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ICANN Transcription

The Review of all Rights Protection Mechanisms (RPMs) Sub Team for Trademark Claims Data Review

Wednesday 30, January 2019 at 1700 UTC

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ANDREA GLANDON: Good morning, goo afternoon, and good evening. Welcome to the RPM Sub Team For Trademark Claims Data Review call, held on Wednesday, the 30th of January, 2019. In the interest of time, there will be no roll call. Attendance will be take by the Adobe Connect room.

If you are only on the audio bridge, can you please let yourself be known now?

Thank you. Hearing no names, I would like to remind all participants to please state your name before speaking for recording purposes and to please keep your phones and

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microphones on mute when not speaking to avoid any background noise.

With this, I will turn it over to Julie Hedlund.

JULIE HEDLUND: Thank you very much, Andrea, and thank you all for joining. This is Julie Hedlund from staff. I'll just quickly run through the agenda. [It's] in the administrative items.

So, first on the agenda is the statements of interest, followed by the beginning of the analysis of previously collected data, particularly with Questions 1 and 2. Actually, before we start, at the start of Agenda Item 2, staff will give a very brief overview of the data sources and also of the various tools being used for the sub team to comment.

Then, after that, we have Any Other Business. May I ask if anyone has any other business?

Kathy Klemain, please go ahead, followed by, I think … yeah, Kathy and then George. Kathy, please?

KATHY KLEIMAN: Great. Can you hear me, Julie?

JULIE HEDLUND: Yes, I can hear you.

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KATHY KLEIMAN:	Okay. Terrific. [inaudible] testing. So, two things. One is a brief discussion under Any Other Business. And I might not be here because I have to leave halfway through the meeting, but Phil or Brian can talk about the letter that the Co-Chairs distributed last night, titled, "Updated proposed process for Trademark Clearinghouse sunrise and trademark claims sub team, including submission of additional data.
	Either earlier or later, it might be a good idea just to talk about this, talk about the deadline. It should take about two minutes, but everyone should know about this because it's a really fast deadline.
	The other thing – and I don't know if we want until wait to the end – is talking about workload and having a discussion about what makes a reasonable workload. We've been talking about it a lot on the list. I think it would benefit from talking about it today. Thanks. Bye-bye.
JULIE HEDLUND:	Thanks very much, Kathy. I have George and then I have Martin. Martin is chairing today. I'll have address the question about the additional items for the agenda. But, George, please go ahead.
GEORGE KIRIKOS:	In addition to the points Kathy raised, this additional point of a document due to be reviewed by Thursday that was dropped on us yesterday, I think we should have a bit more time than just two business days to review that. Thank you.

JULIE HEDLUND: Thank you, George. At least from staff point of view, we can explain that the document, of course, could not be produced until the sub team has completed their work on the analysis of the Analysis Group survey data against the charter questions. That only completed last week.

And, yes, the report from the sub teams to the working group is due this week. In order for that to be done by this Friday, that does require an accelerated timeframe in which to review the document.

But, let me go ahead and move to Martin. Martin, please?

MARTIN SILVA: Yes, [Julie]. That is a concern on the new additional data request. We're going to talk about it, or I would like to talk about it for 20 minutes before going into the analysis of the data that we have to do today.

JULIE HEDLUND: Well, thank you, Martin. I think, as actually pretty much – through the agenda. Let me just ask if there are any updates to statements on interest.

KATHY KLEIMAN: Yes, Julie. I have one.

JULIE HEDLUND: Go ahead.

KATHY KLIEIMAN: As you know, I'm a visiting scholar at Princeton this year. I'm also a visiting fellow, as of now, at the American University School of Communications in Washington, D.C. I'm doing both jobs.

So, just wanted to let you know. It's not in the statement of interest yet, but I'll be updating it as soon as I catch up from all the wonderful things we're doing in this sub team.

JULIE HEDLUND: Thank you, Kathy. Let me go ahead then and turn the meeting over to Martin. Martin, please.

MARTIN SILVA: Yes. I thought that we were going to look first at the summary of [resources]. A short staff intervention.

