

## **GNSO**

### **Inter-Registrar Transfer Policy A PDP Jun08 Working Group**

**22 December, 2008 at 16:00 UTC**

**Note:** The following is the output of transcribing from an audio recording of the Inter-Registrar Transfer Policy A PDP Jun08 Working Group teleconference on 22 December 2009. 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-irtp-20081222.mp3>

On page:

<http://gnso.icann.org/calendar/#dec>

Participants present:

Paul Diaz - Working Group Chair - Networksolutions Registrar c.

Michael Collins - CBUC

Mikey O'Connor - CBUC

Sébastien Bachollet - ALAC

James Bladel – Godaddy - Registrar

Staff:

Olof Nordling - Director, Services Relations and Branch Manager, Brussels office

Marika Konings - Policy Director

Glen de Saint Géry - GNSO Secretariat

Absent apologies

Kevin Erdman - IPC

Barbara Steele - Registry c.

Mike Rodenbaugh - CBUC - Council liaison

Man: That is a very distracting echo. Is anyone...

Man: Yes, it sounds like we are in a stadium again.

Coordinator: We are now recording.

Glen DeSaintgery: Operator?

Coordinator: Yes.

Glen DeSaintgery: There is an echo on the line. Can you perhaps find out where it comes from please?

Coordinator: Yes, I will let you know. Thank you.

Glen DeSaintgery: Thank you.

Man: Glen you Glen.

Glen DeSaintgery: So, on the line we have Paul Diaz, Mikey O'Connor, Michael Collins, James Bladel Sebastian Bachollet, and for staff we have Marika Konings, Olof Nording and myself, Glen DeSaintgery.

Man: Great, thank you Glen. And of course (Barbara) has regrets.

Glen DeSaintgery: (Barbara) has regrets, yes.

Man: Hopefully the others might be able to join in a few minutes. Thank you everybody for making the time just before the holiday, much appreciate it. We will dive into it right away.

Just wanted to take a moment though, discuss a few (emmon) things. As you all are aware as we were trying to schedule this, with vacation schedules upon us, it is looking kind of unlikely that even if we were to

agree to the final text on today's call that we could get this report posted, get the public comment period opened. Again, just because of the scheduling and staff availability, etcetera.

So what it basically means is that I think, you know, we should make every effort to push through this today, do the best we can and even if we should get all the way through, we probably want to have another look at it, fresh eyes and what not, over the break and have a meeting on Tuesday, the 6th of January, and we can push it out thereafter.

Again, only because getting everything done today might be difficult, and if we do, staff is not going to be available to get it posted.

Also Marika makes a very good point. In the public announcement of the opening of the comment period, working groups have taken different tacks. Some it is very, very simple, very straight forward. They simply say here is the report, we solicit your comments, please weigh in and leave it at that.

Others will take a more expansive view and kind of provide a sense of what some of the key conclusions were, what the group - basically where the group stands, a summary of the executive summary if you will.

I leave that to everybody to think about now how we might want to do it. And we can readdress that a little bit later in the call whichever way we want to go.

So, with that again, I would like to make our best faith effort to try and get through the report today, get all of the comments and edits done,

but understand please that if we cannot, that is all right. We will have another meeting on the 6th of January, our regularly scheduled Tuesday time and that will actually be the final sign off on this report and we will get it posted very shortly thereafter.

The 30 days for the normal public comment, you know, will carry us into the beginning of February. And that will leave us probably about three full weeks of work before the March ICANN meeting in Mexico City. Whether or not we can finish it, again, we will make our best efforts.

You know, our internal goal was to get it all wrapped up by then, but if we can't I am sure counsel will be understanding and we will get it done as soon thereafter is possible.

So with that as background, I hope everybody can see - Marika has already provided an updated draft dated the 17th on the WIKI site. Let us work off of that today, and just take it from the top.

And again, I will kind of go through this quickly. Please weigh in if there is anything additional, additional changes, anything we may have missed. But, you know, from the executive summary 1.1 there were no changes. One point two there was a very minor typo in the first bullet point. Marika fixed that for us.

One dot three - okay here is where we really were weighing in last time. So what we have done is we have moved so it would have been the final sentence or two in all the issue statement summaries, made it the first bullet. As you can see there it begins for all issues comma, etcetera, etcetera.

Are people comfortable with the way that reads? And now that you see it in black and white do you like it up front? There was some discussion last time, maybe we wrap everything up with that at the end. You know, it is kind of an open comment to the group. Do you like the way it looks? And, if not, how would you like to see it changed.

Mikey O'Connor: This is Mikey.

Man: Go ahead Mikey.

Mikey O'Connor: I think it is fine. I like it.

Man: Cool. And it reads well for everyone? Okay. Then for issue one, at least from my notes, what we decide to do was strike that first sentence in the old version. So now it just simply reads what you see there, the working group notes that WHOIS etcetera, etcetera.

