
HELSINKI – Cross-Community Session: Next Generation Registration Directory Services
Monday, June 27, 2016 – 15:00 to 16:30 EEST
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MARIKA KONINGS: Hello, everyone. Can you please take your seats. We're getting started now.

If you want to keep on talking, please do that outside of the room.

So thank you all for joining us today. This is the cross-community session on next generation registration directory services. I'll hand it over in a minute to the chair of the PDP working group, but I'll just make some administrative announcements or housekeeping announcements. Please note that the microphones on the desks are not activated. We want to give everyone equal access to participate, so there are a number of colleagues in the room, you see them standing throughout, who have microphones and numbers with them, so when we start the discussion opening the floor, you just raise your hand and they will come up to you and get you in the queue.

We would like to encourage you all to log into the Adobe Connect room for this session where you'll be able to see the

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slides, but importantly as well, there are two survey questions that are in there that we would appreciate your feedback on. It's both for the leadership team here on the table to have an understanding of what the level of knowledge of people in the room is in relation to this topic but also for us to be able to see, after the session, what the audience that participated so we can also make an assessment of how to potentially do these kind of meetings in the future.

Similarly, please download the meeting app if you haven't done so yet. There's also an ability there to provide your feedback on the sessions. And to note if the room gets full, there are still seats up here for those standing at the entrance and throughout, so please fill those up. But should we run out of space, there will be an overflow, I believe on minus 2, the Helsinki Hall, from which you can participate remotely, and we also will have the ability there for people to ask questions.

I believe that was it for the housekeeping rules.

Yes, and obviously this is being recorded and transcribed, and I am sure that has started. Looking in the back of the room. Are we recording?

Yes. I'm seeing nods and hands up. So I think we're all good to go.

Over to you, Chuck.

CHUCK GOMES:

Welcome to everyone. My name is Chuck Gomes. I'm the chair of the registry -- registration directory services PDP working group. And I want to again welcome all of you to this session. We're the first cross-community session of this new model, so this is exciting to look out here. I know a lot of people are questioning this new model and the new meeting approach. I'm one of those that is really optimistic about this new format because the primary thing that ICANN does is policy development. And the focus that's being put on that this week and to have an opportunity for people who don't normally participate in our working group join us in this session as well as those of you who can join us in our working group session tomorrow, is fantastic. And this session is going to be designed, as much as possible, to have interaction. So please join us in that.

I want to introduce the members of the leadership team. I already introduced myself. On my left here is David Cake, one of our vice chairs. On my right is Susan Kawaguchi, one of our vice chairs. Another of our vice chairs is not able to be with us because of a conflicting meeting, and that's Michele Neylon. They come from each of the other three stakeholder groups in

the GNSO. I'm from the Registry Stakeholder Group, and they're from each of the other three groups, so we have a well-represented leadership team.

Now, very, very important to introduce the other two members of our leadership team, because they are incredible, and we'd be lost without them. And that's our two ICANN staff people, and they're both on my right, aren't they? Okay. I can't see Lisa over there. Lisa Phifer on the end and Marika Konings, who I think people have known for quite a while. And Lisa, of course, has been involved in the EWG work that occurred previously.

What I'd like to do very quickly, just by a raise of hands, nobody is going to be asked to speak, but would those of you who are working group members, not working group observers, I'll give the observers a chance in a minute, but those of you who are working group members, raise your hands, please. And leave them up a little bit so people can look around. Thank you. And let me tell you, these people are working really hard. So thank you very much.

How about working group observers? Thank you. And we hope your observing is going okay. But at any time, at any time that you want to become a working group member, you can; okay? Just remember that. But let the leadership team know if something is not working right there.

Now, and most important, how many of you are just visitors to this session today? Would you raise your hands. Fantastic!

Okay. Yes. That's fine.

[Applause]

So with that said, we're going to try to give you a brief introduction, and I'm going to turn it over to David to do the introduction of our PDP. It's going to be brief. This is a very involved PDP, so it's going to be brief. But feel free to ask us questions later on and during the week, if you have other questions.

David, it's all yours.

DAVID CAKE:

Hi. So my name is David Cake. I'm one of the vice chairs of this group. As Chuck mentioned, we have one vice chair from each of the GNSO stakeholder groups. I'm from the Noncommercial Stakeholder Group and I represent Electronic Frontiers Australia.

So I'm just going to give you a brief introduction into what the group's work is and what we're doing. I'm hoping at an ICANN I don't really need to explain what, sort of, DNS or the WHOIS is, but you may wonder what an RDS is because it's an acronym we haven't used much before this group. It stands for a registration

directory service. And the WHOIS, the WHOIS system, is an example of a registration directory service.

At the moment, it's sort of the only one, but it's the one that we have been tasked with looking at whether it needs to be replaced by a different one, a next generation registration service.

So when we talk about the IDS, there are some things we specifically don't mean. There's some good terminology I think it's SAC51 if you're really keen, but the gist of it is we don't mean the protocol itself. Looking at the protocol, creating the new protocol was a job for the IETF, and they've done that. They've created a protocol called RDAP which is being slowly rolled out to replace the WHOIS protocol.

But that doesn't mean -- there are several features of RDAP we are not using, and one of the reasons we are not is because they would imply changing the underlying directory service.

