

**ICANN Transcription  
GNSO Temp Spec gTLD RD EPDP call  
Tuesday 22 January 2019 at 1400 UTC**

Note: 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:

<https://audio.icann.org/gnso/gnso-epdp-temp-spec-gtld-reg-data-22jan19-en.mp3>

AC Recording: <https://participate.icann.org/p5z5xa9q4nf/?proto=true>

Attendance is on the wiki page: <https://community.icann.org/x/8pUWBq>

The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page:  
<https://gnso.icann.org/en/group-activities/calendar>

Coordinator: Thank you. The recording has started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening and welcome to the 38th GNSO EPDP Team meeting taking place on the 22nd of January, 2019 at 1400 UTC.

In the interest of time, there will be no roll call. Attendance will be taken via the Adobe Connect room. If you're only on the telephone bridge would you please let yourself be known now? Hearing no one, we have listed apologies from Emily Taylor of the RrSG, Kavouss Arasteh of GAC, and Ashley Heineman of GAC. They have formally assigned Lindsay Hamilton-Reid, Rahul Gosain and Maureen Kapin as their alternates for this call and any remaining days of absence.

During this period, the members will have only read-only rights and no access to conference calls. Their alternates will have posting rights and access to conference calls until the member's return date. As a reminder, the alternate assignment form must be formalized by the way a Google assignment form and the link is available in the agenda pod to your right and the meeting invite email.

Statements of interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you need assistance updating your statement of interest please email the GNSO Secretariat.

All documents and information can be found on the EPDP wiki space and there is an audiocast for nonmembers to follow the call. So please remember to state your name before speaking. Recordings will be circulated on the mailing list and posted on the public wiki space shortly after the end of the call. Thank you very much and I'll turn it back over to our chair, Kurt Pritz. Please begin.

Kurt Pritz: Hi, everyone. I hope you had a good trip back home and welcome home and once again thanks very much for all the time and effort and I know in many cases personal sacrifices you made to be in Toronto and participate in the meeting.

Before we start, in order to get ready, please ensure that you have the – available to you the PCRT and the comment summaries for the items we're going to discuss today, so if you haven't downloaded and opened them yet, please go to Recommendation 3 and Recommendation 14 and find those documents.

In your email you've noticed you've received quite a bit of materials and there's probably some more to come as we drive towards home here, so there's several issues left to get final, agreement/resolution on before we

publish the final report. So you'll notice that an email went out yesterday on issues where we discussed issues in Toronto and there was a general agreement in the room on the issue but we didn't have time to get to the exact language so some language has been proposed on those – in those places where we think we have agreement.

And of course if you disagree with that please note it or if you agree with that please note it and we'll be responsive; if we need to of course we'll schedule a meeting and discuss those things. And it'd be great if you could notice the deadlines in these things go out and hit those deadlines. There'll be a couple more of those emails today but each one will just be on one recommendation so – so not so much.

So starting with these next set of calls, these issues are no more complex or difficult than the ones we undertook in Toronto but we're doing them on the phone. And to a certain extent they might be because they're places where the discussion kind of came to a halt without apparent agreement. So I'm asking you, you know, we remember the opening comments from many of us at the meeting in Toronto, we went around the table and many of you made comments about, you know, our alternate goal here and keeping the eye on the ball, to use an American metaphor.

So, you know, I'm asking you on these calls too to use your ingenuity to develop or find ways where we can get to a solution where we haven't before to be careful and considerate in our discussions and initiatives, and also to be realistic in understanding what we can accomplish in the timeframe we have here and what needs to be accomplished at some other time. So want to do the very best we can with what we got and try to get to agreement on these remaining issues.

So thanks very much in advance for understanding all this. Thomas, I see your hand up. Please go ahead.

Thomas Rickert: Thanks very much, Kurt. And hi, everyone. I just have a question since there is no AOB on the agenda and that is with respect to the email that we got on the treasurer's report for Kobe. I'm not sure I'm the only one but I see that I'm asked to keep spots open during that week including all day Saturday. And I think the chances for us not to have – to discuss anything by Kobe are close to zero so I think we will – our team will need those time slots to do work. And I would kindly ask leadership and staff to reconsider the decision that has been made on the travel support which I would appreciate to get. Thank you.

Kurt Pritz: Thanks very much, Thomas. Alan, please go ahead. Alan Greenberg?

Terri Agnew: Alan, this is Terri. I don't see where you've joined via the telephone and your Adobe Connect is not – mic is not activated as of yet. As a reminder, to activate your mic on the top toolbar select the telephone icon and follow the prompts. Of course we're always happy to dial out to you via telephone if ever needed.

Kurt Pritz: So, Alan, I hope you can come back to us. Thomas, I didn't answer your question because I wanted to see what Thomas had to say, you know, there's all sorts of impediments to finding travel support for Kobe, you know, one is, you know, one is we'll be discussing Phase 2 at that point so I don't know what the plan is exactly for that. Two is we'd have to get additional budget allocation. And, you know, three is there's the typical general methodology for how ICANN runs these things, that is, you know, at ICANN meetings people who can come participate usually – having said that, I definitely heard your comment so we'll discuss it amongst the team further to see if there's a solution. Alan, go.

Alan Greenberg: Yes, sorry, I had trouble dialing in.

Kurt Pritz: That's okay.

Alan Greenberg: With regard to Thomas's comment, can we at least assess how many people need travel support? It may not be as large as we're expecting, so before we make the final decision let's make sure we know how much we're talking about. The reason I raised my hand is Milton, in an email yesterday or two days ago, suggested an alternate way of addressing the ARS, instead of pushing it onto Phase 2 and I'd like to make sure that's on the agenda and I'm willing to provide some initial words to – a minor change in one of the purposes can take the ARS off the table and have it done, so if the group wishes I can do that and we can put it on the agenda perhaps for Thursday.

Kurt Pritz: I wonder if we can make it part of our accuracy discussion which is on the agenda for today.

Alan Greenberg: Oh sure.

Kurt Pritz: So...

Alan Greenberg: Obviously I won't have language but yes, certainly.

Kurt Pritz: If it's not too much of a non sequitur than I'd be happy to talk about it then.

Alan Greenberg: It may well be a very short discussion. If it's controversial I'm not sure it's worth wasting time on but if we can get agreement then it may be a simple way to fix it. Thank you.

Kurt Pritz: Great, thank you. Kavouss, go ahead.

Kavouss Arasteh: Yes, good morning, good afternoon, good evening. Further to what Alan said, not everybody may need travel support. There are some particular cases that need to be considered. In my case we are in the last part of the fiscal year, which start 21st of March, 2018 and 20th of March, 2019, so we have exceeded the limit; there is no budget available at all because we are in the last part of the year, this is one.

In addition, some other problem that I have indicated to you in my private email, I don't want to disclose it publicly so there are cases. So maybe there are few people asking for that. You had already one and I made the second one. I don't know who else. Those people who can afford kindly are requested to help the others, so you don't need to provide for 30 necessarily if you have money, yes, why not? But case you don't have money perhaps make some exceptions, few cases that they really need that. Thank you.

Kurt Pritz: Thanks, Kavouss. Just reading the chat here. Okay, with that I want to get into the agenda if there's no more comments, so thanks for the comments at the start. Get your coffee, get your PCRTs and your comment summaries and let's go.

So the first topic on the agenda is Whois accuracy that we've discussed before. And there's a recommendation in our initial report about that, that's plain on the face of the – that's plain on the face of the recommendation that the EPDP team recommends that the requirements related to the accuracy of registration data under the current ICANN contracts and consensus policies be affected by this policy. So essentially that means the efforts would remain the same until the, you know, until the contracts come around.

What I'd ask you to do is, again, take five minutes to read the comment summary that was done by the staff support team and then also the PCRT to which you have time. So we'll pause for a few minutes and let you do that.

Terri Agnew: And this is Terri. The five minutes is up.

Kurt Pritz: Thanks, Terri. I'll just give everyone another few – another half a minute or minute or so. I'll just remind everyone that we – I should have done this at the outset, but we have sort of a double duty here, right? We have some issues where we need to reach agreement where we deemed we couldn't do these in the small teams, to do them in the larger group because they were

sufficiently complex that we needed to get them in front of the plenary, but we also have to review the public comment carefully and I'd ask you in our discussion to call out certain public comments if need be to, you know, in making your point.

The level of our review here is really to use the public comment to identify new thinking or a different rationale for approaching an issue that we hadn't discussed in our original discussion. And that is how we think the public comment might impact us in our discussion here.

You know, to kick off our discussion I'll just note a few of the comments and the issues seem to be centered around, you know, whether we should attempt to undertake any more action with regard to accuracy. I'll note that many of the comments say, you know, at least maintain what we have now, which is what I think of where we are. There were some comments that went to the generality of the recommendation and say we should call out some of the specifics in the existing requirements. Well I think that's probably not necessary for us to be complete, it might be necessary or it might be a good for us to do to communicate what's being done already. So we should think about that.

And then there was a reference in here to ARS too which is why I thought we might talk about – we might talk about it at some point during this discussion. So with that, recalling our methodology, I'd ask someone to speak up who wants to recommend a change to our thinking or a change to the wording based on – in the recommendation based on our comment here. So is there anyone that wants to raise this? Hey, Margie, go ahead please.

Margie Milam: Hi. Good morning, everyone or afternoon for those in other parts of the world. In looking at the SSAC's comment, I think they make a very good point that we haven't explored the data accuracy requirements and that this needs to be done and that perhaps this is something that A, we could get Ruth's legal opinion on as to what the accuracy requirements are; and the second is that

perhaps this is something that we would push into Phase 2 and do the work that SSAC recommended. Thank you.

