

**GNSO/SSAC
International Registration Data Working Group
TRANSCRIPTION
Monday 18 April at 15:00 UTC**

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Present for the teleconference:

Steven Metalitz -- GNSO Intellectual Property Interests Constituency, Commercial

Jim Galvin – SSAC -Afilias

Edmon Chung – Group Leader

Ram Mohan - Afilias – SSAC Board liaison

Sarmad Hussain, CLE-KICS, UET

Yao Jiankang, GNSO Registry SG

ICANN Staff

Julie Hedlund

Steve Sheng

Gisella Gruber-White

Dave Piscitello

Absent apologies:

Rafik Dammak -- GNSO Non-Commercial Users Stakeholder Group

Avri Doria - NCSG

Gisella Gruber-White: Good morning, good afternoon to everyone. On today's IRD call on Monday the 18th of April we have Sarmad Hussein, Edmon Chung, Jim Gelvin, Jiankang Yao, Ram Mohan, Steve Metalitz.

From staff we have Julie Hedlund, Steve Sheng and myself, Gisella Gruber-White. Apologies noted today from Avri Doria and Rafik Dammak. If I could

please also just remind everyone to state their names when speaking for transcript purposes. Thank you, over to you Julie.

Julie Hedlund: Thank you very much Gisella. And welcome everyone. And before we had started the recording on the call we'd had a discussion of on how we might like to proceed with this call given that we don't have all of the workgroup members on the call.

And I just wanted to let everyone know that, you know, we have now included Sarmad Hussein as a member of the IRD-WG. And as you may know he submitted some helpful comments in the public forum.

And I was - and then, you know, we've circulated the summary of those comments to this group and I thought that perhaps we could - if the chairs agree use the time in this meeting to maybe ask Sarmad questions if we have any questions about his comments or see if there are some areas maybe that he would like to expand on.

And with that I think I could turn this over to our chairs and I'd also like to note that I think Steve Sheng may have some thoughts or questions as well. And I did want to let all of you know that Dave Piscitello has joined the call also.

Jim Gelvin: Okay thank you Julie. This is Jim Gelvin. Let me suggest since the analysis provided by the staff divides Sarmad's comments into two parts that we also take them in those two parts. And Part 1 was comment on the four models in the Whois service.

And so let me ask if those on the call have any questions that they would like to ask about those particular comments that he said there? And we'll separate the discussion of the new model that Sarmad had proposed as the second part of the discussion. So anyone have any questions or comments regarding Sarmad's comments on the four models and Whois service?

((Crosstalk))

Dave Piscitello: Hi, Jim, this is Dave Piscitello.

Jim Gelvin: Yes Dave, go ahead.

Dave Piscitello: You know, I noted that we really didn't have - well we had the predicted lack of convergence on a given model. And one of the exercises that I thought might be actually helpful to, you know, to consider would be to look at the models in the context of who best fits and who is adversely affected by each of the - each of the models in terms of usability, operational and convenience, you know, and other parameters.

Jim Gelvin: Okay, I agree, Dave. And actually I would say that we did have a little bit in the comments that came out. I thought that there was a general favor towards Model 1 or at least a requirement to include a must be present script. That was my sense of all the comments that we had.

Steve Metalitz: This is Steve Metalitz; could I make a comment here on Sarmad's comments?

Jim Gelvin: Yes, please, Steve.

Steve Metalitz: Yes, I'm just - really I'm just looking at the summary here, I haven't gone back to look at the actual comments. But this problem with the monolingual registrant who can only provide IRD in a single language and couldn't verify translation or transliteration that's kind of the status quo isn't it?

If - we undoubtedly do have registrants who are not conversant in languages that use ASCII script so what do they do today when they provide their data? Do they provide it in ASCII script or in - somehow doing that and - or do they rely upon somebody else to convert what their contact data into ASCII script?

Jim Gelvin: Well, thank you Steve, for that. So this is Jim Gelvin. I'll observe that the RASG actually expressly asked that this group should get more input from ccTLDs in particular about their practices and what they do. You know, because I don't think there's - we really don't have much to say about that in the interim report that we published.

And I guess - I came into this group late so let me turn the question back and ask for those who are long-time members and participants how much was done with respect to talking to ccTLDs and what they do?