Now, when we say RDS, we also don't mean the data that's already in there. The data that's in there, we talk about that's in WHOIS, but we're generally talking about the big database, not the database structure; the systems of how that data gets in and out, who can access it, and all of that sort of thing. So that's what we're talking about. That system of how the data gets there, what data is collected, who uses it, what we use it for,

how long we keep it for, all sorts of things, these are within the scope of an RDS.

The work of this particular working group has a history, Chuck mentioned the EWG, the Expert Working Group, which was actually -- for short, which is actually the Expert Working Group on a new registration directory service, I think, was its full title. Now, that was a working group that most of you have probably heard of. It was not a working -- well, it was an expert group. It wasn't a working group. So it wasn't a group put together from the -- directly from the ICANN community the way most sort of GNSO PDP working groups and so on are. It was a group put together by the Board with experts from within and outside ICANN to look at what we could have instead of the current WHOIS. How would we -- If we -- WHOIS has a very long history. It goes right back to, like, the '70s. What would we do if we were to create it now? Or what would be an example of such a thing?

They produced a very big report. That big report had a lot of hard work put into it by some very smart people, but there were some things about it that meant it was not going to be picked up and used as it is. It was not a community, you know, bottom-up driven process. It had some people dissenting with some parts of it. But it certainly proved that it was possible to, you know, replace WHOIS in theory, and that there would be some, you

know -- quite likely, some considerable advantages, potential advantages, in doing so.

So this working group has been put together to look at -- examine specifically that report as part of our -- it's in our charter that we have to look at the work that was in that report, but also, everything else to do with registration directory services, most of which in the form of WHOIS reviews and SSAC reports, and any other work which is relevant. So we've done an enormous amount of data gathering so far. Absolutely enormous. It's been a huge task. And we're currently -- The work is also so big that we had to put together a special Board, sort of, GNSO working group just to work out how big -- how we're going to deal with this huge task. Like this a bigger task in terms of being given to a PDP than practically anything ICANN has ever tackled. It's an enormous -- I mean, we have just done the IANA transition, and so on, which is an even bigger job, but this is still a pretty huge job, and so we had to sit down and work out how we're going to -- we had a special process to work out how we're going to tackle it. And they said, well, we'll split the work up into phases. So Chuck will give you a lot more detail.

CHUCK GOMES: It's right there.

DAVID CAKE:

But the important thing is we're currently in phase one. The purpose of phase one is, in essence, to determine if we need a new RDS at all.

The EWG proved that it was possible to design one that looked, you know, as if it would have some advantages and disadvantages relevant to WHOIS, and it certainly would be a lot more modern. But it didn't determine it was not a community driven policy, bottom-up policy process that said we needed one. So that is phase one of our work. Do we need one?

So we are carefully gathering requirements, looking at what the requirements would be for an RDS if we designed one now, working out if WHOIS, in some form of the current system, could be sort of dinged around, modified here and there, but basically suit all those existing requirements, or will we say, no, if we're going to have a working modern system that satisfies all the needs of ICANN going on into the future, will we need to base it on some different underlying technology and assumptions.

Some of those may be things we haven't even discussed yet. Some of those are fairly obvious. One of the obvious ones to most of the I think -- that's already formed sort of discussion in parts of the community is the RDAP protocol allows for differential access. Instead of making all data public it can make some of it gated and some of it accessible to only certain people.

Will we make a system that uses that feature? Is that essential -- if that's an essential feature, we may need to change a lot of things about how we go on with an RDS. We may decide that's not an essential feature and we can proceed on a different basis. We're in the process of doing that now. We -- as a result of the data gathering we have an enormous list of requirements. Sort of almost unmanageably large. We're hoping not quite, but, you know, it's -- it's certainly huge. Which we've gathered not from -- not just by, you know -- we've gathered by looking at an enormous number of documents that discuss WHOIS, the new RDSs as presented by the AWG. Lots of -- some external documents about things like data protection law. Huge number of things. And input from SGs and ACs and constituencies and so on. So that's more or less where we are now. That gives you some background of how we got here and this sort of size of the task. What things are in scope and what things are out. And there anything I've forgotten?

CHUCK GOMES: About phase two and three.

DAVID CAKE: Right. So phase one is to work out how -- whether or not we need a new RDS. We will present a report towards the end of the year that will -- hopefully, which will then go to -- you know,

there will be an issue report that's distributed to the whole community. It will be presented to GNSO Council in the normal manner of a GNSO PDP, and we expect that will -- there will be some discussion on the -- once we present that report there will be some discussion in that community. But it is only that one decision -- ultimately the primary decision of that is that do we need a new RDS or not. We will -- part of that report we will be presenting the requirements that we perceive for a new RDS which will form our explanation of why we need a new RDS. There will be certain -- you know if there are -- or not. So we will be clear on which particular requirements commit us to changing or we discussed and then we move on to phase two.

Phase two we really start talking about well, okay, if we need a new RDS, what are we going to do about it? What form is it going to take? We're going to do design work on it, that is a -- we have a magnificently complicated and alarming looking diagram about how much work we have to do on that task. We need to consider a huge number of issues. We need to consider, you know, all the technical issues and practicality. We need to consider how -- how it would require changing, you know, ICANN business processes. We need to consider technical implementation. We need to do risk assessment. All of these sort of tasks that you would do as part of design.