Kurt Pritz: Thanks very much, Margie. Ben, do you have the completion of Margie's thought?

Ben Butler: Yes, just to say what we – the bulk of the work that SSAC is recommending we pay careful attention to is probably best suited in Phase 2 just, you know, to make sure that the ability for, once we have an access model determined for people to be able to make invalid Whois complaints and for that process that has existed to be able to continue to exist.

And I think it actually is a good idea to – just to get – I would love to see Ruth's comments on the accuracy requirement because it seems like many times when we discuss them in the group there seems to be a risk of confusion as to whether accuracy under GDPR only means that the data is accurately captured as the data subject provided it or whether we have an obligation to actually ensure some level of validity of the data. And you know, we've had those arguments and I don't want to get into those circular discussions again, but I would appreciate a kind of a finalized legal opinion from Ruth now that we have her.

Kurt Pritz: Thanks very much. And I'll – if any member of the Legal Team wants to (gin) up that question in writing that would be great or if you want I can do it and circulate it around so that we can forward it.

((Crosstalk))

Kurt Pritz: One of my comments to what's been said so far is – and I know – I'm oversimplifying this so I'm asking direction from this group but I thought the Whois accuracy requirements were laid out to ensure Whois accuracy and there are duties there. I'm not talking about how we measure it but – Milton, go ahead please.



Milton Mueller: Hello. This is Milton Mueller, Georgia Tech. Yes, I think again we are needlessly spending time on something that really is a policy issue and has very little to do with GDPR compliance. To answer one of Ben's questions, there's no doubt about the fact that GDPR refers to accuracy as a right of the data subject, and this is well established.

The comment that you want to be able to, in an access model, challenge inaccurate Whois registration, is a very disturbing one because the whole ICANN policy of allowing those accuracy checks and challenges by third parties is predicated on open Whois and there's really no way you can have that model without indiscriminate publication of all the Whois data.

And we would never be allowed to disclose the data on a basis of just, I think it's inaccurate. You know, think about that. You can't see the data but you think it's inaccurate. What kind of a reasonable limitation on access to the private data is that? You know, it might be inaccurate so I want to see it? So this is just something you have to set aside; that world is gone. You will not have open Whois, you will not have indiscriminate publication and therefore you will not have public challenges to the accuracy of Whois data.

So again, how ICANN deals with accuracy is a policy question that may need to be policy adjustments but there's nothing in that issue that requires us to change Recommendation 3 and, you know, referring to ARS, we, you know, I think we can all get behind the idea that ICANN can enforce compliance that is if somehow a registrar is sending us inaccurate information, ICANN which has contractual obligations with them, can do something about it. But again, that's not an issue that we have to deal with now.

Kurt Pritz: Thanks, Milton. Go ahead, Amr. I want to – going forward I think we want to have our comments made by a group, although I understand it's harder for groups to collaborate when we're far apart rather than at the meeting. But please go ahead and welcome.

Amr Elsadr: Thanks, Kurt. This is Amr. Yes, I won't really get into whether we need to change the recommendation or not right now. I don't believe we do but I will get into the reasons for that. But taking Thomas's comment in the chat to heart, and I believe he's correct, you know, we should be addressing the public comments here and is there anything that was raised there that we have missed?

But one comment I – I'm not sure we have addressed in our report is the one by the iThreat Cyber group which basically says, you know, did we evaluate as an EPDP team, whether the existing accuracy procedures comply with GDPR or not? Personally I believe they do, you know, in terms of, you know, Article 5 and, you know, the principles of processing data or Article 18 where, you know, where – it's afforded to the data subject to, you know, to challenge a controller or processor on the accuracy of his/her/its data.

But we haven't really addressed this in the – in our report – I don't believe we have. And it wouldn't necessarily make any changes to the recommendation but it might not hurt to say, you know, this is – these are the measures afforded to registered name holders on how they can, you know, address inaccurate data or, you know, or to correct if the data has changed, for example. We might want to take a look at that and possibly in response to this public comment. Thank you.

Kurt Pritz: Thanks, Amr. Hadia, go ahead.

Hadia Elminiawi: Milton's point, accuracy in GDPR is also about the accuracy of the data for the purpose for which it was collected. For example, if I provide an incorrect contact information and the purpose for collecting the data was to contact me, then that would actually fall under GDPR because this is incorrect data for the purpose for which it was collected. It does not satisfy the purpose for which it was collected. So accuracy is important.

On second, this recommendation, we've been talking about, and many of the comments have been referring to the accuracy reporting system, and actually this recommendation as it stands, and as it is written should cover the accuracy reporting system. The wording itself does not need to change. I think that needs to be elaborated or is our understanding of this recommendation. This is what we need – if we all agree that this includes the accuracy reporting system, then this is what we need to make clear because the language itself does not prohibit this or limit, in my opinion, or limit any kind of accuracy checks, it's what we actually understand and mean by this recommendation. So I think we don't need to change the wording, we need to elaborate on what we mean by this recommendation. Thank you.

Kurt Pritz: Thanks. So I think what Hadia is saying is that, and correct me if I'm wrong, that all requirements remain as-is so the contracts would remain the same but also...

Alan Greenberg: Have we lost Kurt?

Kurt Pritz: Can you hear me now?

Alan Greenberg: I can.

Marika Konings: Yes we can but we missed I think part of your intervention.

Kurt Pritz: Oh no and it was such a great speech too. So what I heard Hadia say was, you know, support for leaving Whois accuracy requirements in place but that might also include the ARS program because that was a preexisting effort that was in place to learn about Whois accuracy and so that should be maintained too. So maybe that's a middle ground here, I don't know. Alex Deacon.

Alex Deacon: Yes thanks, Kurt. And this is Alex. Good morning, everyone. Yes I think I agree with what Hadia said. You know, I just wanted to respond to Milton's

comment that inaccurate Whois complaints require an open Whois and indiscriminate publication. If we recall our conversations with Maguy in LA I asked her what would happen is – if after a disclosure request is granted, data is determined to be inaccurate. And I asked her specifically if her team had the ability to handle those cases. And her response was, no, or perhaps not all of the time. So I think this indicates that we need to ensure Compliance has the ability to do their job and I think this fits well under the way the recommendation is worded at the moment.

And I think this also goes along with the discussions we will have shortly around ARL and elsewhere. So, you know, just because GDPR – it doesn't mean that the ability for us or the need for folks to be able to file inaccuracy – Whois inaccuracy complaints goes away, it just means that, you know, when they do appear we need to ensure that everyone has the correct access under the GDPR to continue to do the jobs that they do. Thank you.

Kurt Pritz: Thanks, Alex. Mark.

Mark Svancarek: Mark Svancarek. Alex covered almost everything I said, and be brief. The thing that's weird about 5.1(d), as Farzaneh says, people have gotten different legal opinions. Just from my side, I note that when I show this to lawyers they always say, hmm, that's very interesting. Hmm, look into that. I don't get the answer, no, absolutely not, which is frankly unexpected, but that is the kind of feedback I get. So given that, there is this ambiguity and that people do get different feedback. I suggest we kick this over to Ruth and then just everybody agree to, you know, go with what she says and then we don't have to follow this; we don't have to do any more on this topic. Just let her be the arbiter and proceed.

Kurt Pritz: Thanks, Mark. Ben, you're up.

Ben Butler: Thanks. I just wanted to clarify just for the record, these comments have kind of already been picked up by Amr and Alex and others. SSAC is not

recommending changes to this – for this recommendation. It's just to kind of a footnote to say when we have a situation where someone can, you know, is (unintelligible) and can see the persona data if they have reason to believe that it is inaccurate and – we were recommending that we analyze whether or not the existing compliance mechanism, or the preexisting compliance mechanism for Whois inaccuracy reports is still compliant.

Part of that is whether Contractual Compliance has the data in order to do their job, do we need to make changes, etcetera. It's kicking the can down the road certainly, it's not something we need to deal with now, just a placeholder to say this is one of the things we need to consider when we have that very difficult discussion about access.

Kurt Pritz: Thanks, Ben. We're going to the end of time and the end of the queue so that's kind of good. Although we need to try to find a way to an agreement here. Alan, please go ahead.

Alan Greenberg: Thank you very much. With regard to inaccuracy reports, remember, not all data is redacted so there is still going to be data, at least for some registrars and for some registrations where the data is revealed despite of GDPR and legally. Look, all this recommendation is saying is we are not reducing the requirements in the RAA for verification, validation and other things related to accuracy. If we – if some people believe, and I do, that we need stronger conditions in the RAA, it would be a fool's task to think we're going to do that here.

These are difficult negotiations and discussions and we don't have the time or – and maybe interest, but even if there's an interest I don't think it's something we're going to be able to do here. There was some recommendations that – some comments rather – that we be more specific. If people feel that is needed we could do that. I don't feel it's necessary. There was a comment from Farzi, which I could support, saying we don't need this recommendation at all. What makes anyone think we were going to change

the rules, but for whatever reason we decided to make this recommendation. I think it's fine as it is, and I don't think we need to spend a lot more time on it.

There has been no real statement saying we need to change the recommendation. I haven't heard anyone point to comments which indicate a change is really needed; comments other than by single individuals. And I think we need to move on and cover things that are more important. Thank you.

Kurt Pritz: Thanks very much for that intervention, Alan. I think that went to the comment I made at the start when I'm asking us also to be realistic about what we can do with the time we have. Kavouss.

Kavouss Arasteh: Yes, I think the way current recommendation is worded means that we don't care; we take the status quo, but it doesn't say that the status quo really address the accuracy. So we have to do something. I put something in the chat and Milton says that it will not work. I can change that. I can change that saying that "shall comply with things," "that ICANN shall ensure that it complies with the requirements of accuracy as stipulated."