JULIE HEDLUND: Oh, yes. Thank you. Sorry for the misunderstanding. I thought … I wasn't sure where you wanted to insert the item that Kathy had requested about the revised procedures and the additional data request. Should that come at the end of the agenda, then?

MARTIN SILVA: I don't have a specific point for it. It can either be in now or after your presentation. But before we go into the hard work.

JULIE HEDLUND: I think my understanding was you wanted to talk about it first. So perhaps I can ask Kathy or Phil if either of them would like to speak the procedures message and document that was sent out, just very briefly before we start into Agenda Item 2.

KATHY KLEIMAN: I'm happy to, but if Bill wants to, I'll defer to him.

PHILIP CORWIN: Go ahead, Kathy. I'd have to dig up the documents.

KATHY KLEIMAN: Okay. I got it printed out in front of me.

PHILIP CORWIN: Okay.

KATHY KLEIMAN: Thanks, Phil. Okay. So, the idea was that there requests not for additional data gathering but for data that was out there that somehow hadn't been formally brought in to our ambit as sub teams and as a working group.

This would include articles about the registration of domain names in sunrise that appear to have an impact on the contracted parties, the registrants, or the brand owners.

Here I'm literally reading from the letter we sent out yesterday. "Anecdotes or specific evidence from impacted parties or studies,

reports, or articles discussing the harm of infringement, including cyber- squatting, including consumer harm" – and I'll had any other harm that people are finding. Our original notes had free expression issues on that as well.

So, this is a formal way to bring that data into an ambit, make sure everybody sees in the sub team, and make sure it's available to the working group.

The start date was yesterday. Sorry we were a little late in distributing. The end date is February 8th, which just adds to our pile of things.

Nonetheless, a lot of these are articles we've already talked about. So, if you can find the titles, find the URLs, then you go to the designated Google form that staff has created for us. You put in your name, the URL, your e-mail (though your e-mail will be [inaudible], the title, the source. We're asking that you include some additional information, that you highlight the specific information that you're citing this article or blog posting for. What's the new data? What' the evidence-based conclusion that you find this valuable for? It will really help people home in on that data.

We're asking that you include a rationale for why and how that specific information is relevant in respect of a particular question, like a revised charter question. And if you want to, you can suggest a solution or idea for how to address the topic. Does it lead you to any conclusions? But really, does it shed light? Is it data that you [saw] for any of the charter questions that we're looking at.

So, again, the deadline is February 8th. It's one article at a time, I think. Back to you, Julie and Martin. Thank you.

JULIE HEDLUND: Thank you very much, Kathy. I see George Kirikos and Kristine Dorrain. George, please?

GEORGE KIRIKOS: This is somewhat is somewhat interrelated with the workload issue. All these previously-identified data sources – these were all before Christmas – were supposed to be researched by staff, and then staff said, "Well, this is way too much work, so we're going to throw it back into the work group."

Now, what's happening is that the workload is being added to the sub team members again, on top of the existing work that we have here. We saw this week's work assignment was far more than two to four hours that people necessarily expect on a volunteer basis. So, last week's work might have taken 50 or 60 hours if somebody was to do it seriously. And this is just piling on more, and this is literally, what, nine days from now it's due?

People have to be realistic. If you don't want the additional data, just say so. But to have an artificially short deadline to do the work that staff should have done and thought was so monumental but that it would take them ages? This was thrown back to the members' faces.

The reason why it was given to staff is they're supposed to be neutral. Now, even when we submit, this is going to be, "Well, this

anecdotal, made to prove your point." It's no longer a neutrally-sourced piece of data.

So, this is very upsetting. You either provide more time or just say, "We don't more data." Very upsetting. Thanks. Bye.

JULIE HEDLUND: All right. Thank you very much. I see Kristine, then Phil, then Kathy – actually, first I have Mary Wong. Sorry about that, Mary. Please go ahead.

MARY WONG: That's okay, Julie. Actually, why don't we have Kristine and Phil go because I think my comments may be better coming after all those sub team members who wish to speak have had a chance to do so.

JULIE HEDLUND: Thanks. That's a good point, Mary. I have, then, Kristine and Phil, please. Kristine?