Yes, the question for the group is, does this capture the best we can the sense of the group? Anybody feel that we are leaving important text off the table with the cuts that we did or, you know, does this sort of strike the right balance?

Mike O'Connor: Again this is Mikey. This hits the operational note that I have been sounding pretty well I think. You know, it is (bell).

Man: Yes. I think it does as well. Just for other - any others in the group, I mean I think Marika did an excellent job in recasting this to capture the discussions we had last time, but does anybody see any, you know, feel that there is anything missing.

James Bladel Well this is James.

Man: James, please.

James Bladel Yes, I did not want to - I know that at this stage in the game it is not the time to start adding things, but should we make mention that registries are free through the RSTEP process to add additional provisions not enumerated here or, maybe that is a little off target, but that might be a catch all for language to indicate that if there is something that we have not thought of that on a per TLD basis.

Man: What does everybody else in the group think?

James Bladel Insignificant of a change I will happily withdraw.

Mikey O'Connor: This is Mikey.

Man: Mikey.

Mikey O'Connor: James you said something about the RSTEP process. I...

James Bladel Through...

Mikey O'Connor: ...just do not know what...

James Bladel ...requests or through additional registry services requests or...

Man: Yes, evaluation procedures.

James Bladel Yes.

Mikey O'Connor: So, could they add stuff to WHOIS that way?

James Bladel No. Could add communication facilities on their own.

Mikey O'Connor: Ah.

James Bladel For example Mikey, you know, what we are talking about here is that there were going to say changes say to ETP, one way this could come about short of getting the IETF to recast the entire protocol with a new what do you call RFC, the other way to do it would be for the registry, one or several of them in unison, to petition under the RSTEP process to create what will be considered a new registry service. And that would be whatever changes were going to be sought in the EPT protocol.

Mikey O'Connor: Yes, I get it. I think that any openings to progress are a good thing just as a general...

James Bladel Um-hmm.

Mikey O'Connor: ...statement. And maybe what we do is we put that in the how are we going to get there part of the report that we haven't really written yet.

James Bladel Yes.

Mikey O'Connor: Does that make sense? I mean I do not want to lose that idea - would be I would support putting it into this draft, but if we decided not to put

it in this draft, maybe what we do is we put it on the list of stuff that we are going to include in the final.

Man: I had the same thinking for what it is worth. I think it is a great point to make James. I do not know if I would want to put it up in the Executive Summary just because I think that might be too much for people to absorb. But certainly we can make the point in the text.

So make a little note to yourself and as we get to the full body of the report, if we haven't already something to that effect, let us try to craft a sentence or two and put it in later on, whatever page that may be when we are dealing with this in full. Understood? All right.

And so, that was issue 1. Issue 2, again Marika has captured very accurately per my notes from last call as we had gone around on how to characterize. Are people comfortable with the text as it now appears? Time to think about it, does this seem like a fair summation?

Mikey O'Connor: This is Mikey. I am fine with this one. It is a great job.

Man: Okay. Okay. You know, it seems very short and to the point, you know. Opinions differ and we will leave it at that.

Okay, for issue 3 then, the final bullet, basically all we had done was drop the last two sentences which again has been moved up to the first bullet point. So, is everybody comfortable with that? That looks accurate, issue 3? Okay.

Again, we will just start marching through. So 1.4 now, there is two bullets, pretty factual stuff. Okay.

Now the third bullet point here - this was inserted at some point in the process. And it was to address the view that we had had last time that - and there are differences expressed in the constituency statements versus what individuals members again representing themselves as individuals that may or may not be part of a particular constituency have said or characterized in the views of the working group.

Wanted to make the point that the actually constituency statements may be different. Everybody is good with that? Okay.

And then 1.5, conclusions and next steps. Again...

((Crosstalk))

Man: This is deleted or just there was a portion of it deleted?

((Crosstalk))

Man: It is - Marika from your notes, what was deleted TBC?

Marika Konings: That was in the first draft. We did not have an executive summary yet so I just put TBC. So it basically just - this whole section replaced the TBC that was there initially when we started working on the report.

Man: Oh I see, thank you.

Man: I think I am using different acronyms Marika, TBC - to be crafted?

Marika Konings: Yes or to be confirmed.

Man: Confirmed? Fair enough, okay. Very good. So, everybody comfortable with the text of 1.5? That seems pretty just descriptive. Okay.

Then moving on, section 2, a lot of this material of course is largely unchanged from the - what we put out from the first solicitation - first run of solicitation of comments. So it is largely historical.

Section 3, that is background, so we have the process background. Anybody seen any typos or would like to see additional clarifications, anything, or pretty comfortable with everything in 3.1? Okay.

Then 3.2, we start getting into the issue backgrounds, so for issue 1?

Mikey O'Connor: This is Mikey.

Man: Yes Mikey.

Mikey O'Connor: I am down around line 204 and 205.

Man: Um-hmm.

