

**WHOIS Working Group
Teleconference
TRANSCRIPTION
Wednesday 25 July 2007
13:30 UTC**

Note: The following is the output of transcribing from an audio recording of the WHOIS Working Group teleconference on July 25, 2007, at 13:30 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/whois-wg-20070725.mp3>

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

Attendance:

Philip Sheppard - WHOIS wg chair

Yaovi Atohoun - observer

Patrick Cain - observer

Steve Delbianco - CBUC

Wout de Natris - observer

Avri Doria - Nom Com appointee to Council

David Fares - CBUC

Chris Gibson - observer

Palmer Hamilton - observer

Doug Isenberg - IPC

Susan Kawaguchi - CBUC

Dan Krimm - NCUC

Leo Longauer - observer

Steve Metalitz - IPC

Milton Mueller - NCUC

Margie Milam - Registrar/IPC

Ross Rader - registrar

Kristina Rosette - IPC

Adam Scoville - observer
Wendy Seltzer - observer
Suzanne Sene - Observer
Michael Warnecke - observer
Shaundra Watson - observer

Absent - apologies

Jon Nevett - registrar
David Fares - CBUC

ICANN Staff:

Maria Farrell - GNSO Policy Officer
Glen de Saint G ery - GNSO Secretariat

Coordinator: Okay, this call is now being recorded.

Philip Sheppard: Thank you very much operator. Just record (at me) with down the names who are with us today. Besides Glen and Maria from staff, we got done Dan Krimm, myself, Philip Sheppard. We got Palmer Hamilton, Pat Cain, Avri Doria and Milton Mueller, Leo Longauer, Suzanne Sene, Wout de Natris, Steve DelBianco, Chris Gibson, Doug Isenberg, Steve Metalitz, Michael Warnecke, and Margie Milam. And some other group may join us later, and if they do they'll be included in the outcome report from this call. So...

Coordinator: Excuse me, Yaovi Atohoun has also joined.

Philip Sheppard: Yeah. Thank you. I've been sending...

Yaovi Atohoun: Good morning, Philip.

Philip Sheppard: (Unintelligible), Yaovi, welcome.

Yaovi Atohoun: Thank you.

Philip Sheppard: So, object of today is to start to go through the draft final report for this (unintelligible) 1.5 it was circulated a little over a week ago. There's been some very good comment already on the list. All those comments will be picked up and put into what the conversion 1.6 following this call and the next week's discussion and the call following that week. So there will be a new version report after the call next week.

I think the discussions we have over this so far has been - has been, a good mix. Those people who are saying not quite agree with that, please call my views, and those will certainly be done. And a whole range of usual clarifications in terms of accuracy what they're saying in the reports or things like that to which all have been captured. And just to make it something that we can - we can structure in terms of the time and something this week to about an hour.

I thought it'd be easy if we take the report in sections and we try to capture comments on sections one to four today. And on the call next week we'll be doing the rest of the reports for Section five onwards. And sections one to four encompass a board objective.

Section two is about what the operational point of contact is, is relations to the registrant, et cetera. Section three was the description of the role and responsibilities of the OPoC. And Section four were compliance and important procedures as to when those (Unintelligible)

and responsibilities of the OPoC finished. So it would be happy with after the structure for today's call.

Splendid! And if they are, we'll start and we'll just take it piece by piece. And if we have long queues, what I'll try to do is give priority to people who happened to haven't really commented on list. And if you have commented on this, there's no need to say everything you said on this again. We will certainly capture what you've already said. If you got some new things (calls) then by all means, we'd like to hear them.

So if we can kick-off with Section one of the reports, and that's the one page which is just boldly describing objectives. And that's attempting to sketch out the public interest objectives. There's this balance between data privacy protection and the public interest in terms of the pursuit of criminality and of bad faith.

And before I take comments, sort of I think – one point I think might be made by Dan which, I think was quite right, was a (Steven has) changed the title or the subtitles there to a capture the fact that data privacy is part of the public interest objective as well. And we will certainly do that to the next version of the report.

Would anybody like to say about anything the current text of Section one objective?

Steve DelBianco: Hello. This is Steve DelBianco. Just one question.

Philip Sheppard: Okay, we got Steve. Anybody else?

Palmer Hamilton: Philip this is Palmer. I'd like to be on queue.

Philip Sheppard: So that was who again?

Palmer Hamilton: Palmer.

Philip Sheppard: Palmer, yup. Any body else?

Okay, then we'll stick with those two for the moment. Steve.

Steve DelBianco: Just the third paragraph in the Section one under objective (six) proportionality of the cost of the change in the benefit. Question with the – we have the implementation item here that says that we are going to need cost estimate. Those are an upfront cost as well as an ongoing cost in order to make that evaluation.

Is that something that we need to begin gathering now or do we put an implementation item that would have to work with registrars to assess cost? And this cost on the accessors (unintelligible) as well as the registrant.

Philip Sheppard: It is a good question actually. (Certainly enough) by consumers as one that's Maria and I discussed briefly yesterday where we thought what might be useful will be to put an additional section to the report which would be this group's recommendations of future work items for study or feasibility studies.

And I think that we thought certainly there, you should going the same direction that it might be useful to capture on to that and some faction information in terms of some of these costs so we can get a better feel on exactly what they are.

So that if the implementation is to do with cost recovery options, et cetera. We'd get some, some degree of magnitude to that. So, that certainly could be one idea captured.

So that answer the question?

Steve DelBianco: Yes. Thank you.

Philip Sheppard: Yup. Thank you. And then Palmer, you're next.

Palmer: Philip just an editorial suggestion. The point Dan made, I wondered if balancing personal privacy with other public interest, and other public interest obviously speaking for banks preventing phishing and other forms of fraud, that that would be an additional public interest. It would be (unintelligible)...

Philip Sheppard: I would like – I could work capturing it to me. Certainly.

Wendy Seltzer: Wendy Seltzer with a comment.

Philip Sheppard: Okay. Wendy we're taking you to this. Anybody else? Well, Wendy off again.

Wendy Seltzer: I'm just wondering why we're including that (word work) of public interest when many of the interests would have expressed (unintelligible) or specifically private interest. And if privacy is being contrasted then, why are these requests for enforcement of private rights not listed out as private interest as well?

Philip Sheppard: Okay. I think what we are trying to do is to rephrase that objective to make it clear that we are talking about a series of public interest. One of which data privacy, the second are which being the more pursuit of criminality or consumer fraud for which some of the private interest would be a root from an objective. I think that's what we're trying to capture there.

So I think – so, I think we've agreed, we need some rephrasing there because the current implication of that balance didn't quite capture the idea and that's too readily to the grammatical transposition of public and private. That doesn't actually work in this context.

Wendy Seltzer: Right. I just would hesitate to try to capture all of the other interest even as public interest. I wouldn't say that we would all agree about the enforcement of particular private rights is always in the public interest. And so (private) and personal privacy and their interest.