KRISTINE DORRAINE: Hi. Thanks. I'm a little bit torn. I actually am one of the people that don't think there is a lot of useful other information out there. I know that some people think that there's blogs or whatever. I don't happen to think that they're going to be any more valuable than any of the other anecdotal data receive, [inaudible] equally discounted for the most part. And I think, if there's any studies out

there or legitimate studies that we might think are relevant, we probably know of them.

So, I'm not convinced that there's a whole lot of extra work to do there, although just the overall workload – of course, as you saw from my e-mail yesterday – do think is a lot, and I do propose breaking it up, as I mentioned in my e-mail, as best we can. I value staff's contribution because I know you've already done this.

So, I like that idea. I would have proposed a little different way of doing it, but that's fine.

The main reason for raising my hand right now, though, is specifically to address something I sent around yesterday to see how it fits with this new doc.

So, one of the things that I noticed when I was on SubPro call yesterday was that all of the SOs and ACs had submitted comments specifically addressing sunrise and reserve names and the interplay of reserve names, premium names, and sunrise names – and not as much claims. So, it's not as useful for this call, but I'm not actually going to be on the next call, so hopefully there's enough crossover that people will carry this through for both calls.

So, the question is where there's another PDP addressing the same topics and that actually have written SO and AC comments, which is, in my opinion, far more valuable than just a random blog article by some news person or not a news person, but you've got whole entire SOs and ACs weighing in on this specific topic,

should that information also be placed into that little tool that you guys created? Was sending it around the right way?

We haven't finished going through the SubPro comments, so, back to the homework point, I'm reluctant to have to look ahead through all of them in order to try to meet the deadline. But I also don't want to hold us this work because the idea of spending months on this is making my head hurt.

So, what's the best way to submit information like I'm finding from the other PDPs? I'd be open to any suggestions or comments as far as the best way to wrangle that information. Thanks.

JULIE HEDLUND: Thank you very much, Kristine. I did see that you had sent, forded on, the comments from SubPro. Perhaps staff can assist, given that there is a fair amount of work right now, at taking a look at this comment first and then pointing out where things might need to be brought into the sub team discussions.

Phil, over to you.

PHILIP CORWIN: Thanks. Just to speak to the Co-Chairs' intent when we added this Part #5 on additional data, I want to say, first of all, there's always this difficult balance between sticking to the timeline and the workload. We manage it as best we can, and dedicated members say, "Hey, we're trying, but it's just too much. We need to break it up a bit more." We're respectful of that. We're trying to deal with

that. We know the Council is looking over our shoulder, saying, "Hurry up and get it done. Stay on the timeline."

But, with this, we didn't – there was just so many potential sources of information out there. And in the domain industry sector, there's three or four what I would characterize as major blogs. But then a lot of other domainers have their on blogs. Then, over in the trademark sector, we've got a few major publications, and then there's a law firm bulletin.

So, to tell staff to go look at that wide swarth of potential sources of information and come back with identification of everything that's somewhat relevant to our work just seemed excessive and not realistic. We thought that, [out of] 150 members of this working group, [there's], well, a few dozen who are really doing the bulk of the work on the full working group and in sub teams. There's articles where they mention something and it's kind of vague and there's a lot more opinion than fact, and then there's a few where there's a lot more hard data.

So, we just felt that we have a lot of experts on this working group. If people have seen an article or a [inaudible] or something somewhere that they think has substantive information that's relevant to our work, the most efficient way to get it before the sub teams and the full working group is to ask people to bring it to our attention.

We weren't intending this to be a major new homework assignment. "Go out and survey every domain name and trademark sector blog for the last five years since the TLD program launched for anything about claims or sunrise or anything

else." It was more, "Hey, if you've seen something that's stuck in your mind that you felt was important, bring to our attention."

So, that was our intent. I hope that clarifies things somewhat, even if everyone is not totally satisfied. Thank you.

JULIE HEDLUND: Thank you, Phil. And to Mary, please.

MARY WONG: Thank you, Julie. And thanks for that explanation, Phil. That was one of the points that I wanted to bring up. But I also think that what the three Co-Chairs of the working group meant was not for any working group member to do the work of staff or that staff was originally assigned to do but rather, based on suggestions made by one or two members, leverage on the existing knowledge and expertise in group numbers such that, if there are indeed data sources and information already out there that they know of that we have not yet considered, these be then brought to the attention of the working group.