Mikey O'Connor: What we are I think trying to get at, or at least what I was hoping we would get at is the notion of trying to open the tent of WHOIS without opening it so large as to freeze the conversation. And I am not sure - we, I guess it is on 204, 203-204.

I am not sure that it was any proposed effecting WHOIS, it was really more someway to leave us a little wiggle room on WHOIS, but I am not sure exactly how to say it.

Was that other people's sense because I am not terribly cranky about this.

Marika Konings: Mike, this is Marika. Just to point out, this is actually taken from the issues report. And I think that is why the footnote (unintelligible) (senior) version has been added to basically say that this is not something the working group, you know, thinks or says, but this is basically just taken from the issues report as a background to the whole discussion that is laid out in this report.

Mikey O'Connor: Oh this is background. This isn't necessarily conclusions, right?

Marika Konings: No, because that is why I draw it as a footnote at the end of the sentence on...

Mikey O'Connor: Yes.

Marika Konings: ...204. There has been a footnote added that basically points that out again as well as on the heading 3.2 it says while excerpt from issues report. But I think the footnote tries to clarify that, you know, to emphasize again that this is not the working group saying this but this is just...

Mikey O'Connor: Oh.

Marika Konings: ...taken from the issues report. So I do not know if that addresses your concern or whether it needs to more rewording or...

Mikey O'Connor: I guess - I certainly understand that. But now I guess the concern that I have got is broader, which is maybe we want to emphasize that this is from prior work rather than our - is it true that this whole section 3.2 is all - it is purely excerpt, it is no new language whatsoever?

Marika Konings: Yes, correct.

Mikey O'Connor: What if we clarified that by putting this whole section in quotes then or something like that, some way to make it clear that this is not really new material that was developed by our working group but simply a quote from the issues report on which we were working.

Man: And perhaps preface it with from the issues report and then quote...

Mikey O'Connor: Yes, well, and Marika does that in line 183...

Man: Yes.

Mikey O'Connor: ...but I completely missed that.

Man: Yes, perhaps a way to do it would be - instead of having in the parenthetical excerpt from issues report, in line 184 just make a sentence that says the same thing. The following text was excerpted from the issues report and just make it a clear declarative statement for everybody.

My concern is that we put quotations, some nitpicker is going to find out that oh, we did or did not, you know, actually accurately capture everything verbatim, hence the word - using the word excerpt I think is

important just so it leaves a little wiggle room in case we, you know, left some clause out.

Marika Konings: Yes because I have to be honest there, I do not remember whether I copied everything or I only took the part that seemed to be relevant as a background to this section.

Man: Oh okay. I think it was the relevant is the key and hence these are excerpts. So, why don't we do something like that Mikey. To make it a clearer, let us make a sentence in line 184 that says something - the following information was take, you know, is based on excerpts from the issues report. Okay? You can make it even clearer, is not new material, rather these are excerpts from the issues report.

Mikey O'Connor: Yes. You might even want to say verbatim excerpts or something like that. I think that the way around the nitpickers can be done with good editorial control. If you put the whole thing in quotes and, you know, paid careful attention to where the excerpts started and ended and put those little three dot - I do not even know what they are called.

Man: Yes, I know what you mean.

Mikey O'Connor: But, you know, I think it makes it much clearer that it is an excerpt if it is actually typed as an excerpt because, you know, a lot of us read these very fast. We scan down, you know, if we get down to the next page and we are talking about, you know, line 209 and, you know, now it is not real close to where that proposed paragraph is and we, you know, someone is reading this as our work and they get all worked up, it just seems better to make the whole thing obviously an excerpt and just pay attention to which parts.

You know, I do not think we are required to fully quote the report, I think it is fine to only quote the relevant portions, but I would feel more comfortable if we just made it visually very obvious that, you know, this is not our work, this is preceding work.

I don't, you know, I am not throwing my body on the tracks on this one. This is...

((Crosstalk))

Man: Sure.

Mikey O'Connor:...would make it I think easier for people to read and follow.

Man: Marika, being sensitive to the calendar and you probably - your mind is already starting to get away from all this stuff. I have a feeling it is probably going to be a bit of work to go back and figure out where the parentheses and the triple dots and all the rest would need to be.

I mean to try and, you know, address these issues, again can we just craft a sentence at 184 that makes it clear. It says something that, you know, these are - this is not the work - this did not come out of the working group per se, rather these are excerpted from the issue report, try and make some sort of declarative statement and then kind of live with what we have? Or do you think it would be pretty simple to go back and figure out, okay we could put the quotations around where they begin and end and dot, dot, dots to represent whatever we may have cut out.

Marika Konings: I do not think it should be too difficult to go back and check because I do not think that issues report was not that long and I think this section was, you know, very well contained. So I think it should be doable.

Man: Okay. Then I guess should we try and have it both ways? Still have - do people - is everybody okay with the parenthetical up in line 183 or did that get lost as part of the sub-headed title and they would prefer to see it, you know, dropped down into sentence form at 184 and then the quotations and all the rest begin?