Edmon Chung: This is Edmon. I think the whole group started with Dave's - I guess not a very, you know, rigid report but at least a report from some of the practices from ccTLDs. And we continued to have input from like (unintelligible). And I believe at some point input from what (RU) is doing as well. But Steve, probably, you can add to that if I'm not putting you on the...

Jim Gelvin: Yes, so Dave or Steve have we had any direct conversations with ccTLDs and, you know, don't anything to collect that sort of information?

Steve Metalitz: Dave, go ahead.

Dave Piscitello: Well early on in the process we only reached out to ccTLDs through the ccNSO to ascertain what character sets they accepted - they accepted registrations in. And there was a table that was published and is probably still on the wiki that I think 17 or 18 ccTLDs answered and they sort of identified whether they were using UTF8 or ASCII 7 or, you know, some other variant - or some other character set.

But we did not go back either as the working group or staff when we got further on into the kind of user impact to sort of - to just ask or have any of the ccTLDs describe what user interface they actually provided and what they did with the information that they accepted as submissions.

Jim Gelvin: So it should be the case - this is Jim Galvin - in gTLDs that they take everything in ASCII; I believe that's the requirement and that everyone should be doing that. But it is also known, although I guess we don't have any precise empirical data, that ccTLDs do take data in various forms and in fact provide today Whois services with varying language support in various ways.

I think that going back to what Steve said earlier and responding to Sarmad's comments I want to bring up something that Jay Daily said in the San Francisco open meeting that he very strongly advocated for.

Now we had - I'm going to use the wrong word here, I know, because I forget what word we came down to agreeing to, and, Dave, maybe you'll remember. But Jay Daily had started with this idea that a user - a registrant, has a right to be monolingual.

And, you know, that's just something that we don't - we don't start from that as a thesis statement if you will in trying to talk about recommendations and what we think is necessary to make things work. And I think, Steve, you were getting at that.

And in fact, Sarmad, I mean, let me ask you first to comment on whether that really is the point that you're trying to - well I guess you're making two points; I think that's one point. The other point that you're making is if we do have the registrar doing the translation and transliteration then there is the issue of the quality of the data.

The data is really owned by the registrant not by the registrar. And you're observing that it would be improper at a minimum to put it safely for the registrar to be doing any kind of changes to that data. So, Sarmad.

Sarmad Hussein: Yes, so I think - this is Sarmad, hello everybody. So I've actually written these comments without the context of the discussion which have been going on in this group so I think that's the perspective I am coming from. So I am - these

arguments may have been discussed within the group before so - but obviously I'm not privy to all that information.

So my main point was that the data, you know, so I think that's a fundamental question; who is providing the data? Is the registrant providing the data or the registrar providing the data or the registry providing the data? Who's actually the owner of the data? And that's a very fundamental question which has to be cleared up.

And if it is actually the registrant which is providing the data - that was my understanding of the situation is - then if any transliteration or translation which is provided by anybody else, you know, that would be probably in a way conflict with that fundamental principal unless that information is verified by the registrant itself or himself or herself.

But in a - the issue is that the registrant could potentially be monolingual which means that the registrant is in no position to actually verify that information. So to me this all leads to a contradicting situation again given the fundamental assumption that it is actually the registrant who is responsible to provide this information.

Ram Mohan: This is Ram. May I come in at some point?

Jim Gelvin: Please, Ram, go ahead.

Ram Mohan: Thank you. Sarmad, hi. Good to see you on the call. Speaking from a registry operator's perspective registries typically over time have got to the point where the data that is in the Whois system, if you will, the data is not owned by the registry; in fact it is registrar data - data provided by the registrar to the registry under contract.

And if you talk about ownership in a pure I guess legal sense I don't know the legal piece of it but certainly the practice in the industry has been that the

registrant - registration data while provided by any number of sources either by the registrant or via a reseller into the registrar bottom line is that the registrar is responsible for the data, owns the data and basically has - is actually the only body that has the authority to change that data in the registry database, you know, given - under their credentials.

So taking just a very simplistic point of view I would say that we should not worry about who else owns the data. The data is stored in many different places. The data may reach the registrar through resellers or other agents of theirs. But fundamentally who has the authority and who has the ability to modify that information in the registry database? The answer for that is clear; that is the registrar.

And the question then is who has the authority and ability to modify the information in the registrar's systems? I think there's not a clear answer there. There is not good practice or uniform practice. And I think we will go down a slippery slope in trying to solve that problem. So that's specifically on who owns the data.