And then, phase three, we need to think about how to make this actually happen. Which is a long way off but --

CHUCK GOMES:

Thanks, David. So this is Chuck speaking again for those that may be on audio only and not in the room. Go back to slide number five very quickly, please. And I want to make sure you see the phases that he was just talking about. We're in phase one, identifying possible requirements for a new RDS system, if we decide that one is needed. And I know that question may sound kind of funny to some of you. Bear with us, okay? This whole charter has been laid out very carefully. Phase two will be the actual policy development work to fulfill the requirements. And phase three, as David just said, implementation and co-existence with the existing WHOIS system. Phase two and three may happen concurrently, at least to some degree. That's where we're at now. Let's quickly go to slide six, and this is all from our charter and from the work that was prepared. I'm not going -- we're not going to go through that in detail. But there are 11 areas there that there are possible requirements for that we will identify and then you can see the same areas apply to policy development implementation. Going ahead to slide seven, very quickly, the one that was up there just a little bit ago. We're going to try to reach consensus in the working group when we deliberate on each of those 11 areas that you saw in the -- the

previous slide. So what we're doing right now is working on these fundamental requirements. Okay? And we have, as David said, created a huge list of possible requirements. And one of the things we're going to ask you to do today is to suggest requirements that you think we should have in there. Now, we may have those already, we may not. We'll sort that out later. But to ask you or expect you to be able to compare our list to the ones you're thinking of would be unreasonable because it is a very large list that we have come up with. And we're still working on ways to attack that list.

David kind of covered these cross-cutting questions, the fundamental requirements that we have to do, in phase one. And you can see that in front of you right there. I won't read that for you. But the -- what I'd like to do right now is just -- and we're going to have some people share some examples of possible requirements and then we'll give you a chance to do that later.

But first, before we do that, let's go to our second agenda item, if you can scroll the slides. And go ahead and scroll one more.

DAVID CAKE:

And Chuck did say we can't -- we can't, you know -- we have a huge list of requirements. We can't compare everything. But the other thing you can do is send us documents you think we may

not have considered for us to look and try to extract requirements from. We've done a lot of that.

CHUCK GOMES: Thanks, David. And that may become a little more clear as we move forward. Susan, it's your turn to talk about the work plan and the near term opportunities.

SUSAN KAWAGUCHI: Thank you, Chuck. So you can see from the slide the PDP work plan is fairly involved and I must say Chuck and Lisa and Marika put a lot of work into this. And we've moved our way down to we're currently working on 9-11. So it's the informal outreach, finalizing initial possible requirements and decide how to reach consensus during deliberation. Then we'll step into step 12 which is actually deliberating all of these possible requirements and coming to agreement -- or disagreement -- on what should be required. So -- and then you can see we have it laid out for the rest of the year on what to -- you know, what our work involves. And if you could forward to the next slide, please. I'm not sure if we have control of the slides. Okay. Thank you.

So we've already had one formal early outreach stage, and we reached out to the community and received responses. So the working group is reviewing those along with all the other work.

And currently we're in an informal outreach period that ends just tomorrow? June 28. I've lost track of the date this week. And so if you have input, we'd be happy to receive that, too. And then we'll -- we're planning on additional outreach and then a public comment period once we draft the initial report for phase one.

The biggest thing to know is we are in phase one, and we will stick to that. And we need everyone's input to build this system or to make the decisions on this system.

CHUCK GOMES:

Thanks, Susan. Chuck again. And I want to comment on our deadlines or our target dates in our work plan. I think everybody -- hopefully everybody in the working group and even the observers understand this, but when we set deadlines, we're fully cognizant of the fact that they're not real firm deadlines. We have a target by tomorrow of finishing off this list of possible requirements for an RDS system. But we're fully aware of the fact that we're going to discover more requirements after that date. That's okay. This is going to be a very dynamic process because we will learn as we go as things begin to come together. So I want all of you to understand, these deadlines are important because they help us manage our work and make progress, but they're not so firm that we can't make changes as

we go and as we see fit. So with that said, let's go to the next slide and the one -- get into agenda item three which is where we want to spend most of our time today.

You can see the first bullet there that we're supposed to -- and Susan talked about this, we're supposed to establish, if we can, reach consensus, on all these requirements that we're going to come up with. Okay? And so the second bullet there just indicates an area where we're -- we're collecting right now -- we've been collecting for a couple of weeks. Our working group members have reached out to the groups they represent and asked for additional requirements, and hopefully those will come in by today, from any groups that have them. But we're going to ask you to help us do that today, and we're just going to open it up to possible requirements for an RDS system. And so we will do that. Let's go to the next slide because this will help you, and I want you to focus on this slide because these five areas are the first five areas we're going to focus on and really, we're going to start off in the next few weeks and months looking at three of those areas kind of together because it's hard -- it's difficult to decide which one to do first. They're very interrelated. So we're going to especially look at users and purposes, at privacy, and gated access -- excuse me, and -- I misspoke, data elements. So the top three up there are the three we're going to start deliberating on first. Not in any

particular order. We'll probably go back and forth because they are interrelated and interdependent. So -- and then we will later then also deliberate on requirements for gated access and accuracy, and then the last six questions, which are all summarized in the royal blue box there, cross-cutting questioning.

So as you're thinking of questions -- and we'll put this back up a little bit later for you to see -- but we're going to ask for some possible requirements on those things. Next slide, please.

To get your minds thinking, here's some bullets here that will hopefully do that. What possible requirements must a new policy framework for gTLD registration data and directory services address? Where does WHOIS -- where does WHOIS fall short today? So you may think of a requirement, oh, WHOIS doesn't do this, it needs to be this, this should be a requirement. What requirement should a new RDS policy satisfy? These are all just to get your minds thinking ahead here so that you can volunteer some of those.