I apologize for taking up more time on this call, but I do feel, from the staff perspective, that it is important that we reiterate that it is not that staff were not willing to do the work. It certainly is not that staff is kicking back the work to the working group, as Phil has explained. But, in addition to what has been said, and in addition to some of the e-mails that we sent to the mailing list, the data suggestions that were made were made originally in the context of the refining of the sunrise and claims [out of] question. These were discussed by the working group, and eventually, much of it

became the work that led to the surveys that Analysis Group conducted and also which this team and the other sub team analyzed.

So, the sense is that, to the extent any additional research may be needed – and this can be different from the crowdsourcing that Phil and Kathy spoke to – it is probably likely to be far more relevant and more targeted if we know what the gaps remaining are.

If you look at the summary tables that we sent around a couple of days ago, it may be that the AG data does help answer a lot of these questions already.

So, I apologize for taking up time, but I do hope that that clarifies the staff intent for this particular update.

And on the question of workload, we'd like to thank everyone for raising it. We have worked a lot with the Co-Chairs of both of the sub teams to try to come to a point where the homework, even though it is going to be and is extensive, is manageable, bearing in mind the reality of everyone's commitment elsewhere. Thank you, Julie.

JULIE HEDLUND: Thank you, Mary. I see George Kirikos, please, and then we're going to move onto the next agenda item. George, please?

GEORGE KIRIKOS: I posted a link from the January 9th e-mail from Mary Wong to the mailing list. If we'd known back before Christmas that we were going to have this due in February, that would be one thing. But, to learn that less than two weeks before that compiled data has to be submitted, we had this [new] task on top of the additional sub team tasks and on top of that, now, individual proposals are going to be needed to be submitted. That's a separate issue. It created enormous workload.

We could talk a little bit in theory the crowdsourcing that occurs, but everybody knows it's only five to 15 people that actually do most of the work of the working group.

And just to talk about the workload issue, well, we were given an assignment last week that's unreasonable. Then it was revised to supposedly become more reasonable. But the revised version was basically the same amount work. I don't think anybody even attempted to do it.

The documents were reduced, but then those were, like, the longest documents in the twelve documents that – but the number of questions was expanded, so we had to go through Google docs to try to answer more [chartered] questions. So, it ended up being probably more work than the initial assignment last week.

So, anyway, this really needs to be thought through. I'd really like to know how much work other people are doing. I'm willing to do four hours of work beyond the sub team calls. So, that's four hours on top of the two hours of sub team calls each week. Then there's probably another hour or hour-and-a-half – for at least me personally – preparing for each call. So, that's basically seven to

eight hours that I'm willing to devote to this PDP sub team work. That's two sub team calls per week.

I don't know how many others are doing the same amount of work, but, if I'm getting stressed, I know – I don't want to speak for those people in the working group. I've spoken to at least two others by phone, and I know that they feel overloaded too and they might want to step up and speak to that.

But you need to address the timeline, basically. I'll say it. That's the elephant in the room. You can't just assign the work and then nobody ends up doing it and say, "Okay. Well, we had the opportunity to do the work, and the opportunity to do the work was the work." That doesn't make sense. Thanks.

JULIE HEDLUND: Thank you, George. Staff would note that there are three total meetings for this discussion of previously [requested] data – so this and two more – and, certainly, this homework assignment for today, if the sub team so chooses and the Co-Chairs agree, can be expanded to next week's meeting as well. That's certainly an option.

Kathy, please.

KATHY KLEIMAN: Briefly, because I know we have so many other things and I was not one of the people George spoke with, but, [as] you saw, just as a participant of the working group, I share the concern that, when you're facing a whole mountain of work, it's overwhelming.

So, I do think we need to stagger out this, but I wanted to let everybody know the dates that we're working backwards from. In Kobe – so, March 10th, 11th; I forget when our first meetings our – we're hoping that the sub teams will have the first draft of the recommendations to share. So, that's what we're working backwards from.