Mikey O'Connor: I like the sentence at 184 so that we are sort of belt and suspenders. We are...

Man: Got it all, okay.

Mikey O'Connor: Yes.

Man: Marika if you would, I mean, just, you know, create a sentence something to the effect of, you know, the following information is not new output by the working group, rather these are excerpts from the issues report. And then insert the quotes and the quotation marks and the dot, dot, dots, where appropriate.

Marika Konings: Okay.

Man: Okay. All right. With that then, again recognizing that this has been lifted from the report, is there anything else in the rest of this whole section.

Marika Konings: I have a question then. Does the footnote on 204 then become - should it be taken out then because otherwise it might give the impression that that footnote was there in the issues report?

Man: If I recall, that particular footnote was at the request of Mike Rodenbaugh...

Marika Konings: Yes.

Man: ...who is not on the line right now.

Marika Konings: Correct.

Man: And I understand where he is coming from with that. All I would say, I think it should be left in but maybe we should make it clear that per the discussions in the working group comma, these two sentences draw a conclusion. We can make some distinction that that is something that is unique to us but keep the point in the draft.

Marika Konings: Okay.

Man: Is everybody else okay with that? Is that how everybody else remembers this particular issue coming up? I am pretty sure this is Mike Rodenbaugh's request. Yes. So then let us do it that way please Marika and just add a new clause at the very beginning that says something to the effect of based on the discussions of the working group.

Anybody see anything else of the remaining...

Mikey O'Connor: This is Mikey again.

Man: Yes Mikey.

Mikey O'Connor: I am just wondering whether this really truly is purely a quote, an excerpt from the prior report. I am looking now at just as - by way of example by - I look at line 226. It looks like the section from 213 to 225 is the excerpt and 226 is new material.

Marika Konings: No, what is there in italics is basically a quote in the issues report from the final report of the original transfers taskforce.

Mikey O'Connor: Okay. So even...

((Crosstalk))

Mikey O'Connor: ...226 is material from that prior report.

Marika Konings: From the issues report. Basically what is in italics, I think if I read it here quickly and if I remember correctly, I think those were quotes that were in the issues report taken from another report, I think the preceded issues report.

But actually I think, as all of us on the line, I think he wrote the issues report so, you know, or if I am incorrect please jump in.

Man: No, I say here quiet. I think you are right. I am going to try to recall it and...

((Crosstalk))

Mikey O'Connor: Well in that case, I...

Man: ...that is what I do remember, yes.

Mikey O'Connor: Then I am even more enthusiastic for the idea of putting the whole thing in quotes because basically now what we are dealing with is really two layers of quotes. And it is, you know, I think if we are not very clear in how we lay this out, we are going to confuse the heck out of people as to what we concluded versus what prior buddies concluded.

Sebastian Bachollet: It is Sebastian. But in this part, it is (number three's) background. It is nothing with what we produced. The name is background. It is not (unintelligible) title number 3 something into bracket like quotes from the issue report and previous reports and all this and let us concentrate on number 4 that is what is really produced as a working group.

Mikey O'Connor: Yes.

Man: Yes.

Mikey O'Connor: I agree.

Man: Okay. For what it is worth, that is how I remember the sections you were just talking about Mikey, what Marika said. There was a quote within - in the issues report. So, as Marika goes through it, we all know Marika is super diligent so I am sure she will have everything properly cited, but agreed, this is a background section and...

Man: Yes, yes, yes.

Man: ...let us not belabor it. Okay. With that then, if we can jump out to section 4. I hope everybody has looked and made sure that their names are spelled properly in 4.1. If there is a constituency and/or affiliation - that all of that is accurate. If there is any errors, please let Marika know. Send her an email.

Man: Space between (zero enthatic).

Man: Yes, very good.

((Crosstalk))

Man: There is a...

Man: Got that one Marika? It should be two words.

Mikey O'Connor: Oh I did not know that. Huh?

Marika Konings: (I'll get).

Man: All right. Pretty straight forward section, so now we get to the good stuff, jumping up to section 5, deliberation for the working group. And, you know, certainly do not want to read this back to everybody. We have had a lot of this text in front of us for quite some time, so I would just ask - let us start with the issues 1 and just kind of skim over it yourself. If anything that seems missing, outstanding.

James I definitely ask you to think about your statement from earlier about the potential of registries pursuing our stuff. I am not sure exactly where it will fit in, but it is probably going to be somewhere around here so just kind of keep an eye out where that might get raised.

James Bladel Yes, I am thinking as well it is probably going to go somewhere around line 490 if we tack it on at the end, but...

Man: Okay.

James Bladel ...I can (unintelligible) Marika off on it.

Mikey O'Connor: Oh, this is Mikey.

Man: Yes Mikey.

Mikey O'Connor: I am line 446.

Man: Okay.