We are seeking really a broad spectrum of real-life examples, so please feel free to do that. We're going to have to ask you to be very brief and concise in what you share because we have so many people in the room and we have a limited time frame.

Now to get it all started, we have some working group members and Lisa also, in fact, and Susan as well, who are going to share some examples. And so let's go to the -- the next slide, and don't focus on these yet. Lisa will cover these in a minute. I'm going to give Jim Galvin a chance right now and if -- you have a mic right to your right there, Jim, and you can come out front here so people can see you better. Okay. And he's going to share an example from one of these areas. And, in fact, scroll to the next slide so you can focus on the area that he's talking about and he can refer you to it. Go ahead, Jim.

JIM GALVIN:

Thank you, Chuck. Jim Galvin from Afilias. I also happen to be vice chair of the SSAC. But I want to focus on the top one up there, the registration of data elements and suggest that a possible requirement for this particular PDP working group is to answer the question, what is the purpose of registration data. And by way of discussion, I just want to offer to the group to think about that I want to carefully draw a distinction between the fact that data is displayed today and exists is not the same as answering the preceding question of why we need that data at all and for what purpose, you know, for who's going to use it and why they're going to use it, and then, of course, what data you need to collect in order to meet that need. What's important here in this discussion is that the Expert Working

Group that we had that we saw in the slides earlier, if you read that report, when that expert working group director of services spoke before, they did an outstanding job of cataloging all of the reasons that -- or all of the purposes that WHOIS data, the data that is displayed today, is currently in use.

But the distinction I want to draw is that's not the same thing as why we collect it in the first place, and I think that particular question is probably one of the most important questions. Is domain name data collected, should it be collected, should we continue to collect it, to meet all of those purposes for which it's being used today. And that's different than stepping back and asking the general question, the very specific question in some ways of what the community really should have and what is the community willing to support going down the road.

So what is the purpose of registration data? I believe that's a foundational possible requirement question that the output of this group should clearly speak to. And that's different from the question the Expert Working Group answered. That's my comment.

CHUCK GOMES:

Thank you very much, Jim. And those of you out there who are going to volunteer some possible requirements aren't expected to give all the background like he gave, but to state the

requirement; okay? And we wanted him to give some of that just to see the whole picture.

Now, notice we keep saying "possible requirements." It's because we haven't started our deliberation yet. We haven't started trying to reach consensus on requirements.

I hope some of them are easy. I know some of them will be hard to reach consensus. And we'll have -- take a lot of time to do that, all the time we need to do that so that we really can reach some possible requirements.

Next I'm going to call on Beth Allegretti. Where is Beth at?

Go ahead. She's going to share another possible requirement.

BETH ALLEGRETTI:

One of the other requirements for a registration directory service is access, who you -- who and how you can have access to that data.

For example, I work for Fox Entertainment Group. I manage a global domain portfolio, and I access WHOIS to actually verify our own information. So I use it all the time to ensure that other information is correct. If we acquire a new business unit, I will -- and they may not know what domains they own, I will use

WHOIS to pull all their domains together and bring them into the corporate portfolio.

So one of the possible requirements is access to that data, how you can get it, who has it, and when you can get it.

CHUCK GOMES: Thanks, Beth. And then let's go to Susan to share a requirement.

UNKNOWN SPEAKER: One of the requirements for my work as managing a global portfolio for Facebook is accuracy, accuracy in our own data. I access the data to make sure that our data is accurate, but also to ensure that third parties don't use our data. It's my data, our company's data is only accurate for our domain name registrations. Not for someone else's domain name registrations, which happens more often than you think. So accuracy is a requirement.

CHUCK GOMES: Thanks, Susan. And then if you flip, go back one slide, please. And, Lisa, why don't you talk about this slide.

LISA PHIFER: Thanks, Chuck. So this is Lisa Phifer, for the record.

And just to give a few more examples.

I think that Jim actually already covered working from the bottom of the slide that there's a critical name for a policy that asserts what is the purpose of registration data, and that actually came from a SAC report. And that would be an example of the kinds of topics that you all might wish this working group to address as part of possible requirements examination.

Some other examples, though, would be things that you either like or don't like about today's WHOIS system. I know many people have concerns about today's WHOIS system. In fact, the possible requirement given here that WHOIS lacks some mechanisms for access control integrity and confidentiality to many is perceived as a shortcoming of the existing WHOIS system and a possible requirement would be to address that. You could look at that as a privacy requirement or you could look at it as a requirement to provide some level of access control beyond the current system, which is all public access.

Another example given there in the middle is expectations that you might have on a new system. If you were going to start designing a new system today, not constrain yourself to what's in WHOIS today, what would your requirements be on such a system.

An example of that from the EWG report is that possibly the registration data that is provided through a directory service would only be provided for a set of purposes that would actually be defined through policy and that we wouldn't, through the registration directory service, any longer just make all data available to all people for all reasons. So that's an example of a possible requirement. Whether it ends up being a requirement that's recommended by this working group of course is still to be discussed, but those are just a few examples.

And you'll note that these examples all come from a document, and that's the way this working group has approached the list of possible requirements so far, is actually starting from all the work that's been done in the past on this subject, all the positions that were stated by various groups on this subject, and trying to draw from that history what possible requirements are already on the table, and then work from there.

CHUCK GOMES:

Thank you very much, Lisa.