So, we could be collecting data from now until the end of time. We can't do that. It's time to wrap it up. We wanted to create, as Co-Chairs, a place to put those last pieces of articles and blog postings and any reports that we haven't already considered so that they're available to everybody. But, we've got to cut this off. Sorry guys.

But we do have to create manageable workloads for the next three weeks. How we do that all I leave to Martin and Roger. Thanks.

JULIE HEDLUND: Thank you very much, Kathy. Then, onto the next agenda item, which is to the analysis of previously collected data. As we noted, staff is going to try to help kick off this portion on the work with a brief overview of the two data sources and the AG report and the INTA survey, and then also with a description of the various documents and tools to be used as well.

So, may I turn to Mary Wong for a brief description of the data sources?

MARY WONG:	Thanks very much, Julie. Hi, everyone. It's Mary again. So, I'll keep with brief because both of the documents that we're talking about should be familiar, at least in recollection, to everyone on this call.

But just as a refresher and [review], the Analysis Group report on the independent review of the Trademark Clearinghouse was finalized and published in, I believe, February of last year. The working group did meet with the Analysis Group around that time – I believe it might have been April or so – to go over the report. Follow-up questions were sent by working group members to the Analysis Group, to which responses were provided some months later.

So, that is kind of where the work was left, in that the working group did take a first look at the Analysis Group's review of the Trademark Clearinghouse. There was some follow-up questions, some responses provided, and that's kind of what we're going back to here, with a much more defined purpose, given that a lot more work, thought, and of course data gathering, has gone on between then and now.

With respect to the INTA cost impact survey, that was a survey conducted by INTA amongst its members, not something that was commissioned or requested by this working group. I should say that, similarly, for the Analysis Group's review of the Trademark Clearinghouse, that also was not something requested or commissioned by this PDP or indeed by the GNSO Council. For the Analysis Group report, that was something that was done in response to an initial request by the Government Advisory Committee during the implementation of the 2012 of new gTLDs

and conducted through ICANN org. For the INTA survey, as I mentioned, that was conducted by the International Trademark Association amongst its membership.

That point I'd like to emphasize just because, in reading these reports, reviews, and the data, we should remember that these questions in the form of the INTA survey, the topics that the Analysis Group covered in their group, were not anything that were developed or suggested by our working group. So, while a lot of the analysis data is likely to be relevant, their origin is different.

So, in the case of the Analysis Group, that's why they have some follow-up questions sent. And in the case of the INTA cost impact survey, was given to the full working group by Lori Schulman of INTA in August 2017, and there was a discussion amongst the working group with Lori about the survey, its methodology, and the results. That was when that discussion took place.

As with the Analysis Group report, we are now looking at that discussion, at those results, in light of additional work that we have done in this PDP since then.

So, Julie, I think that's probably all that's necessary for the refresher [inaudible]. We need to ask questions, and we can provide further information, but it seems like it might be a good point for me to hand over to Ariel to describe how she's translated that work by the Analysis Group and the INTA survey result into the tool that staff has used for the sub teams in the PDP.

JULIE HEDLUND: Thank you, Mary. Yes, let's go ahead and turn over to Ariel Liang. Ariel, please?

ARIEL LIANG: Thanks very much, Julie and Mary. This is Ariel Liang from staff. So, perhaps as a beginning we can just provide a quick understanding how much time is spent for staff to produce this to this [new] tool.

So, we spent about three business days to go through all the source documents and also plugging the relevant information into the spreadsheet [inaudible] the charter questions for both the trademark and claims. So, it's about 24 hours of work.

The ones that took us the longest time indeed in the Analysis Group's report on [inaudible] the INTA surveys and the others just took us about one day.

So, this is pretty how much we spent time on. Then, the way we did it is, when we read through the source documents, we saw some quotes and excerpts that include information that data that we think may answer the charter questions. That's why we are just basically copying over the information to the columns in the spreadsheet that you saw. Of course this information is quite understanding, so we tried to summarize what saw in staff summary column, [B]. That's the summary for this data information.

As we noted in the message to the sub teams, of course this is based on staff's understanding of the information. They don't meant to be exclusive, so you're welcome to [review] the source

documents yourself and [tag] any information that you think might be helpful in answering the charter questions.