As far as the translation who should translate or who should transliterate I'm not sure we should necessarily worry about that. Access controls for that data are - I would submit are outside of the scope of what we are trying to do.

Dave Piscitello: Ram, this is Dave. Can you clarify what you mean by access control?

Ram Mohan: Access to - so who has the authority or the ability to change the data downstream, Dave, how it is done whether it's done by a registrar or done on a registrar's control panel by that registrant directly or by a registrant through their ISP or a registrant's law office doing it with somebody else.

All of those are methods to access the registrant information or the registration information. And I'm saying that that is how the data is accessed,

how the registration data is access and modified I don't think is really in scope.

Dave Piscitello: Thank you.

Jim Gelvin: So I wanted to just observe for completeness that in the analysis of the comments IPC in particular, you know, expressed some concerns with compliance issues associated with translation and transliteration. They were looking at it from an ICANN context; ICANN would have compliance issues with registrars that had translation and transliteration services.

So I just wanted to add that to this discussion that, you know, Sarmad is bringing up here.

Sarmad Hussein: So, could I go on?

Ram Mohan: Jim, I'm sorry, this is Ram. I have to leave the call now. I will - please accept my regrets.

Jim Gelvin: Thank you, Ram. So, I'm sorry, who wanted to speak? Go ahead.

Sarmad Hussein: This is Sarmad, yes, I would like to go.

Jim Gelvin: Please.

Sarmad Hussein: Okay so, yes, so as I said, you know, this is a fundamental question which needs to be answered. And the question obviously is that who owns that data? As Ram said there is the registrar who owns the data and what my understanding as I'm (saying) in my comments were that it is the registrant who owns the data. So that is something which actually needs to be clarified.

And in the registrar agreement, the RAA, I'm not sure if it is very clearly mentioned. I'm not sure where it could be mentioned so that would be one

thing we could look at where, you know, if anyplace is there a mention of, you know, what the data ownership is eventually, the data which has been provided by the (response). So that's one thing which probably needs to be clarified.

The second thing...

Jim Gelvin: Let me - can we - Sarmad, just focus on that one thing at the moment here. I want to add a comment to that if I may?

Sarmad Hussein: Of course.

Jim Gelvin: I think that for the purposes of this group and what's in scope and what's not, you know, at most it would be appropriate for us to raise the question of who has responsibility for the data and being, you know, that question should be formalized - the answer to that question should be formalized.

I also think it would be appropriate for us to make a statement as to what existing practice appears to be and the way it has evolved which is that registrars are responsible for it and no one else.

I think those issues are important because, you know, they do impact where transliteration and translation would go. There was a comment in here by somebody - and I was looking for it and I'm not finding it right away - who was commenting that registries - that one of the things this group should do is consider the role of registries in data quality and translation and transliteration.

And I don't remember which one of the group said that but - so I just wanted to put that out there also for completeness in this discussion.

Julie Hedlund: This is Julie, Jim. I think that was the Registry Stakeholder Group perhaps.

Steve Metalitz: This is Steve Metalitz. Could I get in the queue here?

Jim Gelvin: Please, Steve, go ahead.

Steve Metalitz: Yes, two points. One, I am a little concerned about the phrase, "data ownership," because that's - I'm not sure that's really what we're talking - we're not talking about ownership in a legal sense necessarily. I think that gets into a lot of other questions.

We're really talking about who's responsible for providing this data and keeping it current, I think.

Jim Gelvin: That would be my understanding, Steve.

Steve Metalitz: Maybe we should use that phrase. But - and I'm not sure that it's so clear that it's - I mean, it depends on where you sit as to whose job that is. I hear what - I heard what Ram said that from the registry perspective that is the registrar's job and only the registrar can change that. I think that second statement is certainly true.

But if you look at the registrar accreditation agreement it seems clear that the registrar position is that it's the registrant's job to provide this information and the registrars have assiduously avoided any responsibility for this data.

They have - this has been their consistent position for a decade in the context of false Whois data that they're not responsible - they're only responsible for investigating reports of false Whois data. And they have refused to take any responsibility for making sure that data is accurate.

So again I think this depends on where you sit. I don't think it's a simple question. I think the registry would say it's the registrar's responsibility but the registrar would probably say it's the registrant's responsibility.