Now it's going to be your turn. And I'm really talking to the guests that are here today, or it can be working group observers since you don't normally get to participate either.

I'm going to ask the working group members to refrain because they're going to have lots of opportunities, and most of them have already contributed requirements.

So again, let me ask you to be very brief. State the requirement, because we're -- and speak slowly enough because we're going to try to capture these and show them on the screen; okay?

And then we have the mics around, and put the numbers up for the mics again. Okay. And let's start over here number four -- this area over in here. Do we have someone who has a requirement you would like to suggest be a part of this system as a possible requirement? Anybody in area four? Right here, right up front. And we'll come back to this area. I'm going to rotate the areas as we go around.

Go ahead. And would you please state your name and your affiliation, if there is an affiliation, and then state the requirement.

GEMA CAMPILLOS:

Good afternoon. My name is Gema Campillos. I'm a GAC representative with Spain.

My requirement could be a (indiscernible) or uniform presentation of data across all registrars or registries, and access to law enforcement authorities, including --

CHUCK GOMES: Let me just interrupt. Did you just give two requirements?

GEMA CAMPILLOS: Two requirements.

CHUCK GOMES: Just let me know if you're doing more than one. That's okay, but so that they capture it correctly.

GEMA CAMPILLOS: The second one is access for law enforcement authorities. If possible, to consult the history of registration of domain name.

CHUCK GOMES: And is that a third requirement?

GEMA CAMPILLOS: Well, yeah.

CHUCK GOMES: Okay. I just want to make sure we capture it accurately.

Thanks. Very much appreciated.

Let's go -- And we'll come back to this region -- region or area of the audience. Let's go to area five back in the back part of this section. Is there anybody? Just raise your hand, please. And you guys -- okay. Good. Go ahead.

MALCOLM HUTTY:

Thank you. Malcolm Hutton from LINX. And I'm not going to recommend this as a requirement, but I would like the working group to consider whether it is part of the requirements to ensure that nobody can register and use a domain name without there being an available and traceable person who can be held accountable for the use that that domain has been put to.

I think that that cuts across some of the requirements, but I hope that the working group will consider that question explicitly, and will also consider that if the answer to that is yes, is it actually part of ICANN's purpose and part of what ICANN should be doing to seek to achieve that outcome.

Thank you.

CHUCK GOMES:

Thank you, Malcolm. Very much appreciated. Did we get all that?

Okay. All right. Very good.

Let's go now to area three in the back over here in this section.

No. Oops. None in that section. I can't see real well. So area two, over in here? Here we have a hand. Great.

THOMAS DE HAAN:

Thank you. My name is Thomas de Haan from the Dutch government representing Netherlands in the GAC.

I wonder if this is a requirement or possibly also a legal imposed requirement, but I would say translating, let's say, the spirit of many data protection laws around the world. I would say the basic requirement is that users who give data to third parties or whoever should know for exactly what purpose -- in anticipation of giving this should know exactly for what purposes, to whom it should -- it will be given.

Thank you.

CHUCK GOMES:

Thank you very much. And I actually think that is a very reasonable possible requirement that we're going to need to deliberate on. So that's very much appreciated.

And then I think we have area one. I'm not sure how it differs from the others, but we have a person here, so....

SEBASTIEN BACHOLLET: Thank you. I will speak in English because we have interpretation services.

Again, I will speak in French because we have this in simultaneous interpretation system.

Thank you very much. My name is Sebastien Bachollet. I would like to make two suggestions. First, as an individual user, when I am using a domain name from a personal perspective, I wish my data would not be available for all marketing companies around the world because they will populate my email with their emails. And when I buy something in a Web page, I would like to be able to access to that information regarding the Web page being used, the responsible people, if it is the company I am looking for, whether I am accessing the real company in that Web page.

Thank you very much.

CHUCK GOMES: Thank you, Sebastien. Much, much appreciated. And I see we have another hand back in area five, and I'll come back up here to four in just a second.

DAVID HUGHES: Hello. My name is David Hughes. I'm a member of IPC. And a requirement I'd like to touch on is that earlier somebody had

talked about the access by law enforcement, but there are a lot of third parties who have legitimate reasons, especially if they feel their rights are being infringed upon, that they also need access to the data. And I think that's something that needs to be on the list as well, please.

CHUCK GOMES:

Thank you very much. That's appreciated. By the way, just to make this a little fun, okay, how many of you, if you were on the working group and were deliberating, would support all of these requirements? Raise your hands.

We've got a few.

Now you see the work that the working group has in front of it. Okay. These are all real legitimate things to consider, and we have, on the working group and in the whole community, lots of different viewpoints, competing viewpoints. And we as a leadership team, and me in particular as chair, gets to try and help us come to consensus.

But thanks. Let's come to area four for the next one.

WANAWIT AHKUPUTRA:

Yes. Wanawit Ahkuputra, Thai, GAC. One of the requirements is that as we are not using a Latin base, or let's say ASCII, the issue

is the translation and transliteration of the data elements which each would require in the NGRES as we used to conduct the PDP on translation, transliteration, on contact information, and also on the address information inside which when you don't use the ASCII as a local language, the meanings of the information is not -- is not there.

CHUCK GOMES:

Very important requirement that we're going to have to consider.

And, by the way, that brings up an interesting point. And that is that there are several other working groups on WHOIS that are going on or that have recently completed at least their policy work that we're going to have to coordinate very closely with, including one on translation or transliteration of registration data. So we will be working hand in hand with those other working groups.