So as what I said, "ICANN shall ensure that," and then continue the sentence that I have said. It is the minimum that we have to mention. I don't think that this is appropriate to limit as it is, or say that we don't need that. We really need that. We have to emphasize that. So if you want I can put again what I said that the requirement and so on so forth, then say with respect to "ICANN shall ensure that the requirement as stipulated in Paragraph 5.1(d) of GDPR shall be met." Thank you.

Kurt Pritz: And, Kavouss, do you think that's a job for – so what's the result of that? Is that a job for ICANN to say that that will be met?

Kavouss Arasteh: Yes, I said something but Milton said that it doesn't work, ICANN should do that. I could live with either of the two, either the text as I put in the chat or if

you want to put the ICANN will introduce the – ICANN shall ensure that the requirement as is stipulated in Paragraph 5.1(d) of GDPR shall be met or are met, so either of the way – either mine or as amended putting the issue to the ICANN. My statement was more general, it was quite clear but in order to satisfy Milton I could say that ICANN shall ensure that the requirement of accuracy as stipulated in Paragraph 5.1(d) of GDPR are met. Thank you.

Kurt Pritz: So I'm just reading the chat here. I want to – the clock just hit midnight, Thomas, so please make the last comment and then I think – I'm reading the chat, I think I know where we are.

Thomas Rickert: I just raised my hand to support what Mark said. I think it's an excellent idea to ask Ruth to help inform our discussion and the decision making in our group. And I think maybe we can have a call with her where those who are interested in this topic can help brief her so that she has full understanding of the issues at hand.

Kurt Pritz: Great, Thomas. Alan Greenberg.

Alan Greenberg: Yes thank you. With some frustration, there's a lot of accuracy issues related to GDPR. This recommendation is only saying that existing policy and contracts stay in place; it's not the be all and end all regarding accuracy. Let's keep the focus, thank you.

Kurt Pritz: So I'm of two minds on this. You know, I'm going to channel Alan Greenberg for a second so let's do a scenario where we ask Ruth to opine on this. I think regardless of her answer it would be, as he said, very difficult for us to have a discussion about altering how Whois accuracy is currently addressed in the current contracts as being part of those discussions in the past, they take quite a while. But, on the other hand, I think our position would be this, that I'm reading and hearing that we leave the recommendation as-is and we have agreement on that.

There's a couple contingencies around that though, one is when we have our access discussion, as Ben said, we make a check to ensure that the existing efforts are not impaired or changed in any way so we do a check of our existing Whois accuracy efforts and requirements against the access model and against the Whois protocol replacement and to ensure that those requirements are not impaired in any way.

And two is, I'm certainly not against posing a question to Ruth regarding that. And I can write up that question and circulate it to the Legal Team and get it to Ruth, you know, pretty fast I think. So just to sum up, it's our agreement that we're going to leave the recommendation as-is. We'll put a placeholder in the Phase 2 discussion to check that the access model and anything else does not impair those obligations in any way and we'll go ahead and ask that legal question. Is it acceptable across the group? Or let me say this, if anybody disagrees with that please raise your hand because I'm willing to revisit that. Milton, go ahead.

Milton Mueller: Yes, again, I'm just mystified, I don't understand what is the need for a legal opinion here? We – GAC seems to want an explicit statement that we will conform with a particular part of GDPR which is fine in his latest statement. And Amr suggested that we call out the fact that, you know, the accuracy requirement in GDPR is a right of the data subject that allows them to correct any false information. Those – both of those things could be added to the discussion in the report and none of them change the actual recommendation.

And everybody seems to have agreed that we're not changing any accuracy-related policy and that we can't change it with this and that it's really out of scope for us to do that. So what exactly do we need to wait for a legal opinion on? I don't see any need for it myself.

Kurt Pritz: Anyone else? Kavouss.



Kavouss Arasteh: Yes, my problem is the part of the existing text saying that “shall not be affected.” We need to modify that. We need to refer that – we need to put in a positive way but now put it in negative way. So I am not comfortable with the text saying that shall not be affected; that means we don't care about the accuracy, we don't care about the GDPR, we don't care about all of these public comments, Europol and so on so forth, so current text language is not working so we have to change that. And the simplest was that saying that ICANN shall ensure that the requirement as is stipulated in so on so, be met. That's all. But nothing that existing arrangements shall not be affected; this is a negative connotation. Thank you.

Kurt Pritz: Thanks, Kavouss. I would think – no I think it's a little bit positive that we're going to maintain the current by not changing anything and so sometimes to me a statement that we're not going to change something is different than we're going to, you know, merely conform with the requirements, so, you know, I think it's slightly better the way it is and the rest of the group seems to be okay with the wording. Alan.

Alan Greenberg: Thank you. We could probably word it positively. I don't think it's worth the effort at this point. With regard to the legal opinion, I do believe a legal opinion is important. I don't believe it's – the outcome will alter this recommendation. If it does, then we'll go back and change it, but at this point it stands. I believe the legal opinion we're looking for is whether the GDPR accuracy provisions only apply to a data subject being allowed to change their data if they believe it's inaccurate or whether there is either a responsibility or a permission for the controller to essentially audit and judge that data may not be accurate or ask that it be altered. I think that's the question.

The UK Data Protection officers seem to think it's the latter; other people have said it's the former. I don't believe that it will affect the current provisions or contractual terms. Conceivably it could come back and say we're not allowed to verify if something's accurate, we simply have to take it as

doctrine. I can't believe that they will come back and say that so I think this recommendation stands. It is conceivable it might have to change in the future once we do Phase 2 work, we'll handle that if it does. Thank you.

Kurt Pritz: Thanks, Alan. I was just reading in the chat. Let's go to Mark and James and then stop.

Mark Svancarek: Mark Svancarek. Yes, I think that everything has been said so far so I think we should move on. I'm surprised we're still talking about this 10 minutes later. Just to clarify what I wrote into the chat, Alan said what I intended, because there are some varying legal opinions, we should, in an out of band in-parallel way ask the question to Ruth so that – and then everybody agree that we just do what Ruth says, that we don't bring this up again. There is this interpretation that some people have, and I mean, it comes up a lot, that under 5.1(d) the registrar may in some cases have a duty to check the accuracy. On the other hand, the RAA already says that they have to do something like that. So we should put this aside, keep the language as it is and if out of band we get some sort of an opinion that we have to change something, then we will do it. We assume that we don't have to do it so let's just move ahead. I hope that helped and I'm sorry if my comments in the chat led to any confusion.

Kurt Pritz: Thanks, Mark. James, please go ahead. James, you're strangely subdued today.

Ta: ...Terri. James, I see where your Adobe Connect mic is active and unmuted. If you could please check your side? And of course if a dial-out on the telephone is needed we're happy to do that as well. Oh I see a note, James was kicked out of the AC so it looks like he's trying to rejoin.

James Bladel: Hi, can you hear me now?

Kurt Pritz: Yes we can.

James Bladel: Okay. Yes, I'm not sure what happened there. As soon as I unmuted myself the whole thing fell apart so thanks, Adobe. Hey, thanks. This is James speaking. And just for brevity let's go ahead and agree with Mark that let's leave this as-is, let's take this offline in parallel, let's consult with Ruth and that. I just want to be clear, however, that, you know, the way we tee this up when we ask these questions, I think we need to be very narrow and specific.

You know, does the registrar as a processor have some obligation to confirm the accuracy? And if so, what are those responsibilities and does that also entail, you know, sharing with or transmitting the data to third parties who will perform these validation services? We need to get all of this kind of bundled up and not just ask a – kind of an open ended question to Ruth because I think, knowing attorneys, and no offense to those on the call, you ask an open ended question you get an open ended and non-actionable answer so I think we need to be as specific as possible. Thanks.

Terri Agnew: And, Kurt, you may be muted if you're speaking.

Kurt Pritz: Yes I was. So we'll do what the – most of us are saying online now and take that question offline and out of the critical path and with – understanding the likelihood that we won't have to come back to this issue and maintain the wording of the recommendation as it is. So thanks very much for that, everyone.

Okay, equally interesting is the next topic on the agenda. I don't know if we need to take a five minute break for this one? I'm just scrolling here. So it has to do with data redaction and I think we were left with just one – just one data element left in our data redaction discussion. And we had an extended discussion about this in Toronto so you're welcome to read the PCRT and the comment summary. We've already discussed the comment I think.

But we have input from ICANN, and I don't know if there's any additional information regarding to do with this data element. So, you know, let's set the timer for three minutes I guess and mull over or Skype with your colleagues and we'll come back in just a minute.

Terri Agnew: And the timer is showing it's up.

Kurt Pritz: Thanks, Terri. So where are we? So I think the initial report said that – says the temp spec and the – the temp spec mentions that the city should be – so is there a pool going about whose dog that is? So I think the temp spec recommended that city be redacted and the initial report supported the temp spec the way it was written. In Toronto we discussed whether city should be published or not or whether it was personal data. So there was support for that.

As part of that discussion we asked ICANN to submit why in the temp spec city was redacted and got this response. So, Alan, thanks for kicking off the discussion.

Alan Greenberg: Thank you very much. I was the one who initially expressed some concern that for small towns this might – the publication of the city might lead to identifying the person. And that applies much more to companies and to legal persons because, you know, you may find that there's only one toy company or candy company in a small town but it doesn't necessarily identify an individual person.

I asked the contracted parties whether they had any concerns and they said they had none and they're the ones who bear the liabilities I guess in this kind of case of revealing personal information. And based on that, their comment, I withdrew my concern. And so I guess I would ask the same question here, does ICANN's reason for not originally publishing it alter their position? Thank you.

Kurt Pritz: Alex, please go ahead.