Jim Gelvin: So, thank you for that Steve. This is Jim again. So just to clarify I think that what I'm saying is that this group can call out the question of responsibility for the data and then there is an important distinction to make here which you're bringing up, Steve.

Certainly from the point of view of the registry and registrar relationship the registrars are responsible for the data. They are the only ones with the authority to make changes to that data and to manage it.

Separate from that is the question of quality of the data which I think, Steve, you were calling out quite explicitly. You know, registrars don't want to claim ownership of the data in the sense that they don't judge the data; that's up to the registrant and they simply respond and react to complaints about data quality. Would that be fair, Steve?

Steve Metalitz: Yes, I think that's right. And the other dimension, you know, if you look at the, you know, there's now a draft statement of rights and responsibilities that the ALAC has developed and that deals with the registrant/registrar relationship. And I think - I think you're right that the best we can do here is to identify the problem of who is responsible for this data because I think the answer is going to be different depending on where you sit in the chain.

Jim Gelvin: Yes and I think that also affects the translation and transliteration stuff. So just to clarify my comment earlier it's Network Solutions that made the comment that registry data - registries should be included as a party in consistency and quality of data. They should have a role in this so it wasn't the Registry Stakeholder Group.

Any other comments on Sarmad's Issue 1?

Edmon Chung: Yes, this is Edmon. I think that, you know, I kind of agree with what Steve was saying just now and I think it's important. When I was listening to Ram's -

when Ram was raising the issue I had the same thought in my mind and what the registrars would say.

And I think that relates to what Sarmad is trying to bring out is really the, you know, conceptually - from what I understand from what Sarmad is trying to say is that conceptually the end registrant, you know, has I guess, quote, unquote, owns that piece of information about their contact information.

So - and then, you know, that happens at the registrar eventually gets (sent) to the registry and in terms of balancing we need to think about in the purview of ICANN's role which is what we're really talking about here in terms of policy where could ICANN exert its sort of policy role to make it happen?

You know, I think, you know, the balance between who owns the data or who gets to make changes or who ultimately is responsible versus what ICANN can do in the policy perspective; I think that's - there's a balance there.

When we talk about it conceptually of course we can talk about it in a very, you know, a lot of different levels. But in terms of ICANN's real ability and what we're talking about here in terms of policy I think when we put this as a policy recommendation forward that is important to bear in mind as well.

Jim Gelvin: So thank you Edmon. I believe I heard you saying that the issue is we might believe there's an open question but we also need to give consideration to who is going to answer that question and how it's going to get answered. Is that what you were...

Edmon Chung: Right. And also what can be done, right? Because if we say, okay, yes the registrant ultimately owns the data but there's no operative policy that could be put in place there but what, you know, is an operative policy is between how registrars deal with data that they receive and then pass onto the registry I guess that's, you know, the crux of what I sort of wanted to point out.

But conceptually, yes, we need to take the registrants into consideration. But when we design the policy that's when we need to figure out, you know, where we exert the influence if you will.

Jim Gelvin: Okay thank you. Any other comments on Sarmad's first issue?

Jiankang Yao: This is Jiankang Yao. My understanding is for (unintelligible) should be responsible for data accurately enough for registrar is (unintelligible) on behalf of the registrant of who changes the data or something. For registry is only for responsibility for keep the data safe. So (unintelligible) only ownership of the data should be the (registrant) who has responsibility or has the right of who keeps the data - the accuracy, thank you.

Jim Gelvin: Thank you for that - I'll get the name right here.

Jiankang Yao: Jiankang Yao.

Jim Gelvin: Yes, Jiankang Yao. Thank you. So ownership and quality should be with the registrant and the registrar collects is and the registry is just responsible for holding it I believe that's what you said?

((Crosstalk))

Jiankang Yao: Yes, correct.

Steve Metalitz: Jim, this is Steve Metalitz. I think just to get back to one of the points you raised, maybe we do need more information about first how CCs handle this today. But it's also relevant I think in the gTLD space because they're - even today I'm sure there are many - or a number of registrants who are not conversant in an ASCII language.

And I wonder if some of the - we might ask some of the registrars who they handle this problem today because if - there is a registrant in a gTLD in India

or in China or another country where - and they're not conversant in ASCII script how is this handled? Is it simply a requirement that they come up with data in ASCII before they can register their domain name or is there some other way that this is handled?