Dan Krimm: Philip, this is Dan. Let me, if you – if I may, just a briefly comment. The reason that I removed the words “public interest” form my suggestion was specifically because of the difficulty defining what the various types of interests were. And if we simply delineated exactly what we're talking about which is personal privacy interest versus the harmful use of domain. That would capture what we're talking about without having to worry about trying to categorize it.

Woman: Philip.

Philip Sheppard: Uh-huh.

Suzanne Sene: Hey, this is Suzanne. I wonder if I could chime in.

Philip Sheppard: Suzanne, by all means.

Suzanne Sene: If I could refer the group back to the GAC WHOIS Principle, that's where we did in fact try to provide an indicative. You missed of public interest uses that we consider to be legitimate users of WHOIS data. I'm not sure if that is still a reference point for this working group. But I thought I would just remind that we did try to provide such a list.

Philip Sheppard: Okay. That sounds like a very good reference point for this particular part of report. Thank you for reminding us Suzanne.

Suzanne Sene: Sure.

Philip Sheppard: Anybody else for comments on Section one?

Avri Doria: Yeah. This is Avri. Can I make one comment?

Philip Sheppard: Go.

Avri Doria: It's a slightly different one here. It's something that shows up in the first paragraph the bad faith by registry. And it's something that I feel going throughout the document. It's when we're talking about bad faith, we're talking about very few registrants. And there's sort of an implication of bad faith by registrants, that this is the overwhelming number of registrants that have sad faith of criminality.

And so I'm wondering if we can modify that by bad faith by very few registrants. Because - and its something that shows up in the first paragraph but also seems to percolate through the, the document and

the discussions we've had that you know, in general, registrants are - are have bad faith. Or criminal intentions whereas that a severe minority of registrants. And so I'm wondering if we could just sort of indicate that.

Philip Sheppard: Okay, I saw the point. I think the – certainly, I think the idea is to try to keep the language neutral.

Man: That was the word “certain registrants” would be (unintelligible).

Philip Sheppard: Yeah. I think “certain” would certainly – may be captured. For me that doesn't - that avoids the difficult part of quantifying it.

Wout de Natris: Wout – this is Wout. Can I get in the queue?

Philip Sheppard: Yes Wout.

Milton Mueller: This is Milton too. I'd like to get in.

Philip Sheppard: Wout and Milton. Yeah, anybody else over here? Okay Wout, off you go.

Wout de Natris: Thank you. What I think was the bad faith by the registrants, what happens is that the real bad spammers usually register thousands of ten thousands domain names in one batch. So if legally operating registrant only has one name, you've got 10,000 on the other side. So, that's why probably it might look like bad faith by registrants.

Philip Sheppard: Okay, good point. But we still - we still capture it by saying “certain registrants”. I think that's...

Wout de Natris: Right. I think so.

Philip Sheppard: Yup. I think, it's very good. Milton.

Milton Mueller: Yeah. I just like to not get too bogged down on this point. So let me just say that I think that the Dan Krimm's formulation is perfect, balancing personal privacy against harmful uses domain. Doesn't say what's the harmless public or private, avoid general issue and I think its an unobjectionable formulation, and we should accept it and move on.

Philip Sheppard: Okay. Thank you for that. I have to take callers into comments and see if I could comment with some new bullet to check for version 1.6. But I think we can probably – probably can think because think of an objective is clear that.

So, Section two, maybe more. Immediate sections, it's all about what is the operation point of contact? Any questions on 2.1?

Wout de Natris: This is Wout.

Philip Sheppard: Wout, yeah.

Wout de Natris: We want to understand this correctly. The registrants could be his own OPoC? Because if I was a spammer, I know what I would do, and I'll never give you information.

The one - the one...

Philip Sheppard: Yes, I think the – I think the registrant is under the basic proposal enable to choose who the OPoC is. It has been no discussion to say that that shouldn't – that choice should not be even so.

Wout de Natris: Okay. Because that's the way I read it here. It might implicate that, that it can be your own OPoC as a registrant.

Man: But if you are your own OPoC, what the – then you have to provide your contact information.

Wout de Natris: Okay, but what if I don't, what happens then?

I'm just (unintelligible)...

Man: Then you don't even get a registration.

Wout de Natris: Okay. Or would it be revoked?

Steve DelBianco: Philip, this is Steve. Can I get in the queue?

Philip Sheppard: It would – well, I guess it would never happen because the registrar would then not receive enough information to make a registration.

Wout de Natris: Okay. It's just - I'm just trying to look at it...

Philip Sheppard: Uh hmm.

Wout de Natris: ...from an enforcement point of view. So, thanks.

Philip Sheppard: Sure. Could I – sorry, that was (unintelligible)...

Steve DelBianco: This is Steve. Could I – I just want to get in the queue on that point. I mean, I think it's probably more accurate to say which is be the status quo so they would submit, let's say, false information or a hidden information and the status quo that would be by - accepted by most registrars. And there would be this remedy through the WHOIS data problem reporting system that would in a third of the cases solve the problem within a couple of months.

So I mean, it's kind of a status quo which its – but I think we do need to preserve the ability of a legitimate registrant to designate him or herself as an OPoC and then, you know, kind of the issue goes away.

Philip Sheppard: Uh-huh. Okie-dokie. (Unintelligible) I can do part one. And 2.2, how does the OPoC relate to the registrant. There's been discussion here about trying to improve the language so that we are not implying that our description or broad terms relationships to the registrant as an agent implies the legal designation of an agent under certain national rules. And that qualification would certainly be picked up in the next version. Is there any other comment that anybody want to make on 2.2 besides that one?

Avri Doria: This is Avri. Can I make one?

Philip Sheppard: I got Avri, Anybody else? Well, off you go, Avri.

Avri Doria: Great! Yes. I think that there was a lot of – as I look at a lot of disagreement with the notion of agency of any sort on the OPoC. So I think while there was perhaps some support for a notion of agency on the OPoC, I think its by a long shot not something that was agreed upon. And not even...

Philip Sheppard: And what description would you give of somebody who is being appointed to their job by the registrant? What would be your preferred terminology?

Avri Doria: Designee. I mean they've been designated to fulfill certain tasks. But there's no notion of agency in it at all. And, you know, without the various national definitions of agencies.

But agency, almost always even in the vernacular has certain connotation. Whereas they've been designated just as the technical point of contact or the administrator was designated to a task, this is designated to a broader task but I don't think there was agreement from what's beyond that. So, there certainly was support among some from more beyond that but not agreement.

Philip Sheppard: Okay then. Other comments on that, of changing this phraseology to designee...

Chris Gibson: Chris Gibson.

Philip Sheppard: ...which may offset the need to any further qualification.

Steve Metalitz: Steve Metalitz in the queue, please.

Wendy Seltzer: Wendy Seltzer, please.

Philip Sheppard: Steve, Wendy, anyone else? All right, I'll give the line on to Chris.

Chris Gibson: Well, another possible description is contractual service provider. There is some sort of arrangement between the registrant and the OPoC. And I pretended to agree that calling that arrangement on an agency is problematic because of the various laws that regulate the agency in countries around the world. And some of them have all sorts of – if you go to South America and you've been to other places you'll see that they're quite extensive.