We're trying our best to help the sub teams as fast as possible to go through the source documents. That's why we produced this tool.

If I missed anything, Julie and Mary, please [inaudible] me. Thank you.

JULIE HEDLUND: Thank you very much, Ariel. That's quite helpful. Let me just pause and see if there are any questions.

George Kirikos, please.

GEORGE KIRIKOS: Just one question would be, how many staff? It's 24 hours of work. Is that one staff member or 24 hours' time/multiple staff members? But regardless of the answer, this goes to show that the amount of work that was assigned this week was just far too high, because how are we supposed to have done that amount of work as volunteers? We're not paid to do this. I know on the past work assignments the people who did the most input on the Google Doc sheets were Griffin, Kristine, Kathy, and myself. I'm sure we all tried out best week.

I think, if you look at the spreadsheet, they're almost all blank. Everybody else who was supposed to be doing the review of the assigned work didn't have, this week, our input to kind of

slipstream on. So, they had the chance to be first, in other words. But nobody thought to do that. So, that speaks volumes as to the overload and the effect that it's having on the team. Thanks.

JULIE HEDLUND: Thank you, George. So, now, we can turn to the work today, now that we have not a lot of time left on the call, unfortunately, because I will remind everyone that we do need to close this call at five minutes at the top of the hour to allow the transition for the next meeting, in which many of the same members will attend.

So, let us then go ahead and switch to Claims Charter Question 1. I will turn things over to Martin, please.

MARTIN SILVA: Thank you very much, Julie. As [you just] said, yes, probably you're going to [inaudible] also next week. So, [we] even have one more week to put the inputs and everything.

The idea was to go through each question and the [great] staff summary on the INTA and Analysis Group in order to [sweep] everything and try to comment and see what members can think about it.

Question 1 of the trademark charter questions is data [inaudible] surveys [inaudible] to understand. Consider the following questions, specifically in the context [of both] of the claims nowadays, as well as notice of registered name.

Is the trademark in service having an effect [inaudible] registrations and providing claim notice to the main name applicants? If the trademark claims service is having unintended consequences such as [inaudible] domains names, [inaudible] applications.

Staff summary for the INTA. Staff found that 36% of the INTA survey respondents feel that trademark claims helped mitigate major or moderate expense. Some respondents [inaudible] [claims] are merely another form of monitoring and are useful in perhaps 20% of cases where another application is filed.

Among the respondents who have received claims notices that have resulted in cost, they [inaudible] for investigations, followed by warning case and the [inaudible]. There is an indication that investigations costs – [very regrettably], [injuries] cost around $500 per decision.

Do you wish or prefer that I go directly to the excerpts of staff?

JULIE HEDLUND: Excuse me, Martin. So, we have posted in the Adobe Room the PDF that actually has the comments from the sub team members who provided or contributed to the homework. So, the comments that are new, which they all are, are in green. We have some from Kristine and some from Kathy. Let me note that Kristine has her hand up.

MARTIN SILVA: Please, Kristine, go.

KRISTINE DORRAIN: Thanks. I'm not actually trying to beat the dead homework horse because that's not my goal. However, my comments don't actually address the Analysis Group survey or the INTA report because I was operating under the assumption that we had a Tuesday morning, my time, deadline. So, when I [sent my e-mail] out on Monday, suggesting that we look at the first documents, which did not cover the Analysis Group and INTA report, and then asking that staff to figure out what a good homework cadence is following that, it crossed. I had already done my homework, and then I saw staff asking to review those two docs.

So, if you decide you want to go into this document, I think, unfortunately, you're not going to find comments related to Analysis Group or INTA, because [there were] those of us who were like, "Okay, we got to do something because the comments are going to be locked down. In my time, it's 8:00 Tuesday morning. I have to do something Monday."

So, I don't have homework related to INTA or Analysis Group, so I'm not sure what, as a Co-Chair, where you want to take that. So, I'm sorry.

MARTIN SILVA: Fair enough. I understand that. Julie?