I think that might, I mean, as we move into the IDN world it's not going to be a clean break. In a sense we're continuing on the same path and I think it would be helpful to find out how this is being handled today especially in situations where it may be that everything except the TLD is in some non-ASCII script.

Jim Gelvin: Right, so thank you Steve. This is Jim again. I mean, I guess I'm thinking about that too. On the one hand we did ask for people to comment about what they do as part of putting the interim report out there and certainly as part of our public presentation asking for input on the interim report.

On the other hand I'm thinking that it's probably more appropriate - and I am assuming that this really where you are with it - we should be explicit about doing a survey and explicitly reach out and gather that data and try to make it happen. So is that what you're suggesting?

Steve Metalitz: Yes, and I don't know if you need a - like a survey of everyone or of all the registrars but I think maybe we can identify some registrars that are offering second level domains in non-ASCII scripts and therefore they're catering to a clientele that may not be conversant with this and maybe we just ask - identify those and ask some of them.

I'm not sure that it would be that helpful to put out something to all the registrars because a lot of them probably have little to offer on this.

Jim Gelvin: So thank you. Let's take that as a proposed action and we'll have to visit on the mailing list. I think we need to, you know, see if we can get some consensus around doing this.

And I'll also ask the question - although not now, I want to stick to Sarmad's comments here about - we need to be clear about what we want to learn from doing this survey before we go and do it so, you know, what problem - what question are we answering? What problem are we trying to solve kind of thing. But I want to take that discussion to the mailing list.

((Crosstalk))

Edmon Chung: Right. This is Edmon. I just - I tend to agree with Steve that I think it would be quite useful to have that. But I sort of would also caution a balance on, you know, what the data that we do get back whether that reflects those who, you know, are, you know, future users and future registrants and also registrants that may not be actually feeling comfortable to do it today because of these situations.

So, you know, I think that's also part of what Sarmad has raised is that, you know, there are - if we just ask about what's happening now we are, you know, we're essentially excluding those who are not in the system right now. So I agree that it's important and I think it provides us good input but we need to balance it with that thinking as well.

Jim Gelvin: Right. So - thank you, Edmon, I mean, that was really what I was thinking too but we do need to provide some - we need to be sure that we know what it is we're trying to learn from doing this survey. In principal it sounds like a good idea but I think it needs more discussion before we do it. And I was proposing taking that discussion to the mailing list so that we hopefully can get more people engaged in it.

Edmon Chung: Sounds good.

Jim Gelvin: Any other comments on Sarmad's first issue? Okay Sarmad, so let me turn it back to you to talk about the second point that you were trying to make earlier.

Sarmad Hussein: Thank you. So I think the second point I wanted to refer to was quality of translation and - or transliteration. So at the end of the day I think what has come through the discussion which I just heard is that the quality of data is eventually the responsibility of the registrants.

I did not hear the, you know, I heard different (unintelligible) view on that and I assume that everybody agrees with that, that registrars are obviously collecting the data (unintelligible) also providing the data publicly. But quality essentially has been responsibility of the registrants.

And so my next point was that if quality is the responsibility of the registrants how would one, you know, how would one ensure that data in a must be present script is actually accurate coming from a monolingual registrant.

Jim Gelvin: Thank you Sarmad. And just to be clear about one point we're only - I think it's important from the point of view of this working group that we don't state that we know who owns the data; we can speak to a question of that and we observe that at least current practice seems to suggest that the registrant is responsible for the quality of it. And we had a couple of references earlier to where we might get that from.

So we'll need to expand on that carefully in our report just for completeness. But it's out of scope for us to actually speak to the answer to that question.

Sarmad Hussein: Sure.

Jim Gelvin: On the other hand I agree with you, an important question - I think so - I think the point that you're making is that if the quality of the data is the responsibility of the user then the question is how do we ensure the quality of

any translation or transliteration if it wasn't done by the user which in principal it wouldn't be if it was a monolingual user.

And I think that is an important and valid point for us to bring up and include in the interim report - in our final report.

Dave Piscitello: Jim, this is Dave. I think you have to explain what you mean by quality of the data because there's different aspects of quality. For example quality of the data to somebody who's trying to use Whois to suspend a domain is probably very different from the quality of data to somebody who's trying to make certain that, you know, the, you know, that users typed in an address that conforms to a particular character set or, you know, and script.