So, a contractual service provider is something more than a designee. And I think, designee is not sufficient to describe what would have to be the relationship between a registrant and an OPoC. I would prefer agent to a designee but...

Philip Sheppard: Okay. Does a contractual service provider imply a contract?

Chris Gibson: An agreement which is a contract if there's any agreement between them or that's, what I think you're talking about, a legal agreement.

Philip Sheppard: All right, do you have (ended up being) written agreement or verbal agreement? And does verbal agreement have the same meaning across the globe?

Chris Gibson: I'm not aware of any statute of fraud type of requirement. So this type of contract that was required in writing across the globe, I would hope that it's somehow in writing or in some form that's recognized as rather to (print) in electronic form.

Philip Sheppard: Okay, so you're actually been saying though all the – of a written contract between the registrant and the OPoC for the millions of registrants?

Chris Gibson: Otherwise, I don't understand how their, you know, the OPoC can require (this phishing) on behalf of registrants if there's not an agreement between them.

Philip Sheppard: Uh-huh, okay. Steve.

Steve Metalitz: Oh yes, just two thoughts. First, I agree that agent has a word with a lot of baggage. It maybe - it may not be that helpful. But there was a discussion earlier in this process, an example was given of time limits that giving notice to the OPoC to the extent that could apply this under, you know, International Laws. It should have the effect of giving notice to the registrant. That's kind of an agency type relationship. But I mean, it's just – it maybe helpful just to give that example.

The other suggestion I would have -- and I think it kind of builds on what some of the other alternatives that have been proposed here -- is maybe we should just say here that the relationship between the OPoC and the registrants should be a consensual relationship with defined responsibilities. What worries me about designee is that, you know, I could designate Queen Elizabeth as my OPoC but she doesn't even know that in order she know what she's supposed to do.

So, I think it kind of carries forward until the next few points. But I think the (central) relationship would define responsibilities and agency relationship would be – could be an example of that but it doesn't get us into the box of exactly what an agent is. It's something like...

Philip Sheppard: Uh-huh.

Steve Metalitz: ...I mean, different things and different countries.

Philip Sheppard: Okay. And that suggests a - indeed, there's a certain two-way relationship there. Fine. Is everybody happy with that? So that change, if we rephrase this to bring in the phrasing "consensual relationship" would define responsibilities?

Man: That's an improvement over my (unintelligible).

Philip Sheppard: Uh hmm.

Man: Sounds good.

Wendy Seltzer: I still prefer designee, Wendy. I don't think that it's the business of the task force, or of ICANN to be specifying that the nature of the relationship.

Philip Sheppard: Okay. And how do you square the concept that we're saying that the OPoC has to have assessment role on behalf of the registrant and the fact that they could have absolutely no connection with the registrant, a point that Steve made.

Wendy Seltzer: I think then that's grounds for bringing a lawsuit against the registrant if the registrant has failed to designate someone who can properly...

Philip Sheppard: Okay.

Wendy Seltzer: ...perform responsibility.

Philip Sheppard: And either say there's an easier option of describing that essential relationship in the first place rather than avoiding lawsuits?

It's a (tougher) question. Wendy, you're into this anyway. Without the point you wanted to make, how - do you have something else to say?

Wendy Seltzer: Yes, I simply wanted to support the designation as designee rather than justifying a greater detail what's the relationship would look like.

Philip Sheppard: Okay.

Chris Gibson: This is Chris. I just wanted to refer back to the original charter which did say to define the words responsibilities and requirements from the OPoC. So, I think we are within scope to think about these issues.

Philip Sheppard: Yup.

Avri Doria: Oh yeah. I wasn't try to say it was out a scope. I...

Man: No, it was responding to when...

Avri Doria: ...change the definition went further or that there was agreement on any longer than designee at this point.

Woman: Yeah. And I was suggesting that it was out of scope for ICANN to be trying to define that relationship even if it were within scope of what the taskforce have been told us to consider.

Philip Sheppard: Because a whole – whole newsletter. Okay, (I think) questions - we're not going to going through today. Okay...

Adam Scoville: (Unintelligible), Adam Scoville.

Philip Sheppard: Uh hmm. Yes (Adam). Yeah, go ahead.

Adam Scoville: Just one point with respect to the relationship of – between or whether this is a – you asked whether there should be a written contract or not. That, to some degree, relates to the next point.

And perhaps, I could envision a system where it might not be necessary to have a written contract between the registrant and the OPoC if you had the agreement to be an OPoC that is made to the registrar being some sort of, you know, verifiable form. I.e., it's something that would be considered a writing even if it's electronic form or something like that.

Philip Sheppard: Uh-huh. Yeah, I think that reflects discussion in all the groups where we we're trying to avoid unnecessary binding contractual relationships being developed as a part of our work. But we would – all recommendations if they went forward would presumably call the change in the Registrar Accreditation Agreement and then would (wimple) through to the registrar conditions – terms and conditions which any registrant was buying into if they're registering with them.

And that would be the – I think what we're trying to capture here is something that couldn't be appropriately factored into that document trail. We're old enough try to do anything differently. It seemed to be where the bulk of the group was comfortable, the certainly as a (unintelligible)...

Adam Scoville: Yeah. I'm just saying that you might be able to – that you might need a written agreement here if there weren't some sort of consent agreement that was brought in the sections. Afterwards, it really depends on.

Philip Sheppard: Okay, (On two). Thank you. So, let's move on to 2.3, bearing in mind that we are changing wording away from agent. Who would like to make a comment on 2.3? Okay, I have (none).

Then, let us move on to 2.4 which is – Sorry, somebody's saying something?

Avri Doria: Yeah. I guess...

Philip Sheppard: So, who is that?

Avri Doria: This is Avri.

Philip Sheppard: Avri, hello.

Avri Doria: So, at line 98, is there – is there...

Philip Sheppard: Line 98. Ninety-eight?

Avri Doria: You've got a whole "agreed" column of...

Philip Sheppard: See, you're numbering must be different to my number.

Avri Doria: Oh okay, sorry.

Philip Sheppard: Take it by – take it by which – you're on 2.3 are you?

Avri Doria: Right. And then – so, you had the modalities and verification.

Philip Sheppard: Yup.

Avri Doria: And then you went into “agreed” verification.

Philip Sheppard: Yeah.

Man: That's the (unintelligible) 131, Avri.

Avri Doria: Oh, okay. And mine it says 98. Can I (unintelligible)?

Man: Are you perhaps looking at version 1.4?

Avri Doria: No, I'm looking at version 1.5.

Philip Sheppard: Okay. Anyway, perhaps you're (unintelligible) (indeed) software that is line numbering differently.

Avri Doria: Yeah, I guess so. That's why I don't use the Office. (I use Open Office). So, that may be my discrepancy.

Philip Sheppard: Okay.

Avri Doria: I won't use my numbers anymore. So, I guess, the verification of active email address is if (unintelligible) version must be obtained. It will be up to each registrar to implement system anyway they choose. I could not

have the impression from reading the list that reached the level of “agreed”. Some actually decides with the silence.