Alex Deacon: Yes thanks. It's Alex. Yes I just wanted to, you know, I've been reading the response from ICANN to our question around city and I note that you know, they quote from the cookbook which where they go onto kind of justify the reason for redacting street, city and postal code together kind of as one unit if you will.

So I'm not too sure this response is responsive to our request as to why city was redacted, although I suppose it is, but I don't think it really addresses the issue here that we're trying to discuss with regard to unredacted city and unredacting city and what impact it may have. I agree with Alan, I think during the Toronto meeting we had some form of consensus on unredacted city and I'm not too sure how we kind of got from that point to where we are now. But I just wanted to point out that the response from ICANN is specific to street, city and postal code and not to city itself. Thank you.

Kurt Pritz: Thanks. Chris, welcome to the meeting. Go ahead.

Chris Disspain: Thanks. It's Chris for the record. Yes, just really repeat some of what Alex has just said there and combine it with what's written in the GDPR is it's the combination of street, city and post code which allows for the attribution of the private person. So, you know, all the recommendations in here, any single one of those might reduce that. And obviously we've discussed that post code can be very, very unique and so that's certainly out. But I think city on its own wouldn't lead necessarily to I think as it was said in Barcelona, the sort of four people or so required for the single person. So I don't think that anything we've been showing so far relates to just city by itself. Thank you.

Kurt Pritz: Thank you, Chris. Please go ahead, Milton.

Milton Mueller: Right. So obviously this is a spectrum, a gradation, the more information you have – the more specific information you have the easier it gets to identify.

City – street, city, postal code obviously is way specific. We've agreed to take out street and postal code but city in certain cases can be very specific as (unintelligible) points out especially in smaller places.

So by the same token, there's not – there's not a big need for the city; it's not like that provides important data that you can only, you know, you can't decide whether a registration is illegal based on not having the city. It's really quite a stretch and I know that that argument has been made but I'm not buying it. And so I think it's really – there's no good reason to have it there, keeping in mind of course that there will be lawful disclosure.

And there's some concerns about having it there so I think we should keep it redacted and it's not like the temp spec has led to a massive increase in cybercrime so I don't see any reason not to include it.

Kurt Pritz: I'm just trying to pause – and so I don't see any reason not to include it. Amr.

Amr Elsadr: Thanks, Kurt. This is Amr. I think Milton pretty much said most of what I wanted to say so will agree with everything he did say. But just wanted to add that, you know, according to advice given to the GNSO's RDS PDP Working Group, and this is just by way of a reminder, I know I've brought this up several times, but independent data elements allowing for a data subject to be identifiable is not the issue in itself but also, you know, when these data elements in combination with others help to do so.

So I think redacting the city field is actually a low bar in trying to avoid registered name holders from being identifiable. We had this discussion in the org field on previous occasions and I believe it is equally as applicable to the city field here so just wanted to make sure to add that. And I really do, you know, I apologize for having to consistently bring up the advice provided to the RDS PDP Working Group but it's something we really should take into account. Thank you.

Kurt Pritz: Thanks. Kavouss, please go ahead.

Kavouss Arasteh: Yes, I am not convinced that why city should be redacted and I'm not convinced of the reasoning of ICANN but I understand the comments of some colleagues about small cities, but still I have difficulty what signify as small. We had this discussion in the Geographic Name about the small, about the big city, and so on – I don't know if we are talking 5000 or 10,000 people or we talk of 100,000, I don't have any solution saying what is a small city. But I may introduce one qualifier saying that except in this case it should not be redacted.

But what I don't agree, serious disagreement, if you give that to the legal advisor outside. This is an issue that we need to discuss and we need to agree. I will follow the majority's view but I don't agree to give it to legal people because this is something that we need to really understand what is the situation. Thank you.

Kurt Pritz: Thanks, Kavouss. Alan, hi, please go ahead.

Alan Woods: Hi, Alan Woods for the record. So I think in this one this is possibly an example of the shopping list coming back into play. And as I'm prone to be I'd like to remind us all of the scope that we have in front of us and the scope is that we have to look at the temp specification as it is written to see what modifications if it's necessary to come into compliance with things such as the GDPR. As it is written city is redacted, therefore I don't understand where we're getting our mandate at the moment to say – actually it might not, you know, publish city now and do it another way.

If the temporary specification it says redact city, and to be perfectly honest, you know, it's not necessarily – and Alan said that we didn't have an issue with it one way or the other and I appreciate (unintelligible) listened to this instance, but at the same time if the temporary specification is ensuring compliance, then we should retain it. And so I don't understand why we're

putting a lot of time and effort into something which is actually technically, in a very strict reading of this, out of scope.

So I mean, I would also say to, you know, Amr has (punted) out that the work of other parties as well in this but, you know, they've asked this question, they've answered this question so I think we should give due deference to those – to the work of other people as well and I think it's an issue that we should probably put to bed very quickly.

Kurt Pritz: Alan, for me the last point you made where you refer to Amr – broke up a little bit, could you state that again? I didn't hear it.

Alan Woods: Sure.

Kurt Pritz: So I was thinking maybe...

((Crosstalk))

Alan Woods: What it was – I was just saying we should defer to the work done by other people as well, they've put thought and effort into this and I don't think a conversation that we are having over the period of, you know, a few minutes in a meeting 1 and a few minutes in a meeting 2 should step – side step that advice as well. So if another group has put thought and effort into this we should defer to them. So I'm not really making a huge deal out of this, I think we should just proceed as it is written in my opinion one way or the other.

Kurt Pritz: Thanks, Alan. Go ahead, Mark.

Mark Svancarek: Mark Svancarek. So I think we need to have a question about what consensus means in this context and then once we agree on what consensus means in this context we would say that we know what the positions of IPC, ALAC, NCSG and GAC are. I don't know if Alan's opinion is representative of RySG, if it is then we know the opinion of RySG also, then we just need to



have the other groups weigh in, you know, up or down, and depending on how we're defining consensus we could count them up and we can move on. So if we get clarity on what consensus is and if everybody who hasn't spoken up so far can speak up, the new can close this one out.

Kurt Pritz: Thanks for that. I'm wary of trying to count noses in this scenario and, you know, especially where, you know, people have done considerable, you know, going to Amr's comment, if people have done considerable work on this before, you know, we should be able to build on that and asking ICANN's opinion on that was – I guess what's turning out to be a first step in that because there is some – my first reading of it was pretty – I thought it was pretty clear but after hearing others talk I do hear some cloudiness to it with regard to combining, you know, the street address and the city and the postal code all together. And so the ICANN answer to our question is not as clear and helpful as we hoped.

But on an issue such as this where, you know, building on what Amr said, you know, people have trod down this road before. I think it's important to try to get the situation correct as well as count noses. Georgios.

Georgios Tselentis: Yes, hello. Hello, everybody. Georgios Tselentis for the GAC. I wanted to say that first I start with the input that we got from ICANN Org and I believe it didn't supply any rationale behind the reason why the street was chosen to be redacted. So if this could be answered maybe would be helpful. Second, what was discussed also in Toronto was that this is a useful field if unredacted for reasons of jurisdiction and for this purpose it should be unredacted and we should not have the world as it is in many cases, this can be used for defining jurisdiction and we should not have it as the – as it is currently, for example, in North America.

The examples that we have do not apply geographically everywhere. So I see the usefulness for the unredaction, I do not see so far the example that you can eventually in very small cities through combination with other fields reach

and identify a person. I think if we go down this path we can apply this to probably all of the data and ask for all of the data to be redacted because if we combine them and we can find patterns and we really try hard then yes, with analysis of big data we can find the person. So I think there is a balancing question here and I don't believe that it's a legal question.

At the end of the day we have to make the balance how easy it is to identify a person by allowing the city field, and for me the level is not so dangerous for identifying a person. On the other hand in the balancing question when we have the benefits of doing so outweigh the potential danger and this is what we have to decide on the – at the end of the day here.

Also, to the argument that this was already in the temp spec, I think as we have to judge the compliance we have also to judge the over-compliance to something. So I would like to hear more from the people who are on the phone, so the registrars, whether they believe that indeed that with no significant effort private – the identity of the person can be revealed by this field if not redacted. Thank you very much.

Kurt Pritz: Thanks, Georgios. We're over time on this topic so let's try to keep our interventions brief. Milton, please, your turn.

Milton Mueller: Yes, I just wanted to address the procedural question regarding consensus. I was very disappointed in Mark's attempt to basically railroad this through by counting noses. I'd like to call to our attention that at one point when discussions of Purpose 2 were being held we every single stakeholder group and indeed half of the IPC and BC supported a certain formulation and because two people did not, we spent another hour working out a compromise in order to attempt to achieve full consensus.

And now the same people that we bent over backwards for are telling us oh, we can just run over the concerns of an entire stakeholder group. Now in this case, in the case of the city, you see this not just a single stakeholder group,

it is now the Registries and the Registries who have said that they would be happy to keep the temp spec. So by that calculation we definitely probably have within the GNSO context, we have more consensus. We actually do have consensus because the Commercial Stakeholder Group does not have unified opposition or unified support for publishing the city field.

So – but I would just ask us to be consistent about this. I think it would be important to try to get people to reach an agreement that includes almost everybody, I mean, seriously striving to achieve full consensus whenever possible, otherwise people just – they count noses and they say, well, we've got enough to get this through I have no reason to think about any kind of a compromise. Again, so I think there's nothing I have to add to the substantive debate, I think it's clear it's a gradation.

The temp spec was a – picking a point on that spectrum that we think is supportable. We were not so keen on having the state/province in there but we were willing to give that up in order to reach agreement. Once again, it seem that certain people are not ever willing to give anything up and I don't think we'll ever be able to move forward unless that changes.