Next one. Three? Okay.

ANNE AIKMAN-SCALESE:

Hi, Chuck. It's Anne Aikman-Scalese with the IPC. And this relates to trademark clearinghouse notices and kind of a screening process that we go through when we receive a notice -

- an I.P. claims notice with respect to a registered trademark.
And we receive that notice for our clients.

One of the pieces of the analysis that we perform is we go to see who is the registrant. In many cases, this completely eliminates any problem, any need for further action because we can see where that registrant is, what their business is, and, therefore, we can advise the client this is not an area of concern.

And I have to tell you in the vast majority of I.P. claims notices that we receive, I'm going to venture in our case maybe 60, 70% any further problem or investigation is eliminated. So if I cannot find out that information for clients, then, you know, I have to take a risk-averse position finding another way to investigate much further to make sure there is no infringement risk for the client.

So if -- unless I can get an access based on a TMCH claims notice to the relevant information, it could just cause a lot of unnecessary measures. Thank you.

CHUCK GOMES:

Thank you, Anne. Much appreciated.

And 2.

NIGEL CASSIMIRE: Good day, Chuck. My name is Nigel Cassimire from the Caribbean Telecommunications Union. We are a GAC observer. I think for any registered domain, there should be an administrative contact, a technical contact, and the information should be publicly accessible with -- and as -- and as of date. This is the technical contact as of this particular date, and this is the administrative contact as of this particular date.

The other requirements that people mentioned about searching in the past and so on could also be valid. But I think for each valid existing Web site, that should be the minimum. Technical admin, publicly accessible as of a particular date for each one. Thank you.

CHUCK GOMES: Thank you very much.

Over here to one.

STEFANIA MILAN: Thank you. My name is Stefania Milan from the Noncommercial Stakeholder Group. And I would like to offer a slightly different perspective.

Instead of adding to the list, I would suggest to subtract something. So operate under the principle of minimizing the

data that we have in this database. And as a contribution, I would suggest to remove some of the data that's particularly there, and in particular the address associated with individual registrants because this is potentially harmful for dissidents, blogger, journalist as well as many civil society organizations exposing them to additional and real unnecessary risks. So I would like the working group to consider also these aspects.

[Applause]

CHUCK GOMES:

Thank you. Now, let me add a little caution here, okay? I appreciate what you just did and what you shared. But actually what you're doing is you're getting into our deliberation phase, okay, when we're going to decide whether -- and we will probably eliminate some of the possible requirements.

If I allow others to do that, this meeting will be lost, okay? So fully respect and appreciate your input. By the way, I've had to do this oftentimes already in the working group: Hey, guys, you are getting ahead of the game. We are going to deliberate on all these. And some of them are going to be hard, and there are going to be disagreements, and we're going to have to try to find a solution that most of us can support or we're going to have to say we can't support that requirement.

So -- so let's not go that direction, please, yet because we would need -- well, the working group is going to need months to do this deliberation. Imagine -- we've got about a half-hour more in this meeting. So you see why I'm doing that. But thank you, okay?

Number 2, okay.

JORDYN BUCHANAN:

Hi, Chuck. It's Jordyn Buchanan with Google. So in that same vein, I was going to approach it a slightly different way. But I do think I was really daunted looking at the set of requirements you've already gathered. So I think having fewer requirements to work through might be helpful in eventually getting a result.

One way to do that might be to say you shouldn't include any requirements where there's another alternative mechanism to achieve the same result in a better way. So that might just be a useful filter that you apply to cut down on the set of requirements as opposed to adding them.

CHUCK GOMES:

Thank you very much, Jordyn. Bear with me while I just make a brief comment on that because one of the things -- and actually Lisa and Susan are the ones doing the heavy lifting on this right now -- is we're taking this huge list of possible requirements that

we have and we're -- to use a term by one of our working group members, Greg Aaron, we're triaging it. We're trying to do what you just suggested and use things like. So let's capture that as a possible way of refining the list so it becomes more manageable. Thank you very much, Jordyn.

JEAN-JACQUES SUBRENAT: Hello, Chuck. This is Jean-Jacques Subrenat. It's not really in the requirement that I'm going to suggest, but I would ask you to pay some attention to what I'm going to mention because it has some bearing on your future requirements.

I'm referring to a plan to have a new transatlantic agreement on data protection. And this is being negotiated right now between the European Commission and the United States authorities. And it is called privacy -- or Privacy Shield.

Now, I think that this public should be aware of the reasons which accounted for the failure of safe harbor. There were several reasons. One was a total lack of transparency. But the second, perhaps more important reason, was that it was very one-sided. And the agreement in principle which had been negotiated between the U.S. government and the European Commission many years ago was annulled, was cancelled by the European Court of Justice a few months ago on the grounds that

it was blatantly one sided to the advantage of American businesses.

So my suggestion here, Chuck, is that without making it a requirement in your working group, may I venture to say that it would be a good idea if you and your team just kept track of what is happening in these negotiations because as you know, the E.U. and the United States of America are two of the major actors in the world for all-over general trade but also in the area of data protection.

So I think that one of your team or several members should keep track of this. And I'm putting on the chat now the link to that document. Thanks.

CHUCK GOMES:

Thank you very much, Jean-Jacques.

And I can assure you that we have several working group members that are already doing that. But your point's well-taken, and we will re-emphasize it. So we've had -- in our collection of possible inputs to our work a whole bunch of documents related to what you're talking about have been identified. And we'll make sure that that one is included in that. So that was actually our first outreach that we talked about. And so very good. Appreciated.

