

**WHOIS Council Discussion
Teleconference
TRANSCRIPTION
Wednesday 18 February 2009 18:00 UTC**

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Participants present:

Chuck Gomes - GNSO Council vice chair -gTLD Registry C - coordinator
Avri Doria - GNSO Council chair - NCA
Steve DelBianco - CBUC
Carlos Souza - NCUC
Tim Ruiz - Registrar

ICANN Staff:

Liz Gasster - Senior Policy Counselor, ICANN Policy Support
Margie Milam - Policy Director
Glen de Saint G ry - GNSO Secretariat

Coordinator: Excuse me this is the Conference Coordinator. At this time the call is being recorded. If we have any objections, you may disconnect. You may begin conference, thank you.

(Chuck): Thank you. Okay, welcome to those who are on the call. Just for the sake of role call. We have Glen and Liz and Avri and Margie and myself. We're going, I'm going to try to keep this fairly brief, but the whole idea was to get final confirmation on the Motion that has been edit including (Steve Metalitz)'s suggested edits that came through a couple of days ago.

I consider those to be friendly amendments. And those on the call I believe, let me just ask again. Is anybody on the call, for the recording sake consider the amendments not friendly?

Woman: They seem friendly.

(Chuck): Yes, okay. Hearing nobody saying differently, we'll accept them as friendly amendments. And there were edits made to the Hypotheses for Studies 3 and 20 in Group E of the suggested studies. And I didn't see anything on the list that disagreed with those edits.

Also, the lightest version of the Motion which actually involved the, really the changes to Studies 3 and 20. There were also no disagreements in that. So, what I'm going to recommend, I was going to have one last call for discussion on this call. Does anybody on the call have any concerns about the way the Motion is drafted now including the changes to the Hypotheses for 3 and 20?

Woman: No.

Woman: No.

(Chuck): Okay, good. And if there are other members of the, who is Drafting Team, who is Study Drafting Team, that do have any concerns from this point on I'll let them do that via the Counsel and if they're not on the Counsel, they can do it through anyone of us that are on the Counsel. I certainly would assist in that regard and I know Avri would too.

Avri Doria: Well actually I think, yes, I think you know, let's continue also to use this list just if that occurs.

(Chuck): Sure.

Avri Doria: And it's being scheduled for the open meeting on Wednesday. So they'll be able to, you know.

(Chuck): Right.

Avri Doria: Fully speak also so.

(Chuck): Good, okay, yes that's a good point. And then there were, as far as who is study definitions, my recommendations is that we go ahead and send them along with the Motion. And Liz I think its okay to just note that (Tim) had suggested some edits but those were not incorporated because we were unable to get some feedback so those could be pursued further if they want.

Is (Tim) on the call?

(Tim): Yes, I'm on the call.

(Chuck): Oh good, good.

Woman: And there's Steve DelBianco.

(Chuck): Oh, Steve welcome. Well, we moved ahead guys. Let me ask each of you are you okay with the Motion as currently drafted including (Steve Metalitz)'s friendly edits that he sent a couple of days ago? And the

changes to Motion Hypotheses 3 and 20 that have been out on our list for quite a while?

Steve DelBianco: Steve DelBianco, yes.

(Chuck): Thanks Steve. (Tim)?

(Tim): I have. This is kind of a loaded question but I have no...

Woman: Further objections.

Steve DelBianco: No objections to raise at this time.

(Chuck): Okay, good. And (Tim) there's still opportunity, its not as if this things in concrete. What we want to do though is get it out to the Counsel list and so you'll be able to, you can do further things there.

The second issue is in the Working Definitions and (Tim) you had had some fairly, or some suggestions for some additional edits. And I think (Liz had gone back to you to see if you had any other, and welcome (Carlos), if you had any other - if you could help out with some specific language for those.

At this stage what I'd like to do is just go ahead and send the Working Definitions as they are along with some Motions. And encourage you to suggest those edits to the Working Definitions after we do that. Is that okay with you?

(Tim): Yes that's fine.

(Chuck): Okay. That way we can get these things and people can get them to their constituencies so that when the topic does come up on the Open Meeting, in the Open Meeting on Wednesday, constituencies will have had them for a while and so forth. Because we're really running out of time now to do that. Thanks (Tim).

(Tim): Yes, those kind of came in from some of our (unintelligible) who were just, they were just really late in getting comments and so I understand the issue that raises.

(Chuck): Sure and again, it's still possible to get those in there. I would just ask that if your constituency, if the Registrars want some changes made there that you propose them, like Avri pointed earlier in this call that they are Working Definitions. So, it's not as if there's anything formal or official about it. We would like them to be as good as possible though for when the Study Estimates in and feasibility are done assuming that that does go forward.

(Carlos) what we did before you jumped on is, let me just ask you a couple of questions. Number one, are you okay with the Motions as currently drafted including the edits made by (Steve Metalitz) on our list a couple of days ago or suggested by Steve. And then also, the changes to the Study Hypotheses for Studies 3 and 20. That's been out on the list for quite awhile. Are you okay with the Motion as it stands in that regard?

(Carlos): Yes, I'm okay. But just to confirm (Chuck). The changes that Steve had suggested, are those related to the provision of RAA and to change the wording of liability under registration agreement provisions?

(Chuck): It has nothing to do with changing the RAA, but he changed the way the RAA section is referenced in that. Yes, that's all it was. And so I think it was a little cleaner the way he did it.

(Carlos): Yes.

(Chuck): And didn't really change the substance at all in my opinion.

(Carlos): Yes not that much. I recall (Steven) said something like a friendly amendment just to put it more in accurate way. But in any case I'm okay with both wordings.

(Chuck): Okay.