Jim Gelvin: So, thank you, Dave, for that question. In point of fact I was trying not to make that distinction; I was using quality in a very general and broad sense to encompass all of those issues without trying to pick on one of them.

If you're suggesting that we should speak to that question in the final report and separate out the issues I'm okay with that too. I just wasn't trying to be specific about it here and right now.

Dave Piscitello: Okay.

Edmon Chung: Yes, this is Edmon.

Jim Gelvin: Please, Edmon.

Edmon Chung: Yes, I think Sarmad raised an interesting question but I also think it maybe important for us to think about maybe the quality of the supplied data by the registrant versus the quality of the transliterated and translated data. They maybe totally different things, you know.

In terms of policy maybe we still require that the quality of the supplied data by the registrant is good. But the quality required of transliterated and translated data could be lower. And that brings us to a discussion of what do we need it for? You know, why do we want a must be present script? What are we going to use that data for?

And that's a very different question than asking, you know, the ultimate quality of the data that is being supplied. So, you know, there - it's - we don't necessarily have to have the same requirement level for the two.

Dave Piscitello: That's actually - this is Dave again. Edmon, that's actually the precise point I was trying to get to. You know, if - transliteration and translation can be proximate because the - in many cases the value of the transliterated data is that they are accurate enough to provide information for a warrant or to provide information for, you know, for a location or identification purposes for an investigation.

Edmon Chung: Pattern matching kind of thing, right?

Dave Piscitello: It's not pattern matching, I mean, you know, I don't know whether you've looked at things like, you know, the complaint for the (Rustock) takedown and the like. But for example if it's possible through the Whois to ascertain the jurisdiction that applies for, you know, for the purpose of obtaining a court order or a temporary restraining order and the, you know, if it's in some variant of an Indian language it may not be very useful for a US court of law.

But if it's transliterated to something that allows someone to say this is the same set of John Does and the writ is, you know, applied to these John Does then it has a value. And the purpose...

((Crosstalk))

Dave Piscitello: ...transliteration is to provide, you know, provide a limited, something more limited than the accurate and complete information that the registrant and the registrar are supposed cooperate and giving to ICANN.

Jim Gelvin: So, this is Jim...

Edmon Chung: Yes, I very much agree, actually.

Jim Gelvin: Yes, I think we're all in agreement. But we have an issue of quality of supplied data versus quality of translated or transliterated data. And then of course Dave's earlier comment about what we mean by quality.

But that's something that we should address in this document. We should at least call out the questions and then the various responses or circumstances of responses even if we don't try to answer it ourselves. Because again our charter is only to study the feasibility of this so we don't actually have to answer all the questions but we should identify what questions are important and relevant and then of course how they're relevant.

One of the things that's interesting to me here - and I think I want to - since we have Sarmad here I do want to jump to his other comment about his proposed new model. And so I want to try to jump to that discussion to let him talk because as I've listened to this discussion here today and I think about the fact that he has proposed a new model I have a new - I'm suddenly coming around to a new way of drafting this document.

To date we've been focusing on choosing models and trying to choose a model in order to make a recommendation about a model. And now given some of our discussion here and the questions that we're highlighting I'm actually thinking about a different way to approach our final report which is rather than trying to pick a particular model we should talk about the issues that go over all of the models rather than trying to emphasize one.

So we should highlight what are the questions and then the context in which those questions apply. And so when I look at Sarmad's proposed model here he's suggesting that a registrant of course should be able to provide their data in whatever form is appropriate for that data; we're talking about monolingual users and so they should be able to do that in whatever is appropriate for them within the context of obviously what the registry and the registrar permit.

And then what's important is to make sure that the data is tagged in such a way that it could be independently translated or transliterated as necessary by anyone who needs access to the data. So first let me ask Sarmad if I correctly characterized his model?

Sarmad Hussein: Yes, so in this case what I am suggesting is that the onus of legal responsibility or the responsibility of the data itself the accuracy or quality of transliteration or translation would depend on the person who would eventually do the translation and transliteration.

So the - what this does is that it doesn't make the registrar liable for inaccurate transliteration or translation. That was my - one of my concerns that if registrar provides the data and they make a mistake in transliterating or translating, which they would eventually because, you know, the registrant is monolingual so he cannot verify this information - or she cannot verify this information.

The registrar eventually becomes liable for this data or inaccuracy of this data. And that - I thought that would not be a very comfortable situation for registrars to be in considering that they use - this data is being used by law enforcement agencies in the court of law.