JULIE HEDLUND: Thank you, Martin. Perhaps it might be helpful to see if anybody who's here on this call has reviewed the two documents, those

that were in the homework assignment, whether – I know that, Kristine, you did with respect to some other data points, as did Kathy – and I see George has his hand up.

At any rate, we're just trying to get a sense of how folks would like to [inaudible] on this call. But I'll note George has his hand up.

GEORGE KIRIKOS: I started this homework on Sunday. I typically do Sunday or Monday. In this case it was Sunday. The way I look at it was we all had the same, in both sub teams, set of documents, just different revised questions. So, working through this first document, that document across each charter question for not only this sub team but also the other sub team, and then I would go on to the next document. I think that's the natural order, it seems to me, to do it.

But then I realized how much time it was taking, and the fifth document was the one that was in the revised homework, which I don't think anybody even attempted. By that time at least Kristine and I had already finished our allotment for the week in terms of volunteer time.

So, if I didn't find anything, I left it blank because I knew that for the remaining eight documents I would eventually put in a no or yes for only those specific documents. So, if there's nothing from me, and there was nothing for those first two documents, it was because there was nothing I found. So, Kristine put an explicit no, but for me, it's an implicit no.

As to the the revised homework, I can honestly say I didn't even bother to look at it because I didn't think anybody else would. And I think the evidence is that nobody else actually did.

So, I don't know if you want to finish up early or just talk about the workload issue because the workload issue to me hasn't been resolved. You can take this off this and put it to be discussed later, but without that being done, the future work becomes meaningless because the same thing will happen next week. You'll assign 20 hours of work, and nobody will do it, and we'll be back here again, talking about the workload. So, something needs to be done. Thanks.

MARTIN SILVA: [inaudible]

JULIE HEDLUND: Thank you, George. Martin, just a possible suggestion. I'm seeing that Kristine has made a suggestion, too. Staff is just wondering if sub team members have suggestions for a better way to approach the work, whereby we still might try to see if we can [complete] in the three meetings, although really just two meetings now since we have just ten minutes left of this meeting, really, and see if there is a realistic way forward.

The sub team can ask the working group Chairs, and the Co-Chairs of the sub team had asked, to have an extension. But staff will note that the sub team has not actually really started on the work.

So, we might have a better idea if there's a better way to break down the work and approach this. Let me suggest that maybe we could go to Kristine, since I know she has a suggestion.

KRISTINE DORRAIN: Thanks. Yeah, so I have a couple of suggestions. One is I really want to be really clear. My comment hopefully was taken as an automatic extension request. My comment was asking the Co-Chairs of the sub team to do a deep dive into the amount of work and to determine if an extension was warranted, and, if so, [inaudible]. It wasn't necessarily to assume one would be needed, although, given the math and given the amount of time I've already spent, it [isn't] likely, but I'm not going to [foreclose on that possibility]. I think that's the role of the Co-Chairs: to decide how to break up that work.

Secondly, I'm going to make a firm proposal. People can say yes or know, but I'm not hearing anything better. I'm going to suggest that we take – not to harp on my suggestions because it's mine. I don't care. But given that, at least for Claims Charter Question 1, Kathy and I have already the first three documents (the Trademark Clearinghouse report from 2013 and 2017, the RPM's questionnaire to the TMCH, and the registry operators questionnaire) – we've already reviewed those; we've already got comments – my suggestion is that everybody else review those, add their comments in, and, if you haven't done that, then you can spend time working ahead on the Analysis Group and INTA report.

Hopefully we can dive into that as well. Seeing as I've reviewed those, I will probably have time to look at the Analysis Group and INTA reports this week. That will allow people to catch up and hopefully keep moving.

But, that also takes into account that a certain amount of work has been done. Let's pick up where the amount of work has been done at and proceed from there, rather than jumping ahead and then coming back. That's my suggestion. I'm totally not married to it. I just want to throw it out there because somebody [has to]. Thanks.

JULIE HEDLUND: Griffin has his hand up. Griffin?

GRIFFIN BARNETT: Thanks, Julie. I was going to type it in the chat, but it's just easier to just raise my hand and comment by phone. I support Kristine's suggestion. I think it makes sense that we focus on the three documents – sorry, four documents, I guess – that Kristine and George were referring to, where we already have some member input so that the rest of the people who didn't have an opportunity to provide written input on those can try and get it done by next week. Folks who already commented can start working ahead in other additional documents. And we try and focus on getting these comments done and discussed on the first four documents by next week and go from there. Thanks.