Philip Sheppard: Okay, I mean, there was – as we've indicate, I think some registrars were concern about the need for verification there. Although all of the registrars believed the implementation would be consistent with the phishing practice. That’s what's currently picked up in the reports. Let me just see if we have any new comments on...

Avri Doria: Right that – that the failure to failure to obtain the...

Philip Sheppard: Is that? On 2.3, wasn't it? Yeah.

Wendy Seltzer: Wendy, I'll just jumped in to sort of silence is not implied as agreement would be agreed statements here.

Avri Doria: Yeah, I guess that this – maybe this - can be jumping in the first (line). If people don't agree with the word agreed, as we're walking through this, this seems a really good time for people to bring it up. And I'm bringing up the ones that I think I saw on the list more so than necessarily whether I've agreed or not.

Philip Sheppard: Uh hmm.

Avri Doria: And so, I mean you know...

Philip Sheppard: It (still be) want subsequently to – Avri, so if you want subsequently to the posting on the list of course that has already changed the next report. We're already looking at to picking up for some...

Avri Doria: Then can I recommend that...

Philip Sheppard: ...agree to that.

Avri Doria: ...we'll go through it. If any of these "agreed" are no longer agreed in the current draft being, you know, worked on that that would be noted as otherwise so that we don't we have to sort of, you know, because it's already been downgraded to support with ultimate positions and that's fine. But looking at it at the moment it's still says agreed. And I just want to make sure that coming out of this meeting...

Philip Sheppard: Okay.

Avri Doria: ...what is the labeled agreed is likely really agreed.

Philip Sheppard: U-huh. Are – now, you're speaking of the half of the registrars? Okay, is that need or are you saying you'll call others?

Avri Doria: I'm speaking in general of, you know, I'm asking people basically. I looked at the word "agreed" here and just from what I've read from registrars and others. I'm not sure that "agreed" is the right term. And so, I'm really asking for it to be confirmed.

Philip Sheppard: Yeah. And what I – I've picked up that I think here that I've got three registrar (unintelligible) my draft for the next version, three registrar views and an alternative view about not even enabling registration so the verification was complete. Not for sort of come on the list since (we're leasing) 1.5.

Okay and Wendy, you wanted to make a point where your view was that verification is not needed or nothing happens. Or what was the change you want to see?

Wendy Seltzer: I would say verification is not necessary.

Philip Sheppard: Okay. Clear? Other comments on 2.3? Okay, can we move on to 2.4?

Adam Scoville: I do – Philip, this is Adam.

Philip Sheppard: Uh hmm.

Adam Scoville: And just - I guess that it might be if there's an alternate view and that just sort of a search that verification is not necessary, it might be worthwhile to put a sort of that -- I don't what the proper phasing it would be -- but others question how the relation - how the responsibilities of the OPoC would be enforceable if the verification had not been obtained.

Philip Sheppard: (Okie-dok). Okay, 2.4 consents to be an OPoC. Is it necessary for the OPoC to give consent? And again here we are saying that it was agreed for consent to be done if had similar comments I think on the list to the previous point about verification.

(Misty) from registrars which will be listed on the opposing views of the next support. Following to start posting these to consent believing implementation to be able to be burdensome, another believed it would be consistent with existing practices. Another registrar commented anyway existing registrant process with certain registries can take

weeks. And that's what has been on the list, since 1.5 was (mis) done on previously. Any comments anybody wants to make on 2.4?

Avri Doria: This is Avri with a question.

Philip Sheppard: What?

Avri Doria: Avri with a question.

Philip Sheppard: Avri, who else?

Wendy Seltzer: Wendy.

Philip Sheppard: Wendy.

Chris Gibson: Chris Gibson.

Philip Sheppard: Chris, who else?

Okay, Avri.

Avri Doria: So, does this mean that this one has now been downgraded to support? And then the other question is if presuming or it's including the active agency which we've discussed earlier as being certainly not something that was agreed – that there is a relation of other agencies?

So, I'm wondering if this is now a support with alternate views, et cetera listed.

Philip Sheppard: Okay, one of the things that I'm currently doing a report is trying to list boarders of agreement and then listing views against that. I think one of the challenges of the group is 60 people who speak as individuals typically is attempting to make a determination when the views against would careless into the support.

And that was actually one of the more taxing of objectives for this group given its size versus a taskforce or constituency-based group where those tests can be done with a simple round of votes. So the answer is I am uncertain as to how to assess what is currently described as support.

Avri Doria: Oh okay, I guess, yeah. I would have understood that if you had those substantial oppositions, you know, maybe just one voice instead of voices that you would be in the agreed. But if you've got, you know, opposition coming from various different quarters, there's something then you're probably in the support category.

But if we find...

Philip Sheppard: Yeah.

Avri Doria: ... patterns that have been followed, for example in the IBN group and others for all how these times were used.

Philip Sheppard: Okay, I mean the...

Avri Doria: But as you've said that, you know, the – that's why I'm asking a question. Because as you said the ultimate authority for making these decisions as yourself, I'm really to try to understand the basis on which.

And I thought I've heard, you know, this as sort of, well, not quite at the thresholds of agreed -you know, various things we've gone by, for example the first one that there would be an OPoC, you know, perhaps we're indeed at that strong level of "agreed". But when there's been a lot of a discussion, then I'm not sure that we're at that level and so its some more questions.

Philip Sheppard: Okay, thank you for the question. Now, would someone else try to factor into future versions. Wendy, you are next on the list.

Wendy Seltzer: Yes, I disagree with this – that those confirmation again because I don't think that there was a justification for making registration with an OPoC more onerous than registration without the OPoC. And since there's no currently no verification of actuality of existence of the registrants to our technical or administrative contacts, I don't think that there should be other application of actuality or agreements with the OPoC.

Philip Sheppard: Okay. But is it consistent with your (name) need for verification, and that's what I need for consent. Yeah.

Wendy Seltzer: Got you.

Philip Sheppard: Yup, okay.

Steve Metalitz: Philip, this is Steve, could I get in the queue?

Philip Sheppard: Yeah, I had Chris first, I think. And I'll have after for that – after, Steve.

Chris Gibson: Yes, thanks Philip.

I would agree would this principle of consent, with the principal and with the idea that it should be obtained from the registrar. I did submit a comment on the list. And that I suggest that there should be some flash or detail given to what consent means.

Right know, it means – can't consent to being an OPoC. And when you then turn of course to the next section, three, there are some responsibilities relay with the (re-(Don) and remedy. And I know we'll get to those.

But even just focusing on relay, I think that perhaps in the implementation option box, you have to suggest the consent would refer to at least entail some of the responsibilities. Otherwise, I can't again see how you can require an OPoC to perform clearly even the relay function if they're not consenting to some sort of detailed federal responsibilities.

Philip Sheppard: Yes, thank you.

Steve, I think you're next. And then first, we have a question back to those who are reading questions about this. So Steve, next.

Steve Metalitz: Yeah, just two quick points. The first really is an editorial one that follows on what Chris said. Since we have in terms of the parenthesis in what I have as line 152 right after the 2.4 section begins. Where we're first going to agent we may wanted to...