Mikey O'Connor: A typo - it is kind of a Freudian slip. The work group agrees that even though as opposed to tough WHOIS.

Man: Good. The previous edits as we have been skimming over, you know, tended to be very small kind of line edits. The text that was added back in line 403 through 409, everybody is comfortable with the way that is being presented now? Can't remember exactly who's point that was but want to make sure that it is accurately capturing the concerns that were expressed during our discussions.

Mikey O'Connor: Michael Collins isn't this one for you?

Man: I think this is our attempt to address your concerns Michael. I just want to make sure, starting 403.

Michael Collins: Okay. I don't see any problems.

Man: Looks good? Okay.

Michael Collins: Thank you.

Man: You bet. And we have that great table that fits in, table 1 that's pulled together for us. Quite honestly I am going to take it on faith that that is accurate and has not changed since it was first drafted.

Man: Just a question. EDU is not a private registry when you (unintelligible) now or - I don't mean to tie up the group's time, I just...

Mikey O'Connor: Oh that is a good question. Yes, it is pretty private.

James Bladel I got to see that one in the same column, yes.

Mikey O'Connor: I agree Jim.

Marika Konings: Sorry I missed that. What was the question?

((Crosstalk))

Man: Dot EDU Marika?

Marika Konings: Yes.

Man: Shouldn't that be in the private registry column? You know, the - I mean that is truly a sponsored, very, very tight eligibility requirements, etcetera.

Marika Konings: Well it was from (third registries are) as well, just separated between (sim) and (sig) like the private ones are not the sponsored ones, sponsored ones per se in this table.

Man: Yes. I shouldn't - I misspeak when it says sponsor but giving GOV and MIL wouldn't EDU fit more in their bucket?

Man: I mean GOV is GSA and MIL is Department of Defense and EDU is Department of Commerce. Another idea might be to strike that special column all together and just characterize that whether or not - because I would consider all three of those to be strict registries even though they are...

Man: Yes.

Man: ...very restricted, so...

Marika Konings: Isn't the question - because this EDU is not accessible through WHOIS because I think that is the case with dot GOV and dot mil that it is not. They might have the data but it is actually not accessible through WHOIS.

I mean I do not answer to the question, but I am asking, is dot EDU - can you see the details there in WHOIS?

Man: Yes. This is (Franky).

Marika Konings: Because then, this is how this table is in (womain)...

Man: Okay.

Marika Konings: ...dot GOV. The difference between the (stick) and the special is the special ones you cannot actually access through WHOIS. That is how it was intended but if that is not clear, you know, we should maybe change it or...

Mikey O'Connor: This is Mikey. On that point, I would think that this table is much more operational than just whether it can be seen through WHOIS. You know, the notion of a thick registry is a much broader idea than just simply being available through WHOIS.

And so I am with James on this one. I think what we ought to do is drop that column...

Man: Well I...

Mikey O'Connor: ...and characterize them as either thick or thin in the broader context.

Man: And if that is the case, bearing in mind that Marika's comment then perhaps removing the third column and then removing EDU, GOV, and MIL (unintelligible) from the list...

((Crosstalk))

Man: ...one, they are completely outside the scope of - as far as I understand they are outside the scope of ICANN. And two, they are special cases when it comes to determining whether they are thick or thin or whether the WHOIS data is accessible.

I think that...

Mikey O'Connor: Well they are not GTLDs either.

((Crosstalk))

Man: Wait a minute, they are. And that is what I was going to say. Hang on a second guys because there are - the TLDs that kind of come under the ICANN orbit. You know, we have got 21 of them. I figure we start dropping them out, then as a reference source, you know, any of the quote ICANN TLDs, you know, it is nice having them on the list.

I like the idea of just dropping the column and simply presenting them. Is it a thick or a thin? Wow.

Mikey O'Connor: Yes. I am for that.

Man: You know, because that is what we were trying to get at in our deliberations that, you know, should there be requirements through EPP etcetera. And in those discussions we also (start) what about the thick or the thin, the extra detail or extra layer down about are they accessible, is the WHOIS information accessible.

So that is probably going beyond what we needed to do in our report. But I would caution against striking out any of the kind of unique cases,

the dot GOVs, the dot MILs etcetera because they are part of the ICANN orbit. I guess the one that I am missing is what happen to dot INT?

Man: INC?

Man: INT, International.

(Crosstalk)

Sebastian Bachollet: INT, International.

Man: International.

Man: Yes.

Man: You know, like the U.N.

Mikey O'Connor: Oh.

Sebastian Bachollet: It is the one by ITU.

Man: Yes.

Sebastian Bachollet: It is one of missing. It is the (21st) one we do not have on the list.

Mikey O'Connor: I never even heard of it. Cool.

Man: Yes.

((Crosstalk))

Man: It is very specific.

Man: Oh.

Man: It is just for those organizations.

Sebastian Bachollet: It is for international organizations.

Man: Right.

