

**Transcription ICANN61 San Juan
GeoTLD Group Sharing Session
Wednesday, 14 March 2018 at 17:00 AST**

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

Woman: Since it looks like we have a small group today if everybody wants to move up to the table it make it much easier to discuss things with you. (Simla) come on up. (Ronald) bites over here so you might not want to sit next to him but the rest of the table is still empty. Come on up.

Dirk Krischenowski: Yes everybody can I think we have enough place here on the table so everybody who's interested can come on and sit at the table if he or she wants.

Woman: Okay. If we can please start the recording. Thank you.

Dirk Krischenowski: Okay my name is Dirk Krischenowski, Vice Chair of the geoTLD Group and I welcome all participants in our second session here at the ICANN meeting in San Juan in Puerto Rico. Yes I just wanted to share one slide which was missing was that breaking news about the timeline of the new gTLD program. That was a timeline that was presented at the GNSO meeting and you see there that a Q1 2021 is that application submission period date

where in the best case but they didn't present any other case applications may be accepted. And you probably followed around discussion with ICANN financing and the budget and when the next round may start and so on in the last couple of days. So to - is - are there any questions on this or comments? Rubens?

Rubens Kuhl: Rubens Kuhl .rio. Just reminder this is the absolute best case. So it's really, really optimistic the timeline. So there are many challenges some of those mentioned during the session that was presented. So something more closer to end of calendar year 21 like Q4 is more realistic than the best case. Hope that Jeff Neuman doesn't hear me saying that. Sorry to be realistic about this.

Dirk Krischenowski: Any other comments on that? Okay then I have two other housekeeping topics. One is we are doing the new or updated roster of the group so it would be really good if you could update your information. I think it was sent around and would be really good to have an update especially on the persons who are the principal and the alternate representatives.

And then we have for tomorrow there was coming from Russ Weinstein reminder on the session tomorrow between 1230 and 1330 in this room here Contracted Parties House session about GDPR again. So if you are there it will be I think good to come here. So yes please (Sue) can you yes. Today we will continue our members exchange on GDPR first then going to marketing experience and best practice. And I hope I can exchange or we can exchange in-between. I had some talks with WordPress how to integrate your geoTLD to their list of available TLDs and then any other business. Comments to this?

Okay then we jump into the next slides. We had already some discussions starting on Sunday. And could you please go through? Yes the next one was some points on the interim model. Then the next one what the registries and registrars were writing in the end of February about GDPR. And then we had

the next one there was a comments by DNS Belgian (Peter) explained a bit more in detail.

Then the next slide the slide call, the comments call made. Let's see the next one and the next one nominated searchable Whois which I don't know if there is an update nominate made here in the – at the ICANN meeting. It doesn't seem so okay. Please next slide.

Yes and what the idea for the session now is to exchange with you all on the different points. I listed here are a couple of points and I would want to have – get a feeling of – for the group. So all group members should say what they are planning or I will be happy if they could say what they are planning on the several points.

We will take notes but not with your TLD mention. Just a note. We have three members or five members here present in the room closing the Whois completely and three members only showing the email address or something like this I – to find a common picture among our activities here. And I think we - I don't know what all the members are doing here. Would be - I think it would be really interesting to see what happens there.

Is there anything to comment on this procedure or would you go through with me? I would take notes on that then we would start with a Whois visibility that's on the next slide. Who wants to start what he's planning to do?

Volker Greimann: Okay Volker Greimann .(island). We will closely follow the model that has already been implemented by one of our customers .Amsterdam .frl in this case. .Amsterdam is not our customer but they have the same model is .Amsterdam because they operate by the same operator not the same backend.

So we will hide the data of private individuals and as we are not able to differentiate at this stage who is private and who is not and automated

fashion organizations will also be hidden first. We will provide an ability to contact the registrar through a Web form otherwise and we will provide this - the country of the registrants. That's it.

Dirk Krischenowski: Okay yes to the access points we will come later and retention and when you're - are you implementing. So I noted following the Amsterdam model is one thing members are doing. I - just I think it's best to make around just here.

Rubens Kuhl: In the case of .Rio all (countries) will remain visible. .Rio is eligible to citizens of Rio, not only Brazilians but citizens of Rio. So it was decided GDPR are wouldn't apply and just keep everything as it was before.

Dirk Krischenowski: Okay (Lucky Simla)?

(Lucky Simla): Apologies I didn't hear the question. I've been looking at something else.

Dirk Krischenowski: Yes we're discussing - just wanted to know what are you doing with your geoTLDs? Are you following the GDPR models are will it be like in the case of .Rio everything as before?