Philip Sheppard: To change that, yeah.

Steve Metalitz: ...change that...

Philip Sheppard: Okay, yeah.

Steve Metalitz: ...to (read) - to have the OPoC give consent to take on the responsibilities of the OPoC, or something like that.

Man: Right. You've got the word agent in 156 as well.

Steve Metalitz: Yeah. And...

Philip Sheppard: In 156? Yeah.

Steve Metalitz: The other point I want to make just in response to what Wendy said. In fact, there are reason – you know the registrant under the status quo is not only saying that there is attack in admin contact. The registrant is promising to the registrar that he or she has obtained the consent of the technical administrative contacts, if there are any natural person's name there to have their information sent in and listed in the WHOIS.

That's an on the current registrar accreditation agreement. So, that leaves some kind of consent requirement here (with sort). And it really would not be a big step beyond that. I think what it does bring in is the idea of having certain, specified responsibilities. Because right now, nobody know what the tech and the admin contact is supposed to do. There's never been any standard on that.

Philip Sheppard: Uh hmm. Correct.

Philip Sheppard: So Wendy, (have you) – to comment in terms of some rationale for consent or verification? Can you explain to the group what your view is of the point of an OPoC?

Wendy Seltzer: Philip, is that a question for me?

Philip Sheppard: Yes.

Wendy Seltzer: I think that is an intermediary to whom they registrants can then trust the – by the fields (in so called) personal information. And I think that it should be very simple to in sort of that the interest at domain name registration.

I'm very concerned about various verifications and consent procedures to the expense that they would delay the registration of the domain names, make it more expensive for the registrants, make it more complex for the registrant simply to go and purchase the domain name.

And so, I think that in the ordinary functioning, the registrant would indeed get consent from an OPoC and discuss with the OPoC or CDF (affirmed) agreement. What date, was responsibilities were in that relationship.

But I think that anytime we mandate that through an ICANN process, we're willing to be making it more complex for a registrant to avail of it more themselves...

Philip Sheppard: Uh hmm.

Wendy Seltzer: ...of those privacy options.

Philip Sheppard: Okay, so is that – so I mean, - (so new of view), the OPoC as the facilitator of privacy, the only objective and you don't see a need for an OPoC through all to be in pursuit of criminality and bad faith. Would that be correct?

Wendy Seltzer: I – (unintelligible) said on what's in the earlier discussions. But I think that legal due process is the most direct root for a pursuit of criminality and bad faith.

Philip Sheppard: Okay, so that's - and your views there. Thank you.

Milton Mueller: Philip this is Milton.

Philip Sheppard: Uh hmm, Milton. Yup, I have open list, off you go.

Milton Mueller: Okay. Well, no. I agree that - I thought we had agreed in Puerto Rico that consent of the OPoC had to be obtained. I guess what maybe troublesome here is line 158 and the registrar must obtain that consent maybe what both Wendy and the registrars are concerned about. So if Steve said the current registrar accreditation contract that requires consent of the admin and technical contact, could we model the OPoC on that, and I have the registrars obtain the consent?

Philip Sheppard: And if the registrar doesn't then it would be the registrant who would.

Milton Mueller: Right, the registrant would basically have to swear that they had gotten the consent.

Philip Sheppard: Right. And how does that help in the pursuit of any bad faith?

Milton Mueller: I guess if they'd listed an OPoC that didn't give their consent, you would have grounds for taking down the domain.

Ross Rader: Philip, Ross here. If I could...

Philip Sheppard: Okay.

Ross Rader: ...maybe answer or clarify...

Philip Sheppard: Well, sure. Thank you. Let me just check if the anybody else who wants to talk over this. So I've got Ross, anybody else?

Adam Scoville: Adam Scoville:

Philip Sheppard: Adam, anyone else?

Chris Gibson: Chris.

Philip Sheppard: Chris, anyone else?

Okay Ross, off you go.

Ross Radar: Yeah, I didn't hear Steve – Steve's earlier comments, Milton but there is no such consent required from the Admin Technical contact today, either by the registrant or the registrar or the registry for that matter.

That simply free-formed field that the registrant fills in as they see fit, to the extent that they can claim authenticity – oh, not even authenticity, accuracy of the data that they supply.

Philip Sheppard: Okay, so do say, it's entirely a trust based service that can only be challenged if there is inaccuracy and that challenge at the moment has to go to the registrar, that right?

Ross Radar: That's – I believe that the purpose. Yes.

Philip Sheppard: Yeah, okay. Thanks, Adam.

Adam Scoville: Yeah, I just -- with response to Milton's point about possibly having the registrant obtain that consent. I guess – I'd just would be in opposition to that just because I think that we won't then have any reasonable way of verifying that they consent has been obtained or, you know, if you say we then determine that the consent had not been obtain.

Well how do we obtain that, I mean in Steve's example do we go to Queen Elizabeth II or get or an affidavit from her that says no I never consented to be the OPoC for this domain. I mean that's – that's just not workable.

I think that the only reliable way to obtain and verify that the consent has been obtained is, it is done by the registrar and -- I think that we've covered the various concerns about whether that could be done by an e-mail response system or a web page, click through agreement or something like that. I think that feasibility of that has been covered on less than on previous call.

Man: Philip.

Philip Sheppard: Yeah. Chris.

Chris Gibson: It's just following on that comment and I saw something on the list this morning, for example it's getting that should be the responsibility of the registrant to either get acknowledgment or consent.

If the registrant's an individual or company, I just don't see necessarily how they know if it's coming from their direction what their supposed to do in relation to this whole system.

We don't know what their supposed to be asking point, so I do think if – if only none being a comment just made that it – it should be that the registrar's are obtaining the consent.

Dan Krimm: Philip, this is Dan. Can I get in the queue?

Philip Sheppard: You can do - yeah, this happen to move on shortly but I think there's possible really, but Dan off you go.

Dan Krimm: Yeah, I would say that if we are relying on the registrant to get consent, the whole point here that all the liability is on the registrant, so it's there some action at the OPoC that is not taken by the OPoC and some certain circumstance that the registrant bears the responsibility and the liability for that and, you know, it would be handled at – that the enforcement level rather than at the verification level.

Philip Sheppard: Right, Okie-dok. So, if we may then let's move on 2.5 as the section describes proxy services, which is now been reduced to a description

of proxy services. But a recommendation that, in order to avoid a third layer between the underline the distant on the OPoC. What are proxy service exist the proxy and the first does an agent OPoC, should be one and the same. Is everyone happy with that, other comments on 2.5?

Avri Doria: So that's no longer marked as agreed?

Philip Sheppard: His country mark has agreed.

Avri Doria: Did it? Okay.

Philip Sheppard: Yeah.

Avri Doria: Thank you.

Wendy Seltzer: Wendy with unsurprising disagreement

Philip Sheppard: Wendy, well, it's a separate issue actually. Wendy what's the nature of your disagreement here?

Wendy Seltzer: Given the unreliability of various price of the protective services in the past, I think it should be open to the registrant to – to put layers in between it. If that's how the registrant voted so.