Mikey O'Connor: Oh.

Man: Ideas and such.

Man: Okay, then I have a separate suggestion that we can consider as we would strike the third column...

Man: Um-hmm.

Man: ...move GOV and MIL into the fixed status and then put some sort of a note there just as we have currently. It is a private registry, but if we want to say something about the accessibility of WHOIS that we put it as a parenthetical underneath the check mark in that second column, and then of course add INT so that the list is comprehensive.

But I think what we want to indicate with that parenthetical is that it might be EDU, GOV and MIL are maybe not a good way of establishing a basis of comparison (farther) WHOIS, (farther) TLDs.

Mikey O'Connor: Yes, although I - EDU is available through WHOIS. I just looked up the U of M and it popped right up.

Man: Okay. All right. So to James point Marika, if we strike the last column, move the checks for GOV and MIL into the thick registry column, we need to add a dot INT also check it.

Marika Konings: So the INT is as well as thick, thick registry?

Man: I believe so. I was going to say I am assuming it is given who operates it and its use. Does anybody know?

((Crosstalk))

Sebastian Bachollet: ITU.

((Crosstalk))

Sebastian Bachollet: ITU is...

Man: ...so actually do you know if the registry level, if they collect all the contact data all the WHOIS information is it a thick registry model?

Man: I...

Man: I guess we will have to check that one then.

Man: It looks like it is operated by IN not directly is that...

Sebastian Bachollet: Yes it is.

Man: Okay. And then 4 is where - and probably all of us are trying to figure it out. As we are looking at then probably just add another - would a footnote work best James to address the issue you raised about all right, this is supposed to be private registry and maybe just a little explanation of what we meant by that?

James Bladel Maybe a footnote, maybe if we can get it into one or two words of parenthetical - either way if we want to just call them out separately.

Man: Okay. And so again Marika, private registry, I mean how would you summarize the thinking behind that?

Marika Konings: I think that was (unintelligible) think just in colleagues internally to verify information is where we actually do not know for sure whether they are thick or thin as the information is not accessible.

So we assume that it is thick with information, but it is not something that is available through the public WHOIS to check. That is why as well there is a difference between the dot EDU and the dot GOV, dot MIL.

Man: Okay. We put no public WHOIS or private WHOIS or something like, you know, private WHOIS data or private registrant data.

Marika Konings: But are we sure then that they are thick - that they have a thick WHOIS or we are assuming that because that is...

Man: I think it is enough. There is...

Man: Look it is not our - necessarily we are not going to get dinged if we do not - if we miscalculate this. I think it okay to say assumed thick registry model, however WHOIS data is not publicly available. And that is okay. I mean it is just a statement to the best of our knowledge.

I do not think we have to run down and figure out - and try and figure out every little detail. Again, I thought the purpose of the graphic is to show that look COM and NET are the major thin registries.

Yes you have name, sort of a quasi, you know, you can pay for and get the (pull thick) on jobs is the only other thin registry.

But just, you know, kind of putt it in relief, all the ones that are sort of the legacy ICANN TLDs, they are all under a thick model except for COM NET and jobs.

I think we are spending too much time on this table. In the greater scheme of things, it is not that critical.

Marika Konings: Okay, I will include a footnote as you just said...

((Crosstalk))

Marika Konings: ...and that should hopefully clarify it and...

((Crosstalk))

Paul Diaz: ...assumes to be thick, however information is not publicly available. Okay. With that then, can we jump to line 470, preliminary conclusion for issue 1? If text has just be pasted in based on previous discussions. Are people comfortable with the way it reads now?

Marika Konings: Paul there is one point before that. We are still in 453.

Paul Diaz: Okay.

Marika Konings: There was a possibly or a probably. There were two suggestions made there and wanted to go kind of decide what they would like there.

Paul Diaz: Yes, there was some discussion on the list. I know which one I want, but leave it to the group. What - is this...

Mikey O'Connor: I think - this is Mikey.

Paul Diaz: Um-hmm.

Mikey O'Connor: I think I am going to put on my Mike Rodenbaugh surrogate hat and lobby for possibly rather than probably. I think that is what he would want.

Paul Diaz: Um-hmm.

Mikey O'Connor: And I tend to agree. I know we need to be very careful on this one, but I think it is worth at least giving it a try.

Paul Diaz: Anybody else feel strongly either way, either word? Okay, I...

((Crosstalk))

Man: Not strongly but I - not strongly but I am going to go with Mikey O'Connor on that.

Paul Diaz: Fine. I was about to say even though I was going to say probably because I think given the guidance we received from the DNSO Chair and Vice-Chair, there was not a lot of doubt in my mind about where they came down on this.

You know, they are both subjective terms still, so let us change it to possibly please Marika. We will drop the probably.

Marika Konings: Okay.

Paul Diaz: Okay. With that then, we are at line 470. If folks would skim over that please and make sure that we are accurately capturing where we stand now.