(Lucky Silma): Well we're still looking at the various models of implementation. The one thing that we're struggling with is understanding that there's this new profile that ICANN is attempting to prescribe in terms of Whois and in trying to marry that or link it to the various models of implementation. We are definitely following the discussions in all of the streams. And we've looked at the regulations it's self because it does apply to foreign entities that service EU clients. And so we are also subjected to the penalty provisions that seem to be quite excessive.

But we haven't come up with a solution at the moment in terms of how we would implement. But we definitely are following the communications - well the discussion streams at ICANN.

Man: Thanks. I think for us we are also looking at a long-term solution, not a Band-Aid or two react to what is going to be legislated in the next few weeks or months. So is it also to come up with as I say a long-term solution making sure that we are also compliant with our own, you know, privacy issues of privacy policies in the country. And it's a balancing act, you know, keeping that balance, you know, at the global level and at the local level to ensure that we are not found in breach of our own policies and legislations. Thanks. We are not running a TLD so we will implement what our customers decide.

Man: .Is and .Istanbul. We actually as a country we I think follow what the European Union's countries do especially on the Whois data privacy because we - our TLDs are also implemented by the governmental agency I mean municipality actually. So we're discussing actually with the ICANN Istanbul office how we're going to go on and most probably we're going to go with the Whois privacy implementation by the EU countries.

Man: So I should make a distinction here when I talk about .Cat including .Barcelona and all the other TLDs we are working with at (Core). When it comes to .Cat, you know, we are in a very unique position here because the Whois has already a model. And what we are trying to do and we don't know yet how it is going to unfold in the interaction with the ICANN staff is to say that we want to keep our model. We don't want the one single model that Goran said in one of the conferences. So we want to keep - stick with the one model that we have that is embedded into our registry agreement. And then we'll see because we don't know how the balls are going to, you know, be falling.

But when it comes to .Barcelona, you know, the city Council so it's also a very unique position and we are going to advise them but that they will end up doing what they think is best. And as for the others like .Ls or .cloud for .Ls we've been negotiating with the TPA. And it looked at some point that we were going to be receiving a clear endorsement from the Spanish TPA quite

stronger than the one we had years ago for .cat because it was more nuanced.

But in this case they seem (unintelligible) on going forward. But everything stopped at the moment. That's ICANN decided to pursue this discussion about the models. So it's wait and see in this case for us. We know that we have the backing of the TPA but until, you know, we see what happens I don't think there's going to be any decision on their behalf.

Man: Yes I think the same, we're just following what our clients' requirements are if they're going to implement it, how are they going to implement it and we'll respond accordingly as DNS Africa.

Man: For .win registry we'll be let's say 99% following the model that geoTLD Group has developed in - or developed proposed in (Billbaun), our (Billbaun) meeting. This is the model that mainly has been written by (Marion Afnic) and (Afnic) in person (Marion) and Navistar hiding various fields of personal data. And it is at about 99% that we are following that.

Dirk Krischenowski: Dirk Krischenowski for Berlin and Hamburg. It's the same like (Ronald) said. I think we are not that apart on this. So following say Amsterdam EU or geoTLD model and show no visibility of any admin owner or tech data.

Man: .dubec as it's been mentioned is in the wait and see position right now. So we'll stick with what we have and what our customers have right now. Thank you.

(Cedric): (Cedric) from .Paris. We are – we have a solution. We already (previews) to implement it on 25 May. It's a solution of the .fr that we have – we had since ten years. How we do it we will anonymously personal data of an individual person as soon as the organization data is not completed. It is a possibility today in the gTLD Whois so we will do it to be ready with the (Euro Turn) low

on the 25 of May. As soon as this organization data is completed it's public and we decide to publish the Whois data.

We already inform ICANN about it and we already update our RRA on also from ICANN about it. But we not for instance inform our registrars. We tell them especially here in ICANN meeting that we wait - we are waiting for the agreement of ICANN. It's not really agreement. It's just the fact that ICANN just will taught us that we will not receive any compliance notice with this model.

Man: May I? (Cedric) I may have lost you there but what you said you're going to do with the RRA? Have you started the RRA amendment process with ICANN already?

(Cedric): We stop we sell it to ICANN yes for amendment. And all our customers are in from (bizid h) add it to ICANN also. And (Alsas) will send it and (Corcial) so will send it.

Man: Thank you.

(Cedric): We have a common model for French gTLDs.

(Lena Forklin): (Lena Forklin), a backend registry operator for several gTLDs and well it's as every other backend operator (unintelligible). We're actually waiting for our customers to decide. We do have different proposals probably at hand as there are customers that would prefer different ways.