Kurt Pritz: Okay, Milton. Alan Greenberg.

Alan Greenberg: Thank you. Milton's correct about lack of consistency. I believe our external facilitators made a strategic mistake in spending an extra hour trying to unanimity, trying to get full consensus. It's nice but I'm not sure we're ever going to achieve it on every item and the charter doesn't require that we have full consensus. So yes, we are being inconsistent and I believe that's correcting a mistake of the external facilitator. Saying the Registries or a registry does – can live with the – of the temp spec and keep it redacted doesn't say they can't also live with publishing it.

So a statement saying we can live with one thing does not mean they object to the other. I don't know whether they do or not. But I do tend to agree with

Mark that I think at some point we're going to have to be willing to take decisions that are not unanimous and whether this is the one we do it on or not I'm not going to debate right now, but I think we are being – we are not following the charter in demanding unanimity on everything, and ultimately I think we're going to have to make some decisions where not everyone is happy.

Certainly we've already made some decisions where I wasn't happy and so be it, we moved on. You know, I just don't think we can continue to ignore that going forward. I know we don't like counting noses, but at some point we may well have to. Thank you.

Kurt Pritz: Mark, go ahead please.

Mark Svancarek: Yes a couple things. One is, you know, the argument that you know, some people are outvoted and we should move on has been used many times during this EPDP, sometimes more successfully than others, by multiple people, not just me, not just this one time, so I don't think there's anything that's so inappropriate about raising it up.

Secondly, if we were going down that path this conversation would already be closed because it would appear that some votes have changed since Toronto, as Alan says, it would be great to see if the votes are no, definitely no, it must redacted, or eh, I could live with it either way because eh, I could live with it either way doesn't allow us to close the issue. So if we could get people who are on the fence to just say no or yes, then you know, I don't see where the problem is with counting noses so we could move on, we could have closed this 10 minutes ago if everybody have voted against it.

Kurt Pritz: Okay. Thanks, everyone. So we're going to leave this discussion behind and when we get to a consensus call we'll find, you know, whether there's consensus around this or not. With apologies to Kavouss, I think it would behoove us to dig into the ICANN comment to learn some more based on

what authority did they make that conclusion and by what authority did the cookbook rely in publishing that in the cookbook and to what extent are those three data fields, you know, address, city and postal code, combined or separate standalone to be redacted separately so we should get some input on that. And we should also get outside legal advice on it to see how others are handling this.

So understanding where we are on this issue, I think we should take advantage of the time between now and whenever we do this consensus call thing in order to better inform where we are on it. I'm just reading the chat before we leave it behind. So I'm going to close it off with that.

We have a couple items to go on the agenda. What I'd like to do is – still reading the chat – what I'd like to do is take a short break so – and I'm reading Skype messages too. What I'd like to do – so I got a message that says the consensus call is about making my assessment of support and I can't do that without asking people where they stand first. So let's do that to the extent we can, let's – how many people on the call believe that – let me put this the right way. You know, I don't know how much of a position to make the temp spec the default position or not because it's clear that many on the call disagree with what's in the temporary specifications and the conclusions there.

So I guess I would ask the question in the form of, you know, and everybody can vote but I'm just going to more or less count this by group. So how many people on the call will want to depart from the, you know, I wouldn't say can't live with but how many people would want to depart from the temporary specification? And I see Emily's in the queue, so please go ahead, Emily.

Emily Taylor: Thank you very much, Kurt. This is Emily for the record. Can you hear me okay?

Kurt Pritz: Yes but I think you'd want to be a tiny bit louder.

Emily Taylor: Okay. Thank you. I, you know, to some extent reflecting on the progress that we were able to make, very difficult questions last week, it's somewhat surprising that we're getting so stuck on apparently, you know, easier questions. I don't think they are but I think that the reason why we are stuck is because something Gina said last week, is this is the binary outcome, you either do it or you don't have it.

And acknowledging that there are strongly held views on the different sides of that equation, I think that there needs to be something more than that to go from the status quo would be my suggestion as a way out where there isn't consensus and unlikely to be consensus on these binary issues. So we stick with what we have, that would be my suggestion. Thank you.

Kurt Pritz: Can you – so when you say “with what we have” you're saying what's in the temporary specification? Oh so with that let's ask the question that way. So let's have a show of hands – I don't know exactly which color to do this but, how many people want to stick with the – or green or a hand up would be how many people want to stick with the temporary specification the way it's written which would be to redact the city name; and red would be how many people can't, you know, can't live with it or can't – do not want to stick with the temporary specification? So green would be the temporary specification and red would be against it. And we've got to do some scrolling here.

So I think then the right path for us is this, that – so what I see here is the contracted party – the RrSG and the RySG and the NCSG voting for the temporary specification and the IPC and the BC and the GAC voting for publication of the city name. The ISPs are (unintelligible). So I say this, we're kind of stuck here where, you know, we don't have consensus and although this isn't a consensus call, and so I would continue to go down the path we are and that is, you know, that's where we are right now and we'll take the remaining time we have to gather up additional information to see if any of that's persuasive. All right, thank you.

So we have a couple more items to go on the agenda and we have an extended timeframe for this meeting but I want to bring it to a close in front of the proposed end time but I do want to take a short break, so let's break for 10, we'll get – we're going to start exactly at 20 minutes to the hour, wherever you are, unless you're in India, then it'll be 10 after the hour. And we'll start at exactly that time. So I'm going to stay in the room but put myself on mute and I'll get a cup of coffee and I'll see you guys in a minute – 10 minutes.

We just about ready to get started? I'll give us another minute. I see Alan Woods has a – sort of point of order there about the phone connection.

Marika Konings: Yes, Kurt, this is Marika. I think that is actually a local provider issue. We don't, you know, on our side I don't think we said that people get disconnected after a certain time but I think local providers sometimes do to avoid people, you know, being on the call that they don't want to be on and just running up the costs. So at least for me it happens the same thing when I'm Europe but it doesn't happen to me in Costa Roca or in the US normally.

Kurt Pritz: Okay great, so the next – I better plug my laptop in, so the next topic on the agenda is Recommendation 14. For this one you might also have the initial report open because the recommendation refers to that and I'm sure you already know this, I think it starts on like Page 63, these – the identification of responsible parties so you might want to have that and if we get to a point in the discussion where we really need to refer to that we can put that up.

So with that let's just take – so we just finished a break but let's take five minutes and read the comment summary and PCRT and you might want to refer to the initial report. And again, we can put the initial report language up in the AC room if you want to look at it. I assume everybody's back and engaged.

So welcome back to the call, everyone. Thanks for taking the time to look on these things. This one's kind of an odd duck for me because the comments really kind of go to the gestalt of the recommendation and not recommend specific edits particularly to the table. And so how we handle this is somewhat difficult so I'd be looking to you for recommendations or advice on that. To a certain extent I see a chicken and egg sort of situation where, you know, the controller agreements that are – and data processing agreements, and I might be saying that the wrong way – that are developed to address these things will dictate the responsible parties.

And so kind of how to address that in this vein might – how to address that given all the detail in all these tables is somewhat confusing to me. You know, maybe this is a case where we create another small team to rake through these table by table, I'm not sure. I know in the comment some – one specific suggestion was that the responsible parties with regard to transferring data to dispute resolution providers need to be fleshed out in some detail.

There was also, you know, the comment about the controller processor agreements that are formed will affect these things, and then finally quite a long intervention from Tucows so we've got Sara on the phone and she might be able to take that comment and steer us in a direction for this. But with that, I'd like to hear comments really about – after reading the public comment even if it's your own team's comment, you know, about how this would affect how this recommendation would be written. Some input here would be terrific on this somewhat complicated issue.

So I'm pretty sure I'm not on mute because nobody's yelled at me about that yet. So given the comments, what concerns we need to address that were raised in the public comment in this recommendation the way it's written? I've taken from the public comment that there should be some changes to it either in how the topic is introduced or in the specifics but I'm not sure where. Come on, you guys?



Margie Milam: Kurt, this is Margie. Sorry I can't raise my hand for some reason; I'm sort of stuck. May I be in the queue?

Kurt Pritz: I sort of envisioned this conundrum because on every recommendation we've discussed I've pictured a set of comments in my mind either, you know, based on what we'd hear from the group or comments I would make but on this one I couldn't visualize it and I think everyone might be having a hard time wrapping their heads around it but we should start some sort of conversation. So I'll thank Emily for starting us off.

Emily Taylor: Thank you. It's all from the discussions last week that this might be a difficult area, and I think that the relevant input...

((Crosstalk))

Kurt Pritz: But certainly we can't hear Emily.

Emily Taylor: Can you hear me a bit better?

Kurt Pritz: Yes, I've turned up my phone all the way so I can hear you.

Emily Taylor: I'm so sorry. I'll just speak louder is all. This is an issue that we spent some time on last week and we also had some useful input from ICANN, we also had some verbal advice from Ruth and a promise that she would follow it up. So contracted parties have been suggesting for some time that more work is done in these areas and that, you know, and that agreements might be reached between ICANN and the contracted parties but there were some real points that stuck out for me last week were that these are issues in which people have quite a lot of disagreement. It's anyway not a matter of, you know, what the parties say but it is really a matter of law.

So, you know, maybe a way through to get us to the final report would be to just caveat the analysis in some way and say, you know, this represents, you know, I don't know, where we are on this, but, you know, further work is currently being done and it will be also a source, you know, that this is not the definitive word on these roles and responsibilities, that it's something that the contracted parties and ICANN will be doing more work on.

I notice from the level of attention around the room that this is an issue in which the contracted parties and ICANN were very thoroughly engaged but it perhaps (unintelligible) for some of the other members of the group. I might be wrong on that. So I would just suggest that we caveat the language in some way and highlight that it's not our – the final word on the matter or an easy issue and something that will be a work item for contracted parties and ICANN working together.