Michael Collins: Michael Collins. Take a hard look at 479 through 485. I think this was really your...

Paul Diaz: Um-hmm.

Michael Collins: ...chunk again.

Paul Diaz: Some of this language we have actually had the debate on the list so, again...

Man: Yes.

Paul Diaz: ...we have just kind of cut and pasted once we thought we had consensus, but please now is the time to make any changes if we mis-characterized.

Okay. And that 487 through 490, again, you know, we are making it clear to folks this is the initial report so we are soliciting comments looking for, you know, more input before any sort of recommendations are made to the council.

Man: I think I am good with that.

Paul Diaz: Okay.

Man: Yes, me too.

Paul Diaz: All right then. If we can jump to issue 2, starting on line 492.

Mikey O'Connor: It looks like we have got a choice around 510.

Paul Diaz: Um-hmm.

Man: Are we to choose between those three phrases?

Man: Yes.

Man: That is correct.

Man: I will - I would like to lobby for the strongest or most dire warning because if there is a...

Marika Konings: There is actually four choices because the first one is the original and the other ones are alternatives to that first one where only conceivable has only been added.

Paul Diaz: So it could now either read - could involve a - involve a consumable liability potential for the involved registrar. The next choice would be may result in significant potential liability for the involved registrar. The third choice could result in etcetera, etcetera. So, of the four, which one are you pushing for James? Which would you like?

((Crosstalk))

James Bladel Just off hand I am thinking the second one...

Paul Diaz: May result in is significant.

James Bladel The second one in red, the third one overall which would be could result in signifi...

Paul Diaz: Okay.

James Bladel ...potential liability for the involved registrar. And I think that could and potential are somewhat redundant because they are both speculative in nature. So, I think that perhaps we lessen the idea of potential and just went - put resulted in significant liability for the involved registrar, maybe we could insert the word exposure.

It could result in significant liability exposure - exposure to liability for the (unintelligible) registrar. Thoughts from non-registrars? How much of a can of worms am I opening here?

Mikey O'Connor: This is Mikey. I am - I must have missed the call that this whole discussion took place so I am...

Paul Diaz: Actually most of this was on the list.

Mikey O'Connor: Ah maybe...

Paul Diaz: And I am going back in the emails trying to find...

Mikey O'Connor: I am fine - I am fine with whatever you want James because I do not have...

Man: Yes.

Mikey O'Connor: If we could step back from this whole bullet for a minute, working group noted that apart from these figures - loss of (unintelligible) single domain name through hijacking can be personally - I am not sure what we are trying to accomplish with this.

I guess I do not care. Whatever you want to put in there James is fine with me.

James Bladel Well this I recognize the language as coming from the list and I think that - and I am testing my memory a little bit here that we were trying to establish the risk or the severity of issues associated with domain hijacking.

Mikey O'Connor: Oh okay. So not so much that - not so much describing the risks of solutions, it is describing the risk of today's problem.

Man: Right. And...

((Crosstalk))

Marika Konings: This is Marika. I think this was in contrast to the first bullet where we more talk about like the work it involves by registrar to, you know, address these issues to also say look, any domain name that is actually lost has a, you know, a personal and financially - financial impact on the registrant to contrast a bit as well, not only saying it is, you know, registrars have to spend so much time on, you know, addressing these issues, but as well talking about the other side of the picture, you know, the potential liability, and as well, financial and personal loss for registrants.

Mikey O'Connor: Okay. Then one way we might strengthen this a little bit is to say that the working group also noted, and then strike the clause that apart from these figures, and just say the working group also noted that the loss of even a single domain name through hijacking. You know, I think what threw me is the reference back to the prior paragraph figures. And then a way to make this even a little bit stronger is to just take that reference out.

James Bladel So that this bullet is no longer dependent upon or linked to the previous one?

Mikey O'Connor: Yes. The really the...

James Bladel     Okay. Yes, that is a good idea because again, I mean GoDaddy was good enough to share, but that is one company's experience and we did not have data from others, so...

Mikey O'Connor: Right.

James Bladel     ...I think Mikey makes a good point. It is very illustrative, but at the same time it might be under or downplaying what we are trying to make in the second bullet.

So why don't we change it read the working group also noted that...

((Crosstalk))

Mikey O'Connor: And one the way to do this would even be to move that bullet up first to working group notes that the loss of even a single domain name, blah, blah, blah, blah, blah. And then, bring the second bullet, the first bullet down to the second position because I think that second bullet strengthened is really the punch line point.

Man:             Okay.

Mikey O'Connor: Is that both registrants and registrars...

Man:             Um-hmm, okay.

Mikey O'Connor: ...you know, pretty significant trouble if we lose one.

Man: Okay. So are we getting this Marika? So we will move this. This becomes the first bullet point and it will read the working group also noted that the loss - not also part - the working group noted that the loss of even a single domain name through hijacking could be personally and financially destructive to a registrar. And then, help me again James, and could result in significant liability exposure for the involved registrar period?