Dirk Krischenowski: So but Dirk Krischenowski. Are these – these customers are in the EU economic area then or...

(Lena Forklin): Well several of them were just talking about that they have a different thing in mind so they were here.

Dirk Krischenowski: Okay.

(Lena Forklin): So you - all of them know actually about that.

Dirk Krischenowski: Okay then that was interesting picture. That was more colors than I thought before. I will put some notes so that I noted for instance I have – we have five that follow the Amsterdam EU geoTLD model. We have two that are visible as before because of outside EU geoTLDs. So some are working on, some stick to the ccTLD model let's say, some waiting for a final decision of ICANN. So this – these are the different flavors I noted here. So please. But yes that's easy to answer differentiate between public and person data or personal data and organization data. Maybe we'll start with you.

Man: Yes I already told it. We differentiate the person organization data with organization data in Whois. So as soon as it is completed it's an organization. As soon as is not completed it's a person.

Dirk Krischenowski: Okay.

Man: I don't have any comment on it.

Dirk Krischenowski: Okay.

Man: In for Berlin and Hamburg we will not differentiate because we have – we looked at our data and thought it doesn't make sense because yes it's you can't differentiate.

Man: Same here with as with (Ethnic), differentiation if the organization field is filled it's an organization. Otherwise it's a person and we will differentiate.

Man: In this case we had some experience with .cat about what it meant to introduce this differentiation and how the registrars, how that played with the registrars when they were asked to enforce this request to the customers and

it didn't play well. And some of them by default just made the selection because we in .cat request them to indicate whether they are an organization or not and if they are individual whether if they want to opt in - no it's opt out I think right? I don't remember anymore.

But we will request them to make that distinction when they are registering the domain name. And it's not easy. And registrars yes I mean, you know, that they make that distinction by themselves that leads to some optimal results. But I don't think there's much more you can do because you have to provide the elements and you have to enforce them but you cannot simply expect all the registrars to do it in the way that you intend them to and that's what it is.

Dirk Krischenowski: Dirk Krischenowski and a question to that. Is it – you said that you had you asked your registrars to do it for these registrants which are already there. And do you see a change in the quality of data for the new registrations?

Man: I could say. It was not relevant. No, perhaps it was a bit more accurate but that may have just been, you know, incidental, not a consequence.

Dirk Krischenowski: So that would mean for .aus and (.gal) and .Barcelona you don't differentiate...

Man: I still don't know.

Dirk Krischenowski: Oh okay.

Man: Yes.

(Yessin): (Yessin) .is and .Istanbul. Generally the ccTLD we have .tr implements depreciation. It's just a company because they have to present some kind of document. But concerning .is and .Istanbul it's normally there's no

requirement for document submission or something. With the new implementations we'll see if what we're going to implement actually if there's any depreciation or not because it's just what they actually present in their data so we will see about that after the discussions, yes.

Dirk Krischenowski: Who wants next?

Rubens Kuhl: In the case of .Rio you already hijacked the organization field to express the taxpayer ID either of a natural person or a legal person. So the organization already doesn't have the organization name. And because taxpayer IDs in Brazil are different for natural persons and legal persons we could differentiate that without a doubt so that would be interesting if when we differentiate that but so far with output for is equal for both natural persons and legal persons.

Dirk Krischenowski: Okay.

Volker Greimann: Yes Volker Greimann speaking. Brazil is not the only country that abuses the organization fields. Organization fields are abused by registrants as well for all kinds of information. Sometimes they just put their name (again) and sometimes they put some funny information. So the presence of data in the organization field is for us from our experience as a registrar different hat, completely unreliable to make the differentiation.

We would have to do something outside of Whois to make that determination similar to what for example Nominet is doing where the custom - where they have different fields that the customer can use to self-identify as whatever the fields available are which one of which would be organization or private individual. So we cannot use the Whois. We would have to implement something else. That would mean that we would have to go through our registrants and tell them that - our registrars and tell them that we have a new API command to implement which they will rejoice at so we're not doing that either.

Dirk Krischenowski: Okay thanks a lot. Yes we go if there are no comments to the next question. So the gated access model and it's - I think it gets a bit more complicated on that term. And I was putting some ideas here to see if the - especially in the access model is more automatic, semi-automatic or self-certifying or manual which is a strong differentiation. And for that I talked yesterday to (Giovanni Zapia) from (Urit) about it and they are still waiting from the - for the European Commission to make some advice how (Urit) should handle this whole thing.

And that should have come already in November but they are expecting this next week or the other week to come. And they might update their access procedure which is at the moment manually with paperwork and we will see how this works out. I think it's interesting for all the parties which are based in the European Union then. Yes Volker?