Philip Sheppard: Oh, Okay. There's a good thing. All right, that's clear. Anyone else on this?

Man: Philip, just to point this process question?

Philip Sheppard: Yup.

Man: Or another point across a process question. To what extent are you going to miss the beginning of those? What extents have you incorporated comments list on this, another is do I need to take over my notes again or...

Philip Sheppard: Well, we don't know. And so, that to fact to it at names that the next version of report, what's you gone through the whole thing you need to chunks today and a next week.

We'll attempt to capture all the comments that been made on list, I think in deed for you what to do – you want in particularly the one's with a clarification, rather an opinion as they help for.

I'm sorry, you would have said it on this, there's no need to repeat it on this call because...

Man: (Unintelligible).

Philip Sheppard: ...they will be captured in the same way.

Man: That's great, thanks.

Philip Sheppard: Okie-dok. If we move on to 2.6 and this is OPoC and the Tech Admin Contact. We're are currently saying that we think Tech. Contacts are great thing and should continue that there seem to be no overwriting reason if the future collection display of both Admin and OPoC and as an implementation option consideration could be given to merging

Admin and OPoC, that's count it down as an agreed. Does anyone have comments on 2.6?

Man: Marvelous!

Philip Sheppard: Then let's move on to Section three, which much more amusing. The role responsibility of the OPoC, three dispend roles relay, reveal, remedy. And relay being the basic role, when we lift those as agreed are discussions in terms of circumstances and the moment there are no alternate views.

Let me see if any will picked up on the list yet. No, nothing (conclude) that it may came on reveal and remedy mostly. So anyone have comments on 3.1 relay?

Good okay, certainly want agree there should be a relay function, I move on to 3.2 this is even real function of the OPoC. Report is currently listing agree an alternative view and some implementation options under reveal, for has been debate on list.

And I've recoded 1234 alternative views, on - on the agreed statement there they will send the reviews, so far reading was. Have you reveal the duplication of access function as a view that was (unintelligible) might contravene a National Law.

As a view in favor of authentication of the request of, as a view in favor due legal process before reveal would happen. So besides those – are those points, does anyone else want to make alternative comments to what we have on 3.2 reveal?

Avri Doria: This is Avri with a question...

Philip Sheppard: Uh huh.

Avri Doria: And what if...

Milton Mueller: Milton.

Avri Doria: With the substance of the comment make it seems to be several substances, could you explain why there's still has a status of agreed.

Philip Sheppard: Because, I was explaining to you reports of these – this status of report 1.5 what I just read out, was – what happens since 1.5 has been issued.

Avri Doria: So okay, so in other words this has been down grade the system list?

Philip Sheppard: This may change depending on how will she...

Avri Doria: Right but as of...

Philip Sheppard: I, excuse me...

Avri Doria: But as the moment...

Philip Sheppard: (Unintelligible).

Avri Doria: Yet has agreed.

Philip Sheppard: Yes, (unintelligible) exactly as recording a – a set of alternative views and not all to which I harmony had to be said though.

Avri Doria: Well, okay. That – that is the question do all the opposing views on the alternative has been harmony comes – come from agreed report?

Philip Sheppard: Thank you for the question.

Avri Doria: Thank you.

Man: I couldn't hear that, can you repeat what you said Avri, briefly?

Avri Doria: My question was, do all the alternative views has to be in harmony or something draft some agreed to support.

Man: I see.

Avri Doria: And I was thanked for the question.

Man: Okay.

Philip Sheppard: So, comments to substance 3.2?

Milton Mueller: But Philip, there's no answer to that question? That means it's a simple question.

Philip Sheppard: All right, it's extremely difficult question actually Milton. My intent is, is we have a report up there with a number (unintelligible) assertions in terms of what's agreed but currently against the process now.

To knock down whether or not that has, sufficient agreement to in where there was a harmony of that the voice is in one way or the other. That we could therefore characterized where there's been a change in what's there and that is the objectives. I think this is an interesting process that's revealed some of the challenges of our three category process as a group of this size of disparity and heterogeneity.

To other – other points on the substance of 3.2?

Dan Krimm: This is Dan.

Philip Sheppard: Dan, who else?.

Wendy Seltzer: Wendy was in there.

Milton Mueller: And I was in there two.

Philip Sheppard: And Dan at Milton, Wendy any one else? Okay, off we go Dan.

Dan Krimm: Just a quick comment, if anyone here has, other alternate views or support alternate views this would be the time to speak up.

Philip Sheppard: Actually, thank you Dan, Milton.

Milton Mueller: Yeah, not a very controversial point I hope but this business about duplication of the access function.

Philip Sheppard: Uh huh.

Milton Mueller: I don't quite understand what your getting at with that, is that -- I mean yes in my understanding of access and reveal. There where two different channels for the basically the same purpose giving people the option to use which ever is more efficient and appropriate.

So that there's nothing particularly wrong about the fact that they might be duplicating. In other words reveal through an OPoC is very – is precisely the same thing as what we meant by type one...

Philip Sheppard: Uh hmm.

Milton Mueller: ...access in – in the sub-group B, so if that can be delivered most efficiently view the OPoC then that's fine. If it, the OPoC doesn't work then you need to use the registrar then that's another option but there's nothing wrong per se with both of these channels being possible.

Philip Sheppard: No, and I think that's where the (unintelligible) combinations is coming out. The alternative view that's recorded in 1.5 was that, I think that because of duplication in the access function that there was no need for the OPoC. Perhaps I should make that explicit.

Milton Mueller: I think there's no need for reveal.

Philip Sheppard: Yes. In other words you should all be done by the access function.

Milton Mueller: Or through the registrars.

Philip Sheppard: Yeah.

Milton Mueller: There's a part of the registrars...

Philip Sheppard: (Unintelligible).

Milton Mueller: ...don't like, right?

Philip Sheppard: Absolutely right.

Milton Mueller: Okay.

Philip Sheppard: (Unintelligible) my list. Wendy.

Wendy Seltzer: Yeah, so - that I would object to any required reveal function I don't have any objection to it being an option that you can request of the OPoC and the OPoC's can choose - can at the direction of the registrant reveal if that's the registrant choice but as I've said it's (unintelligible) I think required reveal, should be only through your process of law.

Philip Sheppard: Right, yes. I spent require as probably more aspirational than implementable because if your OPoC is appointed by the registrant and the registrant doesn't want it revealed because of acting in bad faith, I suspect you're not going to be having from the OPoC. But I understand the function pick.

Wendy Seltzer: But well -- so I don't think that it has to be that binary. I think there could well be registrants to want us to protect their privacy and were willing to (unintelligible) out information on the one by one request phases that was more limited than, display everything in the couple of careers.

And so, if they wanted build OPoC to pass that information along somebody do -- was willing to get verification of their good faith and making the request. I don't see any reason to prohibit that kind of transaction, but I – I would very much opposed requiring the OPoC's to house the – the information and to trust it on to anyone's lust.

Philip Sheppard: Okay.

Milton Mueller: Right. I agree with that.