Dave Piscitello: Sarmad, could you like be more clear about why they would be liable and in what - what context they're liable?

Sarmad Hussein: So what I'm saying so I actually gave you - I gave an example where I've taken a name which is Mohammed, right, and it actually can be spelled in many different ways and I've given that - that's right after Point 4(d) in my comments.

And so what transliteration or translation is doing is potentially pointing maybe a law enforcement agency in a wrong direction to somebody else maybe.

Dave Piscitello: And how is that quantitatively different from having completely inaccurate Whois that has Mickey Mouse as opposed to a real name?

Sarmad Hussein: In the sense that - so it depends on who has the - who is responsible for the quality of that data. If the quality of that data remains with the registrant it means that a registrar can say that, you know, I'm only providing the interface for this data to be entered.

Now that I realize that this data is wrong I will go back to the registrant and make sure that the data is correct or I will obviously stop providing that service. But at the end of the day we are saying the registrar is actually not responsible for the quality of the data.

But in this particular case when we are saying the registrar is actually providing the transliterations or translations they are actually generating that data at their end not from the registrant. So they eventually start becoming responsible for it in some ways.

Dave Piscitello: I'll have to have a conversation with you offline because I don't see how the - quite honestly I don't see how that is different from the current situation. You know, because any party who's going to provide some assistance in interpreting or extrapolating usable data for someone who is not familiar with the registrant's language or script is in the same scenario. So my - I am not an attorney but I imagine that there are safe harbors for this kind of scenario.

Sarmad Hussein: What I am suggesting is that if data, language and local information is given the person who wants to use that data can actually use the same transliteration or translation and just we are saying the registrars should use and translate it or transliterate it on the fly. In this case the registrar is no longer responsible.

((Crosstalk))

Dave Piscitello: No I can understand this in the abstract; I have a hard time understanding this in the, you know, optimal four-hour takedown or suspension scenario. Yes, so we just need to discuss this more and maybe share more online.

Sarmad Hussein: Yes.

Jim Gelvin: Yes, so let me - so, Dave, let's let you and Sarmad do that and then, you know, come back to the group and say more about what's going on. I want to make an observation about this particular proposal which is that it's important for us to keep in mind that it is antithetical to essentially everything that has been stated so far; all of the comments - well most of the comments - I shouldn't say all - most of the comments do lean on the side of either Model 1 with the must be present script or some kind of means of having a must be present script associated with whatever is done.

And, you know, placing some onus on somebody other than the parties that want to use the data to do translation or transliteration. So it may be that again rather than trying to recommend a particular model and a particular choice this simply becomes another one of those issues that we should talk about - a question that comes up.

There are several perspectives on what to do about translation and transliteration I think. We can have - we've (unintelligible) the user to do it which I think we're all pretty much in agreement is not an option. The registrar

or registry could be required to do it. And Sarmad is proposing that anybody who wants to use the data should provide their own independent translation or transliteration if that's what they want.

Do I - have I - does anyone disagree with my three-part characterization of options?

Steve Metalitz: What was the...

((Crosstalk))

Dave Piscitello: ...on characters - this is Dave again. The only other characterization that's never come up is a, you know, is something similar to the clearing those model that we had for a central zone file access which is that someone stands up a, you know, a, you know, debabblizer. And that...

((Crosstalk))

Dave Piscitello: ...a universally acceptable service.

Jim Gelvin: So, thank you, you're right. So just in terms of completeness, you know, a clearing house option is certainly something to think about too so just a universally provided translation or transliteration service.

It sounded like someone else wanted to say something?

Steve Metalitz: Yes, this is Steve Metalitz. I just wasn't clear on your first option - your first option is the registrant does it, right?

Jim Gelvin: Correct.

Steve Metalitz: Yes that's what I thought, okay.

Dave Piscitello: Okay. Jim, I'm sorry, I have another call so I'm going to have to drop off.

Jim Gelvin: Thank you, Dave, that's okay we're actually going to end this anyway; it's pretty much at the top of the hour and we had only had an hour so it's time to wrap up in any case.

Before I try to wrap up let me ask if anyone has any last comments? Anyone else want to comment on what we now have is a, you know, four perspectives on translation and transliteration?

Steve Sheng: Hi, Jim, this is Steve, can I get in the queue?

Jim Gelvin: Yes, please, Steve, go ahead.