Kurt Pritz: So the tables below reflect the best thinking of the group based on the data and legal analysis done to date and – but we recognize there's sort of an iterative process at creating a final set of tables that involves the creation of the necessary agreements understanding how those contractual relationships affect and define the responsible parties and so this is subject to some sort of iteration in the future, something like that, is what I'm hearing Emily say. And but I'm open to correction. Margie, go ahead.

Margie Milam: Sure. This is Margie. On a different note, the recommendation has the processing flows for all of the purposes so in a sense we have to go back once we've finalized the purposes and see whether anything's been left out or any processing hasn't been identified. So it seems like we have a cleanup effort to do later on on that. And in particular I also wanted to raise the comments that were in the – by many of the BC, the IPC and a lot of businesses regarding the UDRP because I think that's one area for example where the data processing flows aren't clear and we need to identify how the data gets to the dispute resolution providers as well as identifying at some

point how the information gets revealed to someone who's interested in filing a complaint. Thank you.

Kurt Pritz: So in that case, Margie, what's the best way to accomplish that? So one step is to take amendments to purposes that have been developed and check and see if that affects these tables in any way; and the second is that you mentioned that there should be a separate, you know, that an effort is necessary on the DRP to flush that out. And it seems like a group of people could get together and attack that or someone could take that on and make a suggestion to the group how that specific table would be altered. Are those the two paths there?

Margie Milam: Yes, Kurt, I think that makes a lot of sense. I'd certainly be happy to work with the IPC colleagues to work through the process flows on the UDRP and dispute resolution providers and happy to work with anyone else that wants to work on it.

Kurt Pritz: Okay. And certainly the data flows for UDRP is going to be a subject of a call that you can join in a mere hour and a half from now if you want to do that. I think that's going to be discussed there. Diane, please go ahead.

Diane Plaut: Sure. Hi, Kurt. I think that it really – a starting point that's an absolute necessity is to get ICANN to define its role. We all have been presented with the ICANN Legal memo with regard to the roles (unintelligible) or position on joint controllership relationship or a sole controllership. This is just at a stage that needs to be in the beginning but yet to be moved further along. And our work is – really necessitates it. So I think that the first thing that we have to do is to get – ICANN has to land so we either have to get the legal team to either formally send a reply brief or – and/or to have a meeting with ICANN to be able to bring that issue forward.

Once we bring that issue forward we will be in a position to then, as Contracted Party House comments reflect and which is 100% accurate, we

can then – we then need to have a definition of what responsible parties means within our document. The final report needs to have this as any contract has to have the definition of what the terms mean. This needs to be clear; to have what is the roles and responsibilities needs to be 100% clarified.

And then from there based upon what Emily and Margie have said, it makes sense for us to be able to say within the final report if we can't get to that point that further work will need to be done to clarify the definitions and there needs to be in the final report some kind of firm commitment about ICANN's timeframe within which they're going to work with the Contracted Party House to come up with the necessary agreements and then the further data flow specification that needs to happen once those roles and responsibilities are defined.

But I think we need to set a game plan in place to really make this happen because we can't adequately go forward in producing the final report in which there are no definitions. So that's my comment.

Kurt Pritz: Could you put a little bit more of a point on your – the very first suggestion about the briefing or input from ICANN? So what specific question are we asking them to answer and what form would that take or what's an example of how they might respond to that?

Diane Plaut: Well after we – Emily, Thomas, Kristine and myself, we discussed offline the fact that if ICANN has now presented us with a legal brief, do we have to, you know, like Emily asked JJ at the meeting, do we have to, you know, what's the next step? Are we going to respond formally to ICANN and put forward our position in response to their brief? Or are we going to be able to have a meeting with them so that we come to a decision on where they're going to land in relation to their role as either a sole controller – a joint controllership relationship so that we could define the roles and responsibilities of the parties here.

And then once we do that within our document we could actually have definitions which the public comment is asking for. So I think step number one is to really get the legal team back together or as a group, you know, try to make some decisions on how we want to take forward defining the roles and responsibilities of step number one.

Kurt Pritz: Right. So let's – so if you don't mind me keeping the conversation going, I'm wondering how that – so I see that as a complex process, that very first step, and notwithstanding the discussion we need to finalize on the recommendation we have on directing ICANN to enter into the appropriate agreements with contracted parties, data escrow and others, I see that as a complex process.

You know, for each one of these purpose – I'm not sure for each one of these processing steps but at least for each one of these purposes and maybe processing steps, you know, there can be different sorts, so in one case there might be a joint controller agreements, in another case there might be like individual controllers but more than one and in another case, you know, one of the parties might be a controller and the other – others processors. And that to me is going to be quite a slog and certainly not within the timeframe we have. So I think – I think your roadmap is exactly right, I think how we handle that in our report and provide policy, you know, our policy advice to everybody about how to go about that is what we have to try to agree upon.

Thomas, go ahead please.

Thomas Rickert: Yes, Kurt, just quickly to chime in, I think it is – well it doesn't have to be that onerous or complicated. I think actually if we look as we've done so far and if we picture that, i.e. having your joint controller (constellation) and a couple of contractors, it's pretty straightforward. And again, I'm sure that many of you have read the news that one company has been fined €50 million under GDPR because there were some issues that the French authorities saw with

what the company has been doing in terms of transparency and how to obtain consent and all that.

And I think the choice that our group has to make is quite simple, do we want to come up with a construct that is safe with almost 100% certainty? Or do we want to try find ways to get a less safe (constellation) which might be less cumbersome to implement? And I will leave it there, but you know, I just wanted to go on the record objecting to your – to the notion that this necessarily has to be complicated. I think we have a relatively easy or straightforward solution (unintelligible).

Kurt Pritz: So thanks, Thomas. I was thinking – I don't disagree with you; but I still think that process – so maybe that was – I was – there was some hyperbole there in my reference but I was trying to make the point that the path for settling each one of those is probably greater than the time we have allotted to us.

And so I'm kind of – without seeing any more hands up I'm kind of going back to Emily's approach in the first place and that, you know, we, you know, the – let's see if I can tick these things off, so the team that's meeting after this is going to discuss data elements and in that data element discussion they're going to cover the dispute resolution processes as a matter of natural course in that but side input from the IPC or anybody else on how we handle dispute resolution processes would be welcome.

And then you know, for – and then the issues that Diane and Thomas bring up are, you know, this recommendation falls under those things; it's a subset I think of the tasks that Diane and Thomas are describing but I wonder in an effort to address this recommendation in the present we take up Emily's approach that does not freeze this recommendation and if we receive, in the time allotted to us, the clarity that we need to make changes in those tables we can do so but let, you know, give the policy direction that the negotiation of these different agreements will necessitate or is likely to necessitate an amendment to these things and we should take that up at that time.

Farzaneh.

Farzaneh Badii: Hi. Hi, Kurt. Farzaneh speaking. So I just wanted to mention a point I have about the dispute resolution providers and their access to – and their disclosure of contact details of the registrant by them to the complainant. So basically I think this is a very complex topic and we have to discuss various issues surround it, first of all whether the dispute resolution policy actually requires the – why it requires the dispute resolution provider to actually disclose the contact details.

Now, the problem is that if we have – if we now go and decide to discuss whether the dispute resolution is the responsible party or not and make a recommendation here then this might actually intervene with the work of the RPM review and the work that they are doing on URS and UDRP. So I am reluctant to just – with the group to be tasked to discuss the dispute resolution providers responsibility or disclosure at this point and I think we need to – we need to discuss this further and not just – and consider the work of the RPM as well and their suggestion so that was about – for the rest of it, I don't know, it looks very complex; I don't know what you want to do with it but I wish you luck).

Kurt Pritz: So – I was on mute. So thanks for that comment, Farzaneh, I won't comment on it now but I think we need to circle back to it. James, please go ahead.

James Bladel: Hi, Kurt. James speaking. Can you hear me okay?

Kurt Pritz: Yes. Much better.

James Bladel: Okay. Great. Thanks. Thanks. So just I'm a little lost and I'm not sure if it goes here with this recommendation or if it belongs sort of higher up in our report, but in Toronto, if memory serves, we had a conversation and I felt like we had at least a lot of heads nodding around the room, that there would be

some sort of overarching recommendation/disclaimer that all of our policy recommendations resulting from this EPDP were predicated on some kind of appropriate data controller or data protection agreement being in place between ICANN and the contracted parties and that really, frankly, a lot of these recommendations don't work absent that agreement.

So I don't know if that belongs here with Recommendation 14 or elsewhere in our report but I just want to note that it is related to this recommendation. Thanks.

Kurt Pritz: Thanks for that. And I think that's an important point that we should memorialize that. And so I almost think it belongs in both places because the existence – the formation and existence of those agreements, particularly inform the very detailed recommendations here. So most of our recommendations are at the appropriate policy level but this one in attempting to identify issues in the temporary specification and address them, you know, dive down into this level of specificity about calling out the relationships that in fact can't be finalized until all those agreements are done.

And I agree with Stephanie that there's obligation for ICANN to come to the table on this. I don't know what a (Jenga) is. So I'm still – so I have a couple of things to talk about and then leave this behind. So I'm still not deterred from Emily's recommendation that these conditions here are predicated on our analysis to date, our best thinking. They might be to address one comment in the chat.

They might be perturbed by the data analysis work that's going to be going on in parallel with this. And they are likely to be perturbed based on the final form of the agreements that are arrived at. And so in order to – and I don't see, you know, with the appropriate caveat, I don't see a big risk in leaving the tables the way they are unless someone has specific recommendations and I don't see how we can get it right in the interim. So again, I think I'd



leave it up to us and staff to come up with the language, you know, read Emily's comments over again and take most of it for verbatim. So my first point is, I'm for that approach.