Steve DelBianco: Philip, can I get in the queue?

Avri Doria: And this is Avri, can I get in the queue also please?

Philip Sheppard: Sure, Steve and then Avri. Anyone else? All right, off you go Steve.

Steve DelBianco: Thank you Philip. On last week's call, I made one of the points as decent of both function. Both reveal and access and it's not reflected on those and that could just be because I was wrong, that's as hardly possible or maybe it was something that doesn't recorded.

I suggest that there could be instances where the OPoC know that the true identity of the registrant, that the registrar would not have that data in everyone's record. So I said other situations where only the OPoC can reveal the true identity and the registrar cannot through any access function, get to the person.

And if that's the case, that would be justification for retaining the reveal function.

Philip Sheppard: Okay, so maybe it certainly the OPoC would know. For details of the registrant.

Steve DelBianco: By virtue of how they would have set up there the name, name record and they put in the contact information. It's none of them where the true registrar, to either a combination of as you say would like and see approxity.

Where OPoC, and then only the OPoC could can be able get us the physical handle on who they are, perfectly doing an investigation or serving legal papers.

Philip Sheppard: All right on the second time, we've been there pointing going to the registrar because all they would have is useless data. You have I think - yeah, understood. Okay, Avri you're next.

Avri Doria: Hi, this time it's actually a substantive issue. On the reveal on the one that familiar with my (unintelligible) but I know my lines are wrong. The reveal must take place when there is one off. I have two issued with – with that section, one of them is that – is an or I supposed to an end. I have problems with the notion that an allegation is a sensation trigger and problems with the notion that reasonable evidence equates to allegation and then – and have a problem with it as a -- even if an allegation worst the positioned I believe that there has to a least been an end in terms of the relay, having sailed.

So, I definitely believe that it should be and relay had failed. I suppose to or whenever all you're dealing with is an allegation.

Philip Sheppard: Okay, that may be – maybe bad treason. I think the – the last at about relay sailing is that they're saying that relay sailing and isn't right would be a requirement for reveal...

Avri Doria: Right and at the point...

Philip Sheppard: Because that was the first step.

Avri Doria: Yeah, and I'm...

Philip Sheppard: And what you're saying is it also that should be link to the...

Avri Doria:: It should be an end to not – a not at or...

Philip Sheppard: Yeah, but that's why I'm ask. I mean that the use of the words allege, I think was probably my phrasing rather than the group because I presumed that in all these cases, it's an allegation but that not be right?

Avri Doria: Well, I believe...

Philip Sheppard: May I patch different lawyers on this...

Avri Doria: That unreasonable evidence have actionable harm is the phrasing and said, that I can certainly agree with by I can't personally agree with the notion that reasonable evidence and allegation are one of the same.

Man: Offer as – perhaps offer a possible solution to what she's talking about?

Philip Sheppard: Yes, solution to a point welcome.

Man: One option might be I don't know if this should work but, maintain a second bullet point as an - or but say or reasonable evidence that the WHOIS that is inaccurate.

So you basically replace allege with the same standards that it mirrors the standard of harm but, you know? You have to say I think that the WHOIS data is inaccurate because, you know? I tried to send a letter to this address and it was returned as undeliverable...

Philip Sheppard: Right.

Man: Or the e-mail bounce or something like that.

Philip Sheppard: Okay.

Avri Doria: Isn't...

Philip Sheppard: On so, on the same basis. Perhaps we should re-phrase first 1 to say is whatever the actionable harm, and then such as you taken reasonable steps in terms of this other activities.

So its, there was no intent to weaken reasonable evidence that – that was probably just pass phrasing, so we are...

Avri Doria: And I still -- I appreciate that, and the second one had to do with. I do think that, these has to be the case and the relay has to have failed, after a specified time, that...

Man: So you're saying it's A or B plus C?

Avri Doria: Yeah. Right...

Philip Sheppard: That has set with everybody?

Avri Doria: That was the reason or and the last one is an end. And definitely...

Philip Sheppard: And...

Avri Doria: We have to change the of, you know?, you have to re-cast the whole thing, but yeah.

Philip Sheppard: And that was I thought...

Steve Metalitz: This is Steve could I get this queue?

Philip Sheppard: And - okay. We also need to right a relay at a separate point, would we?

Steve Metalitz: Philip this is Steve, could I get in the queue sir.

Philip Sheppard: Yes, indeed who also wants to be on this queue?

Wout de Natris: This is Wout.

Philip Sheppard: Wout who else?

Margie Milam: Margie.

Philip Sheppard: Margie, who else?

Chris Gibson: Chris.

Philip Sheppard: Chris. Who else?

Ross Rader: Ross.

Kristina Rosette: Kristina.

Ross Rader: Ross with an administrative question Philip.

Philip Sheppard: Kristina and Wout. Is you're time, is that Chris on time keeping.

Man: He has a question on time-keeping, yes.

Philip Sheppard: Yeah, because I – I answer that now. Shortly is the answer.

Man: Great.

Philip Sheppard: Steve off you go.

Steve: Yeah, just to say that I – I don't agree that you don't get real at it rug – just you don't get – should not get reveal, unless relay is failed ever specified time period that might be okay.

Some circumstances, but it certainly some types of harm, where the (unintelligible) needed immediate reveal. I think that, certainly the discussion within our sub-group.

So I would oppose changing that last board to end, I would agree with some of the other changes. I think in terms of reasonable evidence of actionable harm, that's obviously an implementation question.

Is to what you would have to look forward to meet that step.

Man: (Unintelligible).

Philip Sheppard: Okay, so.

Dan Krimm: Philip this is Dan, can I get in the queue?

Philip Sheppard: Chris (unintelligible) queue Wout was next.

Wout de Natris: Yes, thank you Philip. What I would like to explain is what we do as spend reinforcement A and C.

Philip Sheppard: Uh hmm.

Wout de Natris: Is that when we get complaints from the public from end users that's the moment that we start investigating. So that's when there's a reasonable evidence was actually will harm for fraudulent of whatever sort of action against law.

So, we acts on complaints and not on our own allegations on our own sub positions or whatever. So for me this, I think this is same position is – is quite accurate and in some cases we definitely need to have a review, straight away to make sure that there's a lot of people don't get harm unnecessary.

Man: Okay, and next on the queue is Margie.

Margie Milam: Yes, I just wanted to say I agree with Steve a dealer problem with it being in, that a relay had failed because we didn't – as a requester won't know whether or not the relay actually forwarded a message and they may not have been a respond stack.

And to have those tide, we may not be able to identify who you have to take action against and so I think it would be a problematic to have – to have this tide.

Philip Sheppard: Okay, next Chris.

Chris Gibson: My points covered by Steve and Margie.

Philip Sheppard: (Unintelligible) somebody else whose, names I can't understand my writings name.

Kristina Rosette: That might be me, sir it's Kristina...

Philip Sheppard: Kristina it is, thank you.

Kristina Rosette: And I would just, I don't really have anything to add – to add to Steve, Margie and Chris.

Philip Sheppard: Okay, all right and that's – that train is clear. Was it, would I – did I miss anybody on the list?