Steve Sheng: I want to raise a - kind of procedural question. And maybe this is something that the staff can take it back and consult. Is our goal to decide on one model or, you know, there's another step before this becomes a policy there's going to be a policy development process, a PDP on this, and then that turn into the actual policy.

So the question I guess for us is, you know, how much of this should be decided by that working group which presumably needs to have like input from registrars, you know, and other stakeholders. Those are more policy-oriented. So I just want to raise that question.

Jim Gelvin: So to answer the first part of what you said about is our goal to choose a model I think that up until this point right here on this call I think we've had consensus that we were going to choose one of these four models unless some other model, you know, came up. And, you know, Sarmad has proposed a new model here.

I have to say that after this call - and listening to this discussion I now have a different view altogether on what the report - the final report from this group

should look like. I'm not inclined to try to pick a model and recommend a specific model. I think that we should pick the - we should speak about the technologies that are important and relevant to this process so particularly we've got translation and transliteration.

And I'm thinking that we should speak to the issues that go with that and we should call out the questions that need to be answered and that should be our report back and suggest that there needs to be a study to answer these questions in order - and develop a policy that goes with them in order to decide what the group does - in order to decide where to go with this.

That's just my personal opinion so - but like I said up until this point we've been looking to choose a model. Anyone want to say something about that or suggest something different?

Edmon Chung: This is Edmon. And actually I agree very much with you, Jim. And I think the direction is - at least for - as you explained it I think from the comments and from the discussion today I think that looks like a - the right direction.

And I think the way you sort of characterized the - few sort of frameworks or...

Jim Gelvin: Perspectives...

Edmon Chung: ...you know, the perspectives - is a better way to go than the models approach. So I guess it actually ties back - it ties well with what Steve is asking - Steve Sheng is asking as well which is that, you know, this group would eventually produce a document that would feed into a PDP kind of discussion further on.

Jim Gelvin: So is that enough of an answer for you, Steve, right now?

Steve Sheng: Yes, that's enough for me, yes, thanks.

Jim Gelvin: I think the action at the moment is to bring to the mailing list this proposal for how to approach our report. And so we'll have a summary of this call, we'll have some notes and minutes from this call and then we should open a dialogue on the mailing list and hopefully engage more people on this new idea for where to take the document.

And I guess since I'm putting it out there I guess I get to kick that off and start it.

Julie Hedlund: Yes and actually - this is Julie, Jim. What I'll do is I've tried to capture some main points from this discussion and I'll run them by Steve Sheng and Dave Piscitello to make sure I haven't missed anything. And I will include then when we send this out to the list the action items for the work group members to comment on this new proposal for a way forward.

And then, you know, you can use that if you'd like as a jumping off board to chime in and perhaps get the discussion rolling if you'd like.

Jim Gelvin: That sounds excellent, Julie. I appreciate it, that would be great.

Julie Hedlund: And I'm assuming then that we want to stay with this call schedule? That would be a call in two week's time at this time?

Jim Gelvin: I would say yes. I'm hesitant to say we should ask on the list if anybody wants to move it because they want to participate. Why don't we just see if anybody speaks up? Let's just stick with it for now. And...

Julie Hedlund: So let's do that and I would say that, you know, we do really want to get Jay involved and maybe if you want you could even send just send him a little separate message and say hey Jay, you know, really helpful to have you; is this a problem for you? You know, that sort of thing. It may just be that he's, you know, just doesn't have time to participate but perhaps, you know, we could reach out to him separately.

Jim Gelvin: And I will do that. I'm making a note here to send him a note and ask how he wants to proceed.

Julie Hedlund: That sounds great.

Jim Gelvin: Any other final comments from working group members here?

Julie Hedlund: Well great, thanks everyone. We're a couple minutes after the hour; thanks for staying on the call. Thank you, Jim, thank you Edmon and thank you all of you for participating. And this call also is transcribed and recorded so that information will be provided to you along with the points that Steve and Dave and I have collected.

Jim Gelvin: Thank you, Julie. Thanks to everyone.

Julie Hedlund: Thanks.

Sarmad Hussein: Bye, bye.

Julie Hedlund: Have a good day, evening.

Jim Gelvin: Bye.

Edmon Chung: Bye, bye.

Steve Sheng: Bye, bye.

Gisella Gruber-White: Thank you, everyone. Thank you (Tim).

END