Marika Konings: I have could result in significant exposure to liability for the involved registrar is how I took...

Man: Okay?

James Bladel Yes.

Marika Konings: ...James' point. Is that correct?

James Bladel That is correct, Marika.

Man: Okay. Great.

Man: Great.

Mikey O'Connor: Yes, that is fine with me.

Paul Diaz: Okay.

Mikey O'Connor: I think then, strong is good.

Paul Diaz: Um-hmm. Yes, where we can be I think it does everybody a service trying to really lay it out for folks. Okay.

Mikey O'Connor: And then just to - I would refrain the first - the current 496 line and delete that first sentence.

Paul Diaz: Okay. Will that work for you James, given the flow now?

James Bladel I think that yes we could probably change it, but I do not know...

((Crosstalk))

Mikey O'Connor: Yes, maybe, maybe not.

James Bladel Yes, I think perhaps we could start it off with - maybe we could incorporate it into the second sentence by saying one member of the group shared its data to support the incidence of hijacking and noted that its domain service (a team), you know, I think that we could switch that around a little bit.

Yes. We can probably fold that first sentence into the second one. The only other thing is that - and I do not know if anyone cares, but domain services might be an identifying or a telltale indicator of who submitted this data.

I do not have a strong issue of that but if...

Mikey O'Connor: Why don't we just call you out? Why don't we just say GoDaddy shared its space. Is there any reason to keep that secret?

James Bladel I don't think so but I am not on the legal team, you know. I would have to clear it with them. So why don't I take that as an action item - well, it is not a real important thing.

Mikey O'Connor: Yes, would you please check...

((Crosstalk))

James Bladel ...call from (Christine).

Paul Diaz: Yes, right. We don't want to get you in trouble.

((Crosstalk))

Paul Diaz: No good deed goes unpunished right?

Mikey O'Connor: Right on.

Paul Diaz: But yes, because I know for ourselves our experience is very similar to GoDaddy's but it as an internal policy we do not share that sort of information publicly. So, you know, we are totally in agreement with what is being presented here and trying to capture the downsides to all of this, but we, Network Solutions, would not, you know, ever want to be called out like that. We wouldn't share it in the first place in a public forum.

James Bladel Well on the other hand, it is already on the list in the transcript, so...

Man: Yes.

Mikey O'Connor: Yes.

((Crosstalk))

James Bladel Take Sherlock Holmes to piece this one together. I would like that we -  
I would prefer that we say that if we struck domain service that we say  
a member of the group shared that it has the equivalent of...

Mikey O'Connor: Yes, that is fine.

Man: Good. Did you get that Marika?

Marika Konings: Yes.

Paul Diaz: Okay. And the tweak for the first sentence melding it in, were you  
comfortable with the Marika as we were consider - the discussion  
started going kind of quick and I didn't - I don't think I captured it fully  
myself.

Marika Konings: Yes, I think I got the intention. I just need to see how it fits in best.

Paul Diaz: Okay.

Marika Konings: But I think I understand what James wanted to do.

James Bladel You can certainly send me a message and we can work on that offline.

Marika Konings: Okay.

Man: Right.

Paul Diaz: Okay. Looking at the clock folks, if we can - is everybody still comfortable with the addition 515, 516? It is argued that any recommendation ascension not result in (unintelligible) certain technologies over others. That didn't seem too controversial.

Man: Yes.

Paul Diaz: And then the last thing as we kind of wrap up here, how about 521, our preliminary conclusion? Are we all comfortable with the way we have tried to capture this? Okay.

Man: Yes is good Mike, Mikey.

Paul Diaz: I think we worked that one pretty well. All right. We are at the top of the hour and unfortunately I have to get off quickly again. We will work to get these edits in. And please understand we will have another meeting on the 6th of January, Tuesday at the regularly scheduled time.

Glen I would ask please that you send out a request because it is easy to forget after the holidays. We will pick up - finish up with issue 3, make sure that we, you know, have everything, one last run through the report.

I will send a message out to the list, you know, just reminding folks about the schedule and encouraging everybody to, you know, take a look at it with fresh eyes at their convenience between now and the 6th. But the goal will be to wrap it up on that call, post it, get the public comment period under way.

And we can determine then what our meeting schedule needs to be while the public comment period is under way. If folks want to continue working or if we want to take a little time, wait for some things to come in, we can figure all that out on the 6th.

But with that, I thank everybody for their time. I wish you all a very happy holidays. And, you know, again, look for the email for the updated draft and we will talk to you all again on the 6th of January.

Man: Terrific. Thank you Paul.

Marika Konings: Thanks.

((Crosstalk))

Sebastian Bachollet: Thanks Paul.

Paul Diaz: Very good again. Thank you bye-bye now.

Man: Bye.

Glen DeSaintgery: Thanks Paul bye.

Man: Thank you.

END