Volker Greimann: Well to make this easy we will probably implement a gated access model as soon as the ICANN community can agree on such a model. Until that time your access - your gated access model it will be partially sitting in front of you, partially the team is still in Germany so we will have a very restricted model where we say that if you can demonstrate that you have a legal right to access that data we will give it to you and that has to be requested on a case by case basis and it will be manually reviewed.

I've no idea how many requests we will receive yet. We assume there will be little to none but anyway this will be a manual process at the beginning and we will then phase-in a community model once that is developed and approved.

Man: I can speak to what .br is doing answering the third bullet. Most .br information is accessible by Web Whois provided you answer a capture including knowing which domains are registered by a specific legal and natural person. The only exceptions to that are somewhat limited to law

enforcement where they bypass rate limits but they don't get to see more information than anyone else could see by answering a capture.

Dirk Krischenowski: Yes Africa and Joberg, Cape Town?

Woman: At the moment we follow a very manual process for access to certain data that's obviously not reflected on the Whois. We haven't looked at anything beyond that for now but it's a very manual process with justification that's required from the requesting organization. And whether it's, you know, from law enforcement or via a court order or an affidavit from the SAPS for instance so very much manual at the moment.

Dirk Krischenowski: Who's next? Istanbul?

Man: I'm not sure if I get the question correct but give your access model to Whois data provided...

((Crosstalk))

Dirk Krischenowski: Yes gated or tiered access how would you call it.

Man: Currently it's open. I think anyone can search can get the Whois data. And I think the ccTLD .tr is also doing the same. But we don't know in the next phase most probably it's going to be restricted by Whois data policy. I'm not sure. Now it's open anyone who is search appears as far as I know.

Dirk Krischenowski: Okay.

Man: What we do is manual case by case. Since 2012 I don't think we've received more than ten total and total.

Man: (Unintelligible) ten years?

Man: Yes, yes really. And it's not because we make it difficult or we look to the other side, you know, we treat every one of them with the same level of seriousness, I mean IP lawyers as well as law enforcement as much as we may dislike one or the other. But we treat them and we haven't received more than one in ten. I'm just making the number off of the top of my head but I think it's no more than that.

(Cedric): Question for you (natural). How many requests did you receive per year?

Man: I couldn't say Cedric because we don't even keep track because we don't see any pattern or enough numbers as to try to discern what - where's the pattern. We receive one every blue moon and we just, you know, check and give access. Mostly I could say at the lawyers and law enforcement because you know that when the court of justice wants details from a docket domain name they ask in a very particular way. So this is given immediately. But in the other cases really I'm sorry but I don't have, you know, the clear numbers because they are not enough even to make, you know, the effort to make a calculation.

Dirk Krischenowski: Yes Dirk Krischenowski from Berlin and Hamburg. We also looked at the numbers from .fr and other registries which came up with some relationship how many requests per million and we don't have in the 10,000s of domain names. And you can calculate that it's going to be not that much. So we decided also to follow the manual model which also (Urit) is having at the moment. I like that form and let's see what's coming there. But we will just go for the manual model.

But I'm a little bit fearing because we don't know at the moment in our open Whois how many lawyers and law enforcement daily look there. So but in most cases when I got requests from the law enforcement they didn't even know that Whois exists and I just print out or gave them the address where they look them - can look them for themselves. So maybe there's a hidden - a high hidden number of potential requesters behind but we will see.

Man: Let me just clarify one thing. When we receive a request the data is not available and we see that it's not individual then we make it available. And I'm not keeping track of those because I don't do it and we've never found important to keep track of those. So in that case it maybe allow 20, 30 or 50 more. But when we see that it is our organization and it's an abuse of the privacy settings then we just let it go public.

Dirk Krischenowski: And how would you do this let's say if there's an organization and there's a personal email address from (natural) are models@whatevercompany.com or so behind what - would you also publish that?

Man: Indeed. The domain name belongs to an organization. And when there is an individual representing an organization the contact details in my view are not subject or were not. That may change with to be (unintelligible). But in the current settings the Spanish TPA has (empirically) of saying that whenever you have a contact address of somebody representing an organization with a phone number that is not subject to privacy. So if they are provided the personal email address it's their option. And they can always change it.

Dirk Krischenowski: I like this sentence it's requests only at blue moon times.

Man: Don't have much to say about that because (Natural) gave the answers and we're working with them. If we were to face such an issue I think that it would be treated manually which I didn't have to face that since I'm on the board.

Man: For Paris it's manual, it will be manual and automatic as soon as we have an ICANN model.