Back to 3.

UNKNOWN SPEAKER: Good afternoon. This is Matthew (saying name) for the record. I would like to bring attention to a technical issue of RDS. And this is that before this, before the traditional WHOIS system, there wasn't a clear and useful interface to access the data for the third-party applications, for example.

So I think it is required to define a good interface to access the information for this new RDS system. For example, like any -- many other services, we need to have a restful API to let other applications access the information of this RDS system easily. Thank you.

CHUCK GOMES: Thank you. Very much appreciated.

Did I see 5? Okay.

RUBENS KUHL: Rubens Kuhl, with .BR, registry stakeholder group, and GNSO Council but not talking on behalf of any of those three organizations. One requirement I would like to suggest be considered is having a fast look-up mechanism to know whether a domain is using privacy or proxy. And by "fast," I mean

realtime fast so a computer browser can know -- say, hey, I'm looking at the domain but that domain is under privacy protection.

That could ease up concerns about domains having its information omitted. But some people like to know whether that was not the case or not.

Some people suggested DNS to do that. Some people said that RDAP could do that. That's an implementation detail. Requirement would be to have realtime access to the information whether a domain is under privacy protection or not.

CHUCK GOMES:

Thank you, Rubens. And as Rubens knows, and a lot of you know, there has been a working group, privacy and proxy -- what is it? The PPSI. I don't know if I have the acronyms right -- that has done a lot of work. And, in fact, recommendations have been approved by the GNSO Council and sent to the board. And so, hopefully, the board will be considering those. And that will probably be out for public comment from them in the near future. And that may address some of what you're concerning. And, again, we're going to have to coordinate with that effort as well.

Do we have any more hands? I'm looking around to our number holders? It looks like we may -- I want to really thank -- you know, this is great participation. And not only do we appreciate the input because we're going to go back now and we're going to check and make sure if we haven't already included that requirement, we're going to add it for deliberation by the working group, okay?

And we're going to triage all these things and come up with some manageable ways to go through this huge list of possible requirements. And we'll deliberate on all those and try to reach consensus on each one, pro or con or maybe some modification of it.

Now, I want to let you know this isn't your only opportunity for input. We only have one of these policy forums every -- once a year. That would be really unfortunate if we had to wait until the next policy forum or even the next ICANN meeting to do that.

But we will be reaching out. Now, typically in working groups, for those of you that are a little bit familiar with the GNSO, there's one initial report at the end of all the work that goes out and asks for input. We have decided in this working group to do it a different way. We've decided to reach out often with a smaller request that's more realistic for the various groups to respond to.

So you're going to see lots of requests for this. Certainly we're planning, after the first three require- -- or questions areas, the three at the top on the screen there, or -- we may be reaching out then.

So we're going to share with you, "Here's what the working group's come up with. What do you think?" So watch for those outreaches. We'll try to keep them relatively small so that they're not a huge task, but we're going to want your feedback throughout this working group process, which will go on for quite a while.

Hopefully, if nothing else today, you've realized that we have quite a huge task in front of us to reach consensus because there are differing points of view.

So thank you very, very much for the -- for the input. You may think of other requirements. If you can channel it through someone that's on the working group that is in your area, do it. If you can't, just send it to one in the leader- -- of us on the leadership team and we will add it to our work.

Okay. Let's go forward and go to Agenda Item 4 and the -- excuse me a second while I catch up with myself here.

So we have a working group meeting tomorrow. It is all morning from 8:00 to noon. There's a break in there.

[Laughter]

CHUCK GOMES:

And this working group meeting is open to everybody. It's a face-to-face meeting, and so normally just working group members can actively participate in our work, but in a face-to-face meeting we'll allow anybody to participate. So this is your opportunity.

Now, we always want input from everybody in the community. It's just unrealistic to -- to -- if we had a group this big all the time trying to reach consensus, it would be much harder.

But tomorrow, it is open, so if you don't have a conflict and you'd like to see the working group in action, the meeting tomorrow is an actual working group meeting. We're going to try to make some progress on several areas tomorrow, okay?

So you're welcome to join us tomorrow morning if you're -- if you're available. Certainly all the -- all our meetings are recorded and transcribed, and you can follow it that way as well.

So I think I've covered that slide enough.

Let's go to the next slide.

One more.

Okay. Here are some resources. We'll leave that up there a little bit for you to take a look at. And we were hoping that Michele would be able to join us at the end here, but he -- his meeting obviously went longer than he anticipated and so I'll just cover those areas.

Let me, right now, since we have just a few minutes and while we're leaving that slide up there in case you want to write any of those down or click on them, whatever, this is the first session this working group has had like this. I really appreciate it, but I don't know if you do or if you have any questions. We didn't have a lot of time. Even in the past five months that we've been operating as a working group, we've already covered quite a bit of detail. Not as much as some of us -- some would like us to have covered.

But does anybody have any questions, something you didn't understand today or any comments you want to share? Let's just take just a few minutes, and again, we have our number carriers around the room with microphones if anybody has a question.

Are there any questions that we might be able to clarify?

One up front here. Kavouss? She's coming with the mic.

KAVOUSS ARASTEH: Yeah. Thank you, Chuck.

You said this is the first face-to-face meeting and it's only once a year. What prevents you to have another face-to-face meeting, even if maybe later the next ICANN meeting? Is there any difficulty to have? Thank you.