JULIE HEDLUND:	Thank you, Griffin. I have George Kirikos. I don't mean to have hijacked the meeting from Martin, so perhaps I can go to Martin after that from these suggestions. George?
GEORGE KIRIKOS:	Just in terms of work flow – we mentioned this in the chat pod – we should review all the questions but document by document. So, I don't know how people did the survey analysis the previous weeks, but back then, I would look at one charter question and then look at an entire survey and try to find relevant things in them. So, I did it question by question.

But, that doesn't work anymore because it's more documented-oriented now. You'd have one document and then look at five charter questions. Then there's also eight or nine in the other sub team.

So, you look at all the charter questions and then go document by document. I think that's the only way to do it in order to not have to read each document 13 times. For the Analysis Group document, it's, like, 57 pages, and at least 38 of them are dense and relevant. So, having to read that 13 times, one for each charter question, doesn't make sense. But from a workflow point of view, it needs to be in document order.

Even for those longer documents, you probably do it page by page and then go across all the charter questions. Otherwise, you have to keep 13 or five person sub team charter questions in our mind, many of which have sub-pats. So, it's hard to keep all those questions in your head. It might be wise to print them out or

something so that you have them beside you while you're reading and you can find a point. It's tab hell trying to analyze them all.

If you look at the spreadsheet that staff prepared, it had the same problem that occurred in the EPDP comment period, where a lot of the comments didn't fit into the cell and you had to scroll back and forth. So, that's another problem, a technical problem, that's making the work harder than it should be. Thanks.

JULIE HEDLUND: Thank you, George. Roger? Then I can leave it for Martin to also close out since we've got four minutes left on the call. Roger?

ROGER CARNEY: [Can you hear me]?

JULIE HEDLUND: Please go ahead.

MARTIN SILVA: Yes.

ROGER CARNEY: I think George is right.

JULIE HEDLUND: I'm sorry. There's nobody ahead of you Roger. We can't hear you if you're speaking.

ROGER CARNEY: I'm sorry.

JULIE HEDLUND: Okay. Now we can hear you. Please go ahead.

ROGER CARNEY: Oh, sorry about that. I was just saying I think George is right. I think we should look at a document and try to answer the [claims]. I was going to throw out another idea: maybe create sub teams of the sub team and maybe have a group look at three of the documents and another group look at the other three documents and go like that. Just a [nagging] though. Just wanted to see what people thought about that. Thanks.

JULIE HEDLUND: Thanks, Roger. I have Griffin, and then let me turn it over to Martin to close out the meeting. Griffin, please?

GRIFFIN BARNETT: Thanks, Julie. Sorry, Roger, but I am against further dividing up the sub team. I don't know that that would help anyone or anything. I think it seems clear to me that the issue really is an issue of managing the workload against time as opposed to dividing up participation or something like that.

So, I would suggest we stick with the other suggestion that's on the table. I'll guess we'll call I Kristine's suggestion, for lack of a better title. Thanks.

JULIE HEDLUND: Thanks very much. Martin, before we turn over to you, staff would just note there seems to be agreement to proceed for homework for next week for the first four documents and going document by document through all the charter questions. Staff an prepare the homework accordingly, unless there's any objections to that.

Then let me turn it back to you, Martin.

MARTIN SILVA: Thank you very much, Julie. I don't have anything else to add. I'm sorry we couldn't use this call [wick]. I know staff worked hard and [inaudible] good idea. [Certainly] we were wrong. So, sorry for that.

JULIE HEDLUND: Thank you very much, Martin. I'm not seeing any further hands up, so we're just at about time to the hour, so we'll go ahead and adjourn this call. We'll speak to some of you at five after the hour, noting that the Sunrise Sub Team will start at five after the hour. Thank you.

ANDREA GLANDON: Thank you. This concludes today's conference. Please remember to disconnect all lines and have a wonderful rest of your day.

[END OF TRANSCRIPTION]