a placeholder to incorporate public comments.

Mikey is that a new hand or is that from previously?

Mikey O'Connor: Oh I'm sorry, that's an old one.

James Bladel: Yes, I see, you've got so many things going on right now I just I figured that was the case.

Mikey O'Connor: Sorry.

James Bladel: Okay moving on then we have a few more minutes. We'll move on to Charter Question C. And I think that this is one that we identified possibly as low-hanging fruit that we could get some immediate feedback specifically from registrars and registries.

This is more of an operational question of how they refer to one another. And I think we identified fairly early on that this is mostly a transparent issue for end users for registrants and other stakeholders, not saying that they don't have an opinion in that - in this area but just that is probably doesn't excite their interest one way or the other.

So assuming that we have also captured the idea that we will solicit feedback, deliberate issue our recommendations according to what we established for the other two charter questions and then incorporate that public comment feedback cycle that Simonetta identified, are there any other concerns about Charter Question C. Avri?

Avri Doria: Yes thanks. In looking at that question, I mean at first, you know, there's the automatic instinct of (answer) well of course.

And then you get beyond that and you say well how would we demonstrate that indeed it does streamline? Is that another place where doing some sort of use case or some sort of process, scoping process exploration will actually show us that, you know, in this case there's 27 steps but in this case there's 12 when doing it between a registrar and registry.

So I'm not quite sure how it is we demonstrate, but yes it is or no, you know, it was anecdotally reasonable but no it really doesn't make anything easier. And I'm - so that's the question I'm sort of asking. Thanks.

James Bladel: Can I - okay, good question. Can I just maybe put my registrar hat on for just a moment here and respond with - I don't know that it's a streamlining issue necessarily but it's more of a concern about scaling as the number of

registries grow, especially in, you know, in advance of the new GTLD program.

Just that it becomes like many individuals who have accounts with let's say Amazon and Apple and Google and Yahoo! and all the different online sites you would have, I think that registrars also and perhaps registries as well find that that may be a challenge to scale that mini domain relationship as it grows.

So perhaps a response Avri would be to impress upon the registrars that we really need to explain the harms of this either current or anticipated harms of this to the community and make sure that we're demonstrating either through use cases or maybe it's just a descriptor that this is a problem worth solving and that it's something that even though it's not a pain that's experienced by registered name holders it is something that registries and registrars are looking to change or not change. I guess I don't want to presume the outcome but does that - is that going down the road towards what you were looking for Avri?

Avri Doria: Yes and no.

James Bladel: Okay.

Avri Doria: But that gives us another question to answer. But if we have to answer the question that is in our charter we also need to cover streamlining.

Now obviously streamlining contributes to scalability in some sense. But - and so yes I mean it - I said no but then yes in that producing cases that show that something makes it better, that something makes it scalable, that something makes it working better for the users and registrants perhaps because there is less confusion, there's less time. There's less I don't know what is all valuable.

But I think we - that's the construct that we have to think of it in is what are the benefits, what are the costs and how do we show them?

James Bladel: Okay. But in either case I think it kind of falls to the registries and registrars to make that case or dispute that case correct?

Avri Doria: Certainly they're the ones that have the knowledge on what - how it effects it. So certainly it would be a use a case if it was between registrars and registries, yes.

James Bladel: Unless it so sufficiently optimized the process that registrars felt like, you know, they could then lower, you know, overall prices or something silly like that. I guess that's...

Avri Doria: Or I, you know, and I'm totally speculating because I don't know. Are there other cases or other problems that would decrease. Whether that has an external effect or not I don't know.

But, you know, are there problems that are caused now other than, you know, it being yes, I have to keep a database of all my passwords because they're all different, you know, going back to your case. So I keep a database.

You know, so is it just that it makes it easier? Are there consequences of it being the way it is now that would be less the case if it were all uniformly changed?

And so those are the questions that I think, you know, I certainly don't know the answer. I'm not even sure what the proper questions are.

But I think it's framing is why do this? Is it just a matter of convenience or is there a material effect to the registries, to the registrars and perhaps even through some second order offense to the registrant but doing this effects and that we have to show.

And if we're saying this is worth doing not only in terms of convincing the registrars which is important but just in terms of the general question is this worth doing given its cost in terms of global system cost? Then why?

As I say, instinctively it seems to me of course this is the right thing to do. But that's not the right answer.