(Carlos): So sounds fine for me.

(Chuck): Thanks, appreciate that. And a second question for you (Carlos). The plan is to go ahead with the Working Definitions of the terms.

(Carlos): Okay.

(Chuck): As they exist now. The only thing we were waiting on was a possible, some additional changes that might be possible form something that (Tim) suggested form the Registrars constituency. But we haven't been able to get those incorporated.

It's still possible to do that going forward. So what I would like to do is just to ask Liz to go ahead and send the Motion as its currently drafted, with all the edits excepted so it's a clean version, to the Counsel list, along with the current version of the Working Definitions.

And ask constituencies and the ALAC, the liaison, and anyone else. It should be send to the GAC as well, to review those and to forward them to their constituencies and be prepared to discuss that in the Working Meeting, excuse me, the Open Counsel Meeting on Wednesday in Mexico City.

Any body - go ahead.

(Carlos): No that's perfect for us. Actually I have send the NCC List the definitions sheet and we haven't had much discussion on that so I think its okay to go forward with that and we will resend our documents to the NCC List so that we can get some input so that we can bring that to the GNSO List.

(Chuck): Excellent, okay. Then I think we're all on board, everybody that's on the call now.

Woman: One thing we need to do is figure out who is making the Motion and seconding it out of this group. I mean any of us can do it but somebody will need to actually be the one that does it. You know you can do it on behalf of the group, I can do it, someone else can do it.

(Chuck): Any volunteers on the list? It would be good for Counselors who are on this group I think to make and second the Motion although that certainly not required. Probably since (Carlos) and (Tim), their constituencies are taking a different position on this it might be better if Avri and I do it. And Steve DelBianco is not on any more I don't think, that's why I said that.

(Carlos): Sorry this is (Carlos). I can go back to the NCC and see if the guys agree with a second motion but on my personal capacity I alone cannot guarantee like we could be the ones to second it.

(Chuck): Sure.

(Carlos): I can get back to (Mary) and to (Buet) to see if they agree with that. But in any case if someone else wants to jump ahead and second it fine for us.

(Chuck): Well my suggestion would be to not put you, even have you go through that exercise because I could put the motion forward once I get the clean copy from Liz and then Avri you could second it, right?

Avri Doria: I can second it or, you know someone from some other constituency can do it.

(Chuck): Sure.

Avri Doria: In the end, I'll do it before its too late.

(Chuck): Good, so you'll be a back up if we need it. And I'll encourage people on this - on our list for the (who is) study drafting team to, for somebody on the Counsel to second it. So does that sound like a plan?

(Carlos): Yes.

(Chuck): Okay. Anything else that we need to talk about today.

Liz Gasster: (Chuck) its Liz.

(Chuck): Go ahead.

Liz Gasster: I just want to let the group know that I continued to work with and hear from the (ALEX). They are trying to just put up a poll, they've put together a draft of their priorities but they're going to do a formal poll on it over the next few days. (Sheryl Lingdonworth) suggested that we take what they've done so far and incorporate it, you know as a sort of initial view with or at least suggested that that's a possibility.

You know I have their input which I just got, or we can, I can try to verify with them because I'm not quite clear on it, when they think the poll would be over so would they actually have the numbers. Because I'm not quite clear on that. But they are working quite hard to try...

(Chuck): Good. Well I would suggest at this stage that we don't change anything until we get a little more official word from them just because I think the most important thing now is to get the motion out.

Liz Gasster: I have (unintelligible) today, I'll try to post it later this evening but if I don't it will be first thing (unintelligible) tomorrow.

(Chuck): That will be okay because we don't want to cause any confusion with regard to the Counsel Meeting tomorrow.

Liz Gasster: Right, that's true too.

(Chuck): So I won't post the motion on the Wiki and make it to the Counsel List until after the Counsel Meeting tomorrow. I think that's probably better.

Liz Gasster: Great, thanks.

Woman: And on their results at this point my recommendation would be that it go through the results we've got now. If they come up with a set of numbers from their poll that's great, we can publish an informational table that shows how it changes, if it changes with their values.

(Chuck): Yes, right.

Woman: And if so, add that in a part of the discussion (implementation), make a presentation of that at the beginning of the Wednesday conversation. But at this point I think that what we've gotten and where we've gone and just sort of basically as first comment at this point.

(Chuck): Good, yes that makes...

Woman: One other thing I want to offer to do. We don't have a document, a single document at the moment that has all the hypotheses on it with the groupings that identifies by letters. So anyone outside our little world would have a very difficult time going through the various places were we show that that some studies were changed to groupings. What I'm wondering if whether I should prepare (unintelligible) something that has all the studies on it with the grouping letters essentially group the way that the motion is?

(Chuck): Very, very good idea.

Woman: Absolutely grand. You know our little group is hard.

(Chuck): Yes.

Woman: Okay I will do that tomorrow as well.

(Chuck): Good, yes that's a super idea and probably one we should have done a long time ago.

Woman: Yes I know. I should have thought of it too.

(Chuck): Now that wasn't meant as a criticism.

Woman: I know. No we're all running awfully fast.

(Chuck): Yes I know.

Woman: Okay that's it.

(Chuck): Okay anything else? Okay, thanks everybody for joining and for all the very constructive work on this effort. And I appreciate it very much and we'll take it from here. Again, for those of you that are members of constituencies, please forward the final motion and the Working Definitions to your groups as quickly as possible and ask them to make sure that they provide feedback before the Mexico City Counsel Meeting.

Woman: (Unintelligible) on your day off.

(Chuck): Okay, thanks. Bye.

Woman: Bye.

Woman: Bye.

(Carlos): Thank you everybody.

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