CHUCK GOMES: Well, Xavier is probably not in the room, but --

[Laughter]

CHUCK GOMES: -- but one of them might be dollars, okay? But within the GNSO, there's an opportunity for the working group to request face-to-face meetings, okay? They're challenging because people have to pay to get to those -- right? -- but you ask a very good question. There's -- it is a possibility. Obviously budget concerns come in, the reality of people being able to attend it and so forth. And I was a little bit wrong in what I said because this is actually our second face-to-face meeting. We had one in Marrakech.

[Laughter]

Okay? But not like this. It wasn't open like this and didn't have this kind of participation because people had too many conflicts, okay? Another question up front.

DAVID CAKE:

I'm sorry, I just wanted to briefly extend on that. We did actually -- there is a face-to-face working group meeting sort of trial program. We did sort of ask to be part of that. And then instead they said, "Oh, Meeting B, we'll fold it into the new structure." But we may well ask again and in the future they may well say, "Oh, you guys have an extra day to do face-to-face work." We'll see. We understand we've got a lot of work to do so we'll be taking every opportunity of -- we can to get some more of it done.

GEMA CAMPILLOS:

Thank you. I repeat my name, Gema Campillos from the government of Spain. It's not really a question because I do know the answer, but anyway, I'd like to say it aloud so that it -- it can be noted.

It's about the scope of the working group. It's -- it only deals with domain names, doesn't it? It doesn't deal with IP addresses. It would be fantastic if an exercise like this one can be carried out with regards to IP addresses because the Internet

doesn't end with domain names, and more and more IP addresses are being used to identify applications for mobile devices and so on.

There is no single set of rules for IP addresses, no consistency in the data, no single procedures for access to those IP addresses. I just say it aloud for anyone to take care of this. Thank you.

CHUCK GOMES:

Thank you. And of course I'm sure you know this. The address registries and the ASO within ICANN deal with IP numbers. Now, obviously IP numbers come into play with names, too.

Now, the GNSO -- and this is a GNSO PDP working group -- is tasked with developing policy for generic top-level domain names, okay?

So what you might want to do -- and by the way, directory services are used by the address registries, too, as I think most of you know. In fact, most of them, I think, are probably already using RDAP, okay? So they're ahead of us in that regard.

So that's a good comment, too, to feed into the ASO. But thank you for that. Appreciate that. David, go ahead.

DAVID CAKE: Just a comment on our scope. In fact, I think we are -- we are a new gTLD specifically. We're not even all domain names, right? So because we're a GNSO project, we can't -- the ccNSO, you know, we hope will look at our work and consider what they might do with it and so on, but we're -- you know, our scope is currently limited, so -- and definitely addresses are well outside of them but we are hoping once we've done our work, who knows, that some parts of it could be usable to some other people, considering --

CHUCK GOMES: Could we go to Slide 18 and then we have another question up here and we're going to have to wrap it up here shortly.

Question up here in the second row here. Kavouss has a question. Go ahead, Kavouss.

KAVOUSS ARASTEH: Yes. You have replied already to Gema's questions but I would add another element. The work is sufficiently complex so let us not add another complexity to that going to the IP addresses and so on and so forth. Very, very complex. And now coming to the meeting and Xavier and budget, I have some difficulty to agree with that because it's very important work, very, very important for the future of gTLD, and I think we should make

every effort to provide any possibility of any communication face-to-face and enrich the meeting and not because of the budget here and they say we don't have meeting. I encourage you to proceed with that and contact and if it is a possibility, we will raise the issue in the board/GAC meeting to have some room for that issue. It's very important for us. Thank you.

CHUCK GOMES:

Hey, I personally appreciate what you're suggesting, so I don't think you'll get any disagreement from here.

The key, though, is to -- when you have a face-to-face meeting, to make sure you're at a point where you can fully capitalize on that at a good timing, but I appreciate the support and I don't think we'll argue with you on that.

So I want you to look at this slide. So the PDP working group is going to consider fundamental questions and deliberate on all these possible requirements it's been tasked with and then it's going to have to answer this question: Is a next generation RDS needed to support gTLD registration data and directory service requirements?

Based on your requirements, what do you think?

And you can just mull that over a little bit. That's a -- those are -- that's a key question that we're going to have to answer.

Now, how many of you -- and I'm just going to do a quick poll. Remember, we don't vote in working groups, okay? But we do polls, if we -- if they're helpful.

How many of you already think you have an answer to that question?

Okay. Nobody.

So probably the work we're doing will help us come to a conclusion on that. Okay?

And should the -- how many of you think the existing WHOIS system is adequate?

Got a couple people. Okay.

How many think it's not? Okay. All right. So -- so we've got a lot of -- a lot of work cut out for us.

Jumping ahead, then, in the slides -- and I think we've -- did I miss anything, team?

Okay. Well, let me -- and we didn't go -- oh, we're actually on time for when we were supposed to end so we can let the other cross-community session set up.

I want to thank every one of you for sitting here patiently and for all of those who contributed, and we hope that you will continue to provide us input as we do our work.

I do ask, though, that you be patient. In a multistakeholder bottom-up model, in issues as complex as we're dealing with, it's going to take us some time, so bear with us. We're going to try and keep it moving forward, but it's going to take some time to deliberate on all these things.

Thank you very, very much and I will adjourn the meeting now and the recording can stop.

[END OF TRANSCRIPTION]