My second point goes to the specifics of the DRP analysis and Margie's and Farzaneh's interventions, so I just want to make clear that hopefully not – hopefully (unintelligible) with the can of worms that to me clearly this is the flow of data that is post-filing and how that works out. And so that might be somewhat complex but to the degree it can be untangled I don't see a problem with attempting to do that. I think a prerequisite for that might be to understand what's going on in the data elements review which will likely flush a lot of that out.

So I think our path home from here are those two things that – okay. So that's my proposal on those two things, to create some language around the temporal nature of these recommendations given the iterative nature of the degree formation and its effect on this and that the degree formation will necessarily take longer than the time we have. Insert James's, you know, ensure that James's point about that this relies on the formation of agreements is in place. And then third, there's the data analysis that's going to occur that will – might change the data flows in DRP that will then – might could affect these things so those that want to see more detail in that particular one can suggest a change for review by the group.

Go ahead, Margie.

Margie Milam: Sure. This is Margie. I think where I disagree with your assessment is with regard to the pre-filing issue. I don't know that we've really fully explored that and that certainly came through loud and clear in the recommendations. You know, what you're talking about is data – what you mentioned was data flow to the dispute resolution providers after the complaint is filed but there's a significant amount of comments that talk about the need to have that before

the complaint is filed. And so that's – I'd like to understand when we're going to discuss that issue.

Kurt Pritz: Thanks. And I'll come onto that in a minute, Margie. Go ahead, Farzaneh.

Farzaneh Badii: I actually – thank you, Kurt – I actually wanted to comment on what Margie now said. When you say actually pre-complaint, I don't really understand – pre-filing – I don't really understand what you exactly mean, but in the past you have mentioned that you need access to the domain name, the contact detail of the domain name registrant that might be violating some trademark rules. So which I think is unacceptable and it was never accepted by our group. And also you have mentioned in a couple of comments here the mention of reverse Whois and having access to multiple domain names and their contact details for – before filing the complaint.

So if that is what you mean, Margie, I think it's totally unacceptable and I think it is unacceptable to go into the details of having access to contact details before filing, which is unfair and we have multiple times said why it is unfair. Alan Woods has also made some points with this regard. So I don't know why you are bringing this up again.

Kurt Pritz: And I think I'll take responsibility for it. It's – to me it's an issue outside this one so I don't want to discuss it at length. I remember there was discussion about, you know, such an inquiry falling under Purpose B and then a pretty clear recollection that we were going to have this discussion in Phase 2 as it would be affected by the results of the access discussion and that may obviate the need for doing something special here. Okay thanks, Margie.

So is there – so I'll let somebody object if they don't wish to discuss – wait, I'm going to start that sentence again because I screwed it up. I'll just pause for a minute to see if there's an objection to the approach of caveating these recommendations with the idea that the formation of agreements is on the critical path to determining that these elements are certain and that that has

to be formed and ensuring the final report that we take – report that indicates both at the macro level and the – and at the level for this recommendation right here, anybody object to that?

Excellent. Okay groovy. Okay the next item on the agenda are general comments, so these were comments that didn't apply to any specific recommendation or purpose. And so this is – I don't know where this is going to take us but I'm going to have to reread these again myself. So please take five minutes and go through the general comments and if you can the PCRT and then – oh wait a second, so Amr, can you – before we go onto that, Amr, can you please indicate what you don't understand?

Amr Elsadr: (Unintelligible) any objection to (unintelligible). I apologize, my (unintelligible) very slowly, there's a bit of a lag. I'm having connectivity issues on my end.

Kurt Pritz: Amr, I didn't quite hear you. Are you asking what my question was about Recommendation 14 or about these general comments?

Amr Elsadr: No, about Recommendation 14, Kurt.

Kurt Pritz: Okay, thanks. That's what I thought. So my reading of the discussion is this, that we'll not change the tables unless it comes up through further analysis that we should change the tables but rather state that the tables that are a part of Recommendation 14 are part of our – are based on our legal and factual analysis and our best thinking at the time but they're dependent on the completion of agreements – of appropriate data processing agreements, between and among ICANN, the contracted parties and other providers and that the form of those agreements will – might necessitate change to these tables and so we should understand that.

Amr Elsadr: Thanks for that, Kurt. This is Amr. Sounds good. Thanks.

Kurt Pritz: All right. On these general comments let's apply our general theme as, you know, let's look at them carefully, bring up specific comments by those – because – make sure we want to establish a record for reviewing the comments carefully and, you know, which of these raise issues that this team should consider for making edits or additions to the recommendations we have to date? So long, Alan, thanks for your constructive participation. And I'll give us five minutes to read through this.

Thanks, everyone. So I noted some – some of the comments in here listed issues that are being discussed either in – under other recommendations or that have been taken up by this group but there are some – also some unique contributions; I'm intrigued by the one that allows registrants to establish their own Whois service and how that would work.

I'll note for you that for those, you know, after having read the comments carefully as I'm sure you have, there are some SSAC comments in here that didn't appear in the public comment but they appeared in the recent SSAC 104 document that addressed these issues too, so what the support team did was take those comments out of that document so the full SSAC comment was fully fleshed out.

So with that, you know, let's rely on our standard and say, you know, what concerns or issues were raised here that we should discuss for possibly addressing in our report? And or if there's comments in here that should be directed somewhere else in order to address it. Margie, please go ahead.

Margie Milam: Sure. This is Margie. As I was looking at the comments, a lot of them we've tackled in different areas. I think one we haven't really focused on is the recommendation for thick Whois on the –at the registry level and the second one that I can't remember where we landed, although I do believe we've touched upon it since the initial report is the privacy proxy issue, so those two I'd like to mention as ones we probably need further discussion on.

Kurt Pritz: Thanks, Margie. And is there a venue – anybody else or the support team, is there a venue where thick versus thin Whois is going to be discussed? I know at a basic level when we go through the data elements and we will learn based on the requirements of the parties where data would be transferred and that would likely have an effect or identify the need for a thick Whois discussion but I'm not sure what the requirement of it is. But the initial look at thick versus thin Whois will be in that data flow discussion. Amr, please go ahead.

Amr Elsadr: Thanks, Kurt. This is Amr. And this is a personal opinion because we haven't – I don't believe we've discussed this within the Non-Commercial Stakeholder Group, but, you know, I can't say I disagree with the comments that we're looking at here on thick Whois. Personally speaking, I would be very happy to do away with thick Whois altogether. But I am not very confident that this is something that we should be looking into as an EPDP team.

The thick Whois implementation review team has a mandate to address emerging issues where conflicts between the thick Whois policy or any elements within the thick Whois policy because, you know, the policy covers a lot more than just, you know, the thick registries versus thin registries. But the IRT does have a mandate to address emerging issues where a conflict between the policy and privacy and data protection laws become more apparent. And they're supposed to flag this to the GNSO Council and, you know, in combination the Council and the IRT are meant to take some form of action.

I think this is a – it's a big issue and I don't think we have the time or the mandate to really get into the, you know, the depths of what the considerations of thin versus thick are in this context and perhaps leave it to others who are better suited to do so but that's just my personal view. Thank you.

Kurt Pritz: Thanks, Amr. Alex, go ahead.

Alex Deacon: Thanks, Kurt. It's Alex. My comment was on privacy proxy so I'm happy to yield to others who want to continue the discussion about thick Whois.

Kurt Pritz: Okay, why don't you – why don't we – leave your hand up there and let's go to James.

James Bladel: Thanks, Kurt. James speaking. And thanks, Alex. And my comment actually is on this entire table, so maybe I should go behind Alex.

Kurt Pritz: Marc, is your of course about thick Whois?

Marc Anderson: Hey, Kurt, it's Marc. Yes, it is. And, you know, I wanted to respond to it a little bit because I think there's a risk of missing – or mixing topics with this one. One of the things that we as a working group have talked about certainly is the transfer of data from registry to registrar and so that would be a thick registry. But that's not necessarily the same as a registry displaying the thick data in its RDS output and that's something I don't think we have talked about as a working group.

So, you know, I guess the first reason why I raised my hand was just maybe to make that clarification that there's two things we're dealing with maybe is the transfer of data from the registrar to the registry, which of course is a processing activity but then also the disclosure of the data in an RDS type system at the registry level which also is a processing activity but also, you know, is separate and different and I don't think that's something we've considered.

From a practical standpoint though, you know, I do think more discussion needs to be had. I'm not sure from a practical standpoint what discussion we can – I'm getting some music playing there. All right, so from a practical standpoint I'm trying to think, you know, what is it that we as a working group need to do in Phase 1? What is it we need to do in Phase 2? And what is it –

what aspects of it are best left to another group, I think Amr was pointing out that there's a thick Whois implementation team that is still – that still exists although they've been on hold for some time, you know, I think waiting the results of our work.

You know, so I think it's a little – it's a little involved, right, but there are some things we can solve ourselves but maybe not here within this Phase 1 report; there are some things we may wish to consider in Phase 2 and there are some things that we may wish to refer to another body. But I guess without having all the answers here in the intervention I just wanted to sort of flag the difference between thick registry and thick display and point out that we have different options to consider on the table. Thank you.

Kurt Pritz: Yes that's an excellent distinction. Thank you for making it. Alan, are you in the thick Whois discussion?

Alan Woods: I am indeed. I just wanted to add some things to what Marc was saying there as well and that is, you know, at the end of the day we have to be very clear on what we're talking about as well and the entire point of us coming to a view the data that we are collecting for this crazy world we call the DNS is not about defining what is thick and what is thin, it's about defining what the minimum data set is. And that would apply across the board.