James Bladel: Right, otherwise it wouldn't have made it - graduated this far and became a charter question.

Avri Doria: That's right. People would have just done it.

James Bladel: Right, exactly. Okay, thanks. I think that Mikey's been typing furiously and I think that he's captured most - I think most of your concerns are accurately reflected here in what he's changed. But if they're not maybe you could take a look here and make sure that we get everything there.

And then I'll move on to Simonetta.

Simonetta Batteiger: I'm just adding to what Avri was just saying. I think the step that we have in A and I think in B as well is just understand why we're even looking at this question which would if - which would kind of explain to us what the benefit is of changing it.

Because there must be a story why this item made it into this PDP process in the first place. So understand what that is and then you can define what the benefit would be of changing it.

And it could be as simple in terms of the demonstrate piece that Avri was asking for. It could be as simple as to just basically show a quick graph of like this registrar, this is currently the database structure and adding another one takes X amount of time and time costs X, Y, Z.

Now think about adding 500 or 1000 new registries. What would this do for basically every single registrar all around the world?

And there you have the use case maybe if that's what it is. But we just ask why are we even looking at this question we'll probably get the benefit that way.

James Bladel: Okay good. And I see that Mikey I think has captured this contest for the others which is, you know, finding out where - you know, what is the problem statement that's behind this question.

And for some of that when we get to that point in our deliberations we may need to go back to the - not the previous sequences of IRTP but the task force that set up these - this secrets of PVPs.

Now we're going back a couple of years and revisit some of those documents and make sure we understood the genesis of these charter questions and make sure that we're accurately capturing them in our discussions and our request for information.

Okay. Oops I see Marika. Go ahead.

Marika Konings: Yes this is Marika in relation to your comment of going back to the documents is I think what I've basically tried to do as well in the issue report and really trying to dig into these issues.

But I have to admit it was quite difficult as there are a number of documents that were developed by the different task force and working groups that looked at that.

And also, you know, for example, I think on one issue the only thing I managed to find and where it came from was an email that was sent to a mailing list.

So it's over time it hasn't really - they haven't really kept track on, you know, what was the original problem and taken that forward. It's like different pieces that I hope have been put together in a certain extent in the report.

But I think we also have to be realistic that as some of these issues were raised quite a few years ago in certain cases maybe it is no longer an issue or the reason why it was originally raised doesn't exist anymore.

So I'm not sure - really sure why that applies to these issues. But I think if you look at some of the other IRTP issues it's a valid question for the Working Group to ask are these questions still valid seeing, you know, the time that has passed and possible other measures that have been taken over time.

James Bladel: Okay thanks. And I think that we will be, you know, reaching back for those touchstones I think throughout this process and making sure that we're being faithful to the original intent of including this.

Or if we believe that a question is no longer - or the issue is no longer operative we should - I think that then that puts the burden on us to demonstrate why we believe that's the case and why we feel that the charter question has become obsolete in the intervening time.

Okay, so with that we have three minutes until the top of the hour. I think that we have a good list here of an approach for all three charter questions.

I think that we should then send this out to the mailing list for markup and review with the understanding that folks may or may not have their full attention allocated elsewhere during the next two weeks.

Our next call if you recall our previous discussion, we will not have a meeting on next week which is the 27th of December. We will - no I'm - is that correct Marika, we will not meet on the...

Marika Konings: Yes.

James Bladel: ...27th. We will meet on January 3, that's correct, yes?

Marika Konings: Yes that's correct.

James Bladel: Okay so we're taking one week off and that is next Tuesday. We will resume our discussions on January 3rd. Presumably the bulk of that call will be occupied by a presentation from Mr. (Martin) and the group that is working on case studies for change of control.

The week following January 10th may be a little problematic for me. Still I've reached out to Avri to see if - what her schedule looks like. And perhaps she can take a lead on that on that meeting.

So let me know if that's a problem Avri. We can probably coordinate offline if that's going to be an issue.

So with that I would say, you know, to everyone that is celebrating or observing various holidays to enjoy your time off. And if you're traveling please stay safe and try to spend the minimal amount of time on ICANN issues that you can possibly get away with.

And so thanks everyone and have a great day and a great week off.

Man: All right, thank you.

Woman: Thank you.

((Crosstalk))

Man: Thanks James.

END