Dan Krimm: This is Dan.

Philip Sheppard: Dan, that's right Dan I forget that.

Dan Krimm: Two points, it's seems to me that allegation can have various different levels in what were -- the confusion that we originally had here is that reasonable evidence is one sub set of possible allegations and that, whatever allegations there are should be constrained at least to the point of having evidence.

Philip Sheppard: Yup, I think we all agree that we would taken out some allege that's not to weaken the – the reasonable evidence test, which will introduce some of the first two bullet copy.

Dan Krimm: Right. The other point is that, I don't really know how one would actually detect if the relay had failed and because of the problems that others have express about that, I think maybe we should just remove that point and, you know?, one can - It doesn't really matter why our registrant failed to act on some, you know?, some notification that might go to the OPoC.

The point is that the registrant failed to act and it doesn't really matter why that happen, so I would proposed where moving the point about relay entirely.

Philip Sheppard: Okay., thank you.

Dan Krimm: Thanks.

Philip Sheppard: So, if we can we just try and finish and perhaps off on 3.3 and I may call – I have to call this call and of course the day for this call. 3.3 is all about remedy, in which was saying actually in not much remedy.

We can change the word agents there, based on a early discussion I may saying that, typically because of the (unintelligible) registrants relationship, it will be – in appropriate to the OPoC to the apt to the remedy what we have include is though – is this cut out where by the OPoC might be an appropriate act when the web (unintelligible) large host site, and therefore the OPoC is (unintelligible) interest to the weather strum.

There were comments on list, which will be captured about the fact that this sounds to be suspiciously out of scope for our working group. So we need also the slug, that but it's probably worth recording as if part of the role of the – of the OPoC. Are there other comments on 3.3?

(Patrick Cain): (Pat).

Philip Sheppard: (Pat) anyone else?

Chris Gibson: Chris.

Philip Sheppard: Chris anyone else? (Pat) off you go.

(Patrick Cain): I'm actually concerned about the implementation option involve in there.

Philip Sheppard: Uh huh.

(Patrick Cain): 24 hours theme significantly long, actually waits for a remedy to that on because of something bad happen.

Philip Sheppard: Okay, does anybody else have use on (unintelligible) where 24 hours came from? Probably a very early draft. Does anybody have other views on problems in changing that, it (unintelligible) options, if only a – a maybe so, order of magnitude.

Man: Well, this is (unintelligible).

(Patrick Cain): Yeah, I would - this is (Pat) I would make it more. You know, as soon as possible or something kind of generic because if we put in number there that was everybody is going to do.

Man: Yeah, Philip I have a general comment of a view presentation option as a whole but I think what's going to make comments of that the list.

Philip Sheppard: Okay, that would be welcome given – given (unintelligible). Okay, I'm be happy to generalized that. That I think, I mean in all case implementation up and supposed to be (unintelligible) what they are.

Options and just try to separate out basically for accounts fold and stuff purposes are different between policy recommendation and the way they may be carried out. Chris you're next.

Chris Gibson: Okay, just an on the first pull-it under agreed, with the removal of agency the rationale for that...

Philip Sheppard: Uh huh.

Chris Gibson: That bullet sort of goes away, so I don't know if you'll remove it or try to reward it but, any fee if there's a consensual some sort of consensual agreement. That it wouldn't necessary be an appropriate.

Philip Sheppard: Right, but if - where just, I think - Yeah. I think in that works what we're trying to capture now...

Chris Gibson: Yeah.

Philip Sheppard: By our new phrasing so indeed...

Chris Gibson: Thank you.

Philip Sheppard: What in need is a change. Thank you for that.

Wout de Natris: Wout.

Philip Sheppard: Anybody else on 3.3 before we conclude?

Wout de Natris: Yeah, this is Wout.

Philip Sheppard: Wout, yes.

Dan Krimm: And Dan.

Wout de Natris: Thank you.

Philip Sheppard: And Dan, anyone else? Okay, Wout, off you go.

Wout de Natris: Okay, I think the 24 hours should be supplemented maybe, investigates into what sort of problems should be remedies. Do there – there are probably pros remedies necessary for the things like domain testing which would be held within minutes instead of 24 hours.

Well, are other remedies might take a week and it would nag the rating, so maybe there should be something often inventory on that?

Philip Sheppard: Okay, so a time line proportion that's too harm, something like that?

Wout de Natris: Right.

Philip Sheppard: Yup, thank you. Thank you. Dan.

Dan Krimm: On the first bullet point under agreed, I think that's there would certainly be some cases where the OPoC might actually take some action on behalf of the registrant. But again that would be at the – at the direction of the registrant, so it would not be something it's mandated by policy.

Philip Sheppard: Right, yeah okay. Side comment, not implicit but we can certain make an explicit.

Milton Mueller: Let me just reinforce that Philip, there are many instances I can think of when a registrant might want an OPoC to engage in what your calling remedy here and...

Philip Sheppard: Yes, yup.

Milton Mueller: Please do make an explicit.

Philip Sheppard: Okay. So, thank you for that. Now we run about 15 minutes over-time. We haven't quite manifestation for but I think perhaps, we will try and pick that up in our next call along with the rest of reports which – which maybe may be possible.

So, thank you all for your comments. (Unintelligible) there won't be a new version of support until we go through the rest of it. And so we can capture that all in - in one hit.

But please do continue to send comments on lists as there – they just want to maintain as well and certainly if you had simple text clarification as well, they are equally effort to receive. So thank you very much...

Man: And Philip I would...

Man: How many more calls do we have?

Man: (Unintelligible) that's 40 minutes into this call.

Philip Sheppard: No we're...

Man: I'm sorry no, I'm out.

Philip Sheppard: Where out of quarter as...

Man: Never mind.

Philip Sheppard: A quarter in that okay?

Man: Fine.

Philip Sheppard: You were having so much fun, I know it by far. In terms of number of the calls, send your call next week then there will be a - hopefully be a

near final version of the report, which we'll need to circulate for a reasonable time to allow any final group comments.

And I need to talk to staff as to there timing to top and tail the report to make it ICANN (ask) so that's all the various things that we need to have in this reports are included. But if that's going to take any longer then, that it should and otherwise they get the report out to the list that we can discuss that.

Milton Mueller: But Philip, we didn't get to the access part here, and as you know I had some...

Philip Sheppard: Yes.

Milton Mueller: ...pretty serious problems with that.

Philip Sheppard: Yeah, indeed but that would be the subject of the next week's call for certain.

Milton Mueller: Okay.

Philip Sheppard: That would...

Man: We'll start there?

Philip Sheppard: ...part of the scheme. We'll do Section 4 (what to do mean a) few lines and there – and demonstrate into it, I think on me.

Milton Mueller: Section six.

Philip Sheppard: Yeah, yeah.

Milton Mueller: Okay.

Philip Sheppard: Okie-dok , yeah thank you very much for everybody.

Milton Mueller: All right.

Philip Sheppard: Uh hmm, good. Thank you.

Milton Mueller: Bye.

Philip Sheppard: Bye.

END