And there are contractual obligations and whatnot and different business models that we have to contemplate as well but the whole issue we need to think about is that as a group our job is to define what data is necessary in this ecosystem for the jobs that we are trying to come up with the purposes that we're trying to come up with and it's not a thick or thin, it's they are persuasive and perhaps for some an argument but it's not about that.

So we need to be clear, we're coming up with one dataset and then we apply it. So let's not make this into a scrap about thick v. thin, it's not, it's about

defining our data, the use of the data in this ecosystem. And I think with that in mind we should be able to move forward quite easily.

Kurt Pritz: Sorry I'm just – well I was on mute but I was just thinking about that too. And wondering – so we're going to have the discussion on Thursday about data transfer from registrar to registry but I'm also you know, I'm also getting Marc's distinction here that transfer of the data doesn't necessarily include publication of that data in some sort of Whois or RDAP database, so it's somewhat of a different discussion.

And so I wonder how we have it. And I wonder, you know, so I hate to say this but I wonder if it's somehow part of this access discussion also because we're trying to – in that access discussion we're trying to create a mechanism for reliable access to data in a way that's compliant with GDPR.

And so in fashioning that, you know, one of the ways to facilitate access to data was to create the thick Whois requirement but the access model or some – or something having to do with the RDAP, which I don't know what it might be, you know, might also address that need and provide reliable access to the data when it's compliant with GDPR. So I wonder if that's the way home here to put it off. Well I guess we'll sit on this for a second. And go ahead, Alex.

Alex Deacon: Thanks, Kurt. It's Alex. I just wanted to touch upon the topic of privacy proxy. We've had this discussion in the past. We suggested in our comments that an additional recommendation be added as to how to handle privacy proxy registrations. There was a recommendation or I guess an obligation in the temp spec around this and I think we should add this – a similar recommendation in the final report that deals with how to deal, you know, in the case of domain name registrations where it's known that a privacy proxy service is used, that the data returned is unredacted.



So in the IPC comments we made some suggested – we provided some suggested language. I could copy that in the chat. Heedfully it's not too controversial of a topic although I suppose I'm being overly optimistic there. But I think some recommendation with regard to how privacy proxy information is handled would be helpful.

Kurt Pritz: And what's the change here from the existing temporary spec, Alex?

Alex Deacon: Yes I'd need to do a (dis) there. I mean, I think the – what was in the temporary spec was – I don't know off the top of my head but I could find out. I think the intent of what was in the temporary spec was kept and I updated it to just make it fit better into a recommendation but I could double check that.

Kurt Pritz: All right, thank you. James, let's have your gestalt comment.

James Bladel: Thanks, Kurt. James speaking. And I'm probably going to be a bit of a contrarian on this, just reviewing some of these general comments. I think that while I don't disagree with a lot of these are important and are congruent to a lot of the things that we're discussing in this EPDP, I think that in the majority of these cases, whether we talk about thick Whois, privacy proxy, transfers, and some of the other topics flagged in this comment, you know, it seems to me that there's a separate and perhaps more narrowly appropriate group that we could refer this work to as a follow on whether it's the access group or the rights protection mechanism group, the thick Whois implementation review team, the privacy proxy implementation review team, there's just some other group that is making this kind of their full life's work.

And I think trying to take this on within the context of the EPDP either, you know, by really anything beyond just flagging it for those other groups I think is – starts to look a little bit like mission creep for us and also probably jeopardizes our timeframe. So I just – I feel like this chart is, I mean, a lot of these are good, they're all important, clearly people felt strongly enough to include them in their comments, but I think we need to be very jealous about

the boundaries of what we can and can't take on within this EPDP and what things need to be kicked outside the groups. Thanks.

Kavouss Arasteh: Excuse me, the voice was too weak; I couldn't hear anything, too faint. Thank you.

Kurt Pritz: Thanks. Thanks, Kavouss...

((Crosstalk))

James Bladel: I can summarize that a lot of these issues are important but a lot of them more appropriately belong to other groups and I don't think that the EPDP should wade into a lot of these waters and instead refer them to other groups. Hopefully that was heard. Thanks.

Kurt Pritz: Thanks. Thanks, James. Marc.

Marc Anderson: Thanks, Kurt. Marc Anderson for the transcript. I'll just, you know, I agree with what James said, so not to repeat everything he just said. I guess my suggestion is maybe we try and do a little more triage with this. The further discussion required column, instead of just being a binary yes/no, maybe this could be a, you know, is this – does this require phase, you know, does this necessitate changes to our Phase 1 report? Is this something that can be done in Phase 2? Or is this something best referred to a different work or body? So I support what James said and just maybe suggesting a way to further triage these additional notes.

Kurt Pritz: Okay, and thanks for that James and Marc. And maybe the path there is for the support team and us to take a whack at doing that triage, giving your guys direction on this that we suggest where the next conversation on these might take place so we memorialize them, find them a home and then – and suggest that to the group for review to see if we can do that. So to the extent I

think we'll be able to do that and the extent we can we'll take that on and make that recommendation to you guys and see if you can.

On the thick Whois discussion, I think that we're going to talk about data transfers from registries – from registrars to registries in the next call after the data elements call that's coming up and so we'll see how that affects that but I really take on board Marc's intervention that disclosure to registries and publication of that data are two separate things. And I'd like to think some more about how the access discussion and the thick Whois discussion might be interrelated.

And finally in the case of the privacy proxy service, to me it seems like the – I don't see the difference between the recommendation and what's in the temp spec but I – and I understand that – my understanding, which might be incorrect, is that a – if the registrar returns the proxy or privacy information that wouldn't be disclosing any personal data so that might be okay but I read Stephanie's comment and give that appropriate weight. So I think we have to have a discussion on that one before we could agree to it.

All right, with that, I'm going to – James, you have a hard stop at the top of the hour and I'm pass my hard stop, as you guys can all tell. So with that I'm going to bring this discussion to a close with those action items and direction and just...

((Crosstalk))

Kristine Dorrain: Actually, Kurt, it's Kristina.

Kurt Pritz: Yes.

Kristine Dorrain: I apologize for interrupting but I had to drop from Adobe to get from my hotel to the office. And I just wanted to flag before we totally close off this other issue that I do think that there is a comment that suggests that we take a look

at the definition of gTLD registration data. I don't remember what the commenter had to say specifically about it in terms of suggesting any alternatives. And I don't want to get into it now because I don't have access to any of that but I do just want to flag that before we close off on the kind of other comments issue. Thanks.

Kurt Pritz: Okay, I don't know which one exactly you're talking about. So to the extent you could bring our specific attention to it later that would be good but in the meantime we can go through the comments and look for that. So that'll be on the record and we'll make a note of it – well we'll make a note of it; on the record is the same thing but we'll take some action. Thanks, Marc. Thanks, Kristina.

So I'll turn this over to the support team now and ask for action items and general wrap up.

Marika Konings: Thanks, Kurt. This is Marika. If I maybe can make use of the opportunity as well to just briefly cover Item 4 to the agenda and just to remind people that we have circulated a first draft of the final report in PDF format in redline form so you can see the changes that have been made compared to the initial report.

We also shared, similar to what we did for the initial report, a Google document where you can start putting in your, you know, proposed comments, edits or concern so that these can be further considered, you know, and any minor updates, you know, grammar corrections, you know, staff can take care of those. And of course any substantial or substantive issues we'll need to come back to the team for further consideration.

We did also provide some guidance, there is some color coding in the document that, you know, hopefully gives you some guidance on the status of the different sections especially when you look at the recommendation that foremost goes to, you know, language that has been agreed at the Toronto

meeting so, you know, kindly requested to note start making suggestions there as that will trigger further review and consideration.

I think we have a set of blue item that are in the process of discussing so if you have, you know, suggestions or proposal for those you're requested to bring them up in the context of those conversations and I think then we flagged some yellow items that, you know, staff basically will need to update once language has been finalized and that, for example, goes to you know, some of the proposed language for the recommendations where in principle agreement was already reached in Toronto. So we hope this is helpful. You know, as soon as possible please start your review.

We also noted if there are any more – bigger kind of suggestions on reorganizing or reformatting the report, you know, please also share that with the list so the group can consider that, you know, again the sooner the better especially if that means an overhaul. We did also mention that of course, you know, you have the possibility to develop a separate standalone document if there's a need or desire to communicate, you know, the reports in a different way to a broader audience as this, you know, the audience for the final report is really the GNSO Council and the, you know, subsequently the ICANN Board.

So having said that, I'm sorry for taking the opportunity to do that. I actually noted I think one specific action item in relation to – let me just double check – I think that's the Whois accuracy conversation, Kurt to draft a question for submission to the legal committee for Ruth's consideration in relation to what accuracy requirements under GDPR mean and what the impact could or should be on the EPDP team recommendations.

And I do believe in the notes, you know, James provided some more specific language as how that question could be framed. I think then, you know, the other action item just came out of the conversation we had for the team to look further at the general comments and pick up on items that require further

conversation. And I think that was also an action item in relation to the conversation we had on redaction or non-redaction of city for everyone to have another look at that information and see if that changes the positions that were expressed during the call. And I think that's all I have noted. Thank you.

Kurt, are you still there?

Kurt Pritz: Great. Thanks, Marika. Yes. Great. Thanks, Marika. Are there any comments or questions about that summary or anything else during this meeting? Well thanks – everybody was really constructive for all three hours so thanks – and energetic, so thanks very much for being here and I'll see you – I'll see all you guys very soon. So long.

Terri Agnew: And once again the meeting has been adjourned. Thank you very much for joining. Operator, if you could please stop all recordings? To everyone else, please remember to disconnect all remaining lines and have a wonderful rest of your day.

END