Dirk Krischenowski: And yes the access model is manual or...

(Ronald): So we will have four different kind of access tiers. One is if the owner accesses his own domain. By law we are forced to give him any information

that we have stored about him. So if the owner accesses his domain me as (Ronald) I'm accessing (Ronald).win he will – I will get the full information. Authentication will be done by either a link sent to my email box and I can click on the link and then I'm qualified as owner or the auth-code the domain has been stored. So the one who has the auth-code is the owner gets the full information.

The other extreme on the other side is the whole public, the whole Internet. Whenever someone who is not the domain owner accesses or wants to access (Ronald).win he will get the minimum data set that has been defined in geoTLD Groups model, no name, no street, no address and some way of contacting me depending on the ICANN model. It's either a Web form or an anonymized email that he - that I can be contacted.

And then the remaining two tiers one is the registrar. A registrar however he is authenticated we think it will be a certificate and at - and a white listed IP. The registrar will see all information of all the domains that he had delivered to the registry. Sure he can check is the data accurate that I still have on file. And the fourth access tier is the law enforcement but is that we are not aware how it will work because this is the discussion ICANN has or we have here at ICANN 61.

For beginning it will be a case-by-case handling. And I think it will remain a very long beginning because I can't cope with the model currently proposed by ICANN that the GAC member of any state puts something into a database and this person that has access to any data of .win. If he has an issue with a single domain name he has to contact us and we will give him the - all the information we have about that for this very one domain name. But never ever will a law-enforcement body of let's say Australia, New Zealand have full access to any of the .win domain names. So this is on the discussion and it will be a manual process for the beginning.

Dirk Krischenowski: Okay that's quite interesting that we have quite a majority of geoTLDs which well for the first time and maybe for a long time running a manual model yet you brought up that question case by case or general access to the law enforcement. That's – we are discussing this internally as well for Berlin and Hamburg. And it looks like it goes more to the case by case model, not the general access model for - or the time for all the law enforcement agencies.

(Ronald): (Ronald) from .win. We have let's say comparable case with our telecom providers. Telecom providers are forced to give information let's say about information about the location, the geographical location of my mobile phone. In former days police had to provide it's called an all touristic document that the telecom provider provided the location. Then the law was changed and the police could just by arguing its necessary could get access to the position of a mobile phone.

Since that time the demands or the query is to the geographic positions have been 12 or 15 times as high as it's been before. And all these queries must be locked and they are subject to presentation before the Australian Parliament and government because it is a data abuse if I asked my colleague, "Hey can you tell me where my girlfriend is currently on Friday afternoon," and it's happening. It's really happening. So an automatic general access for any domain name tool, even an Austrian data or law-enforcement body I think this will not work.

Dirk Krischenowski: Okay. (Lena)?

(Lena Forklin): (Lena Forklin). Just out of curiosity if somebody requests access to more data than normal does anybody plan to inform the one holding the domain? So well it could be that, you know, it's obviously abusing the right to access it. So we kind of had that different services where we provide other services to companies and we sometimes get calls where the law enforcement needs some information about who's doing that and that. And we - well most of the

times we inform our customers that they will get a call phone call in about a minute or so by the police. So...

(Ronald): Just (Ronald) for .win. When we developed our policies for years before we had some talk with let's say police law enforcement agencies. And we exactly asked that question and said, "And we will tell you whether you are allowed to inform the customer or not in a case by case situation because it can be very bad for the sake of the investigation if you warn the customer yes?"

(Lena Forklin): Exactly.

(Ronald): So we will focus on the demanding party to prove that it's a legitimate interest to get this information and then wait for do we have to do a claims service like the TMCH or don't we inform the customer?

(Lena Forklin): Well to get that clear we also have to at least ask them if we can share that information of course.

Dirk Krischenowski: So can - I don't want to go in the row. Can I have a picture, just opinion picture on the case by case access or general access for law enforcement? Who is going to have case by case access?

Case by case, case by case, case by case. And more general access? Okay it's for open. Okay that's a good - okay I can make here. And no access.

Another question would in this case where it could be good to have an opinion picture here as well is are you planning to do like (Lena) a paid access or a self how do you say - sorry?

Woman: (Unintelligible).

Dirk Krischenowski: No, no not self-accreditation but a fee that you raise for access that is let's say pays your expenditures you have with validating this, giving this to a

lawyer or something like this. Someone planning to do that like Nominet is doing that?

(Ronald): (Ronald) for .win. I can't imagine issuing an invoice to the police because they are demanding some, yes? So could I issue an invoice to? Some let's say data profiler, et cetera. And this is exactly what we are not allowed to do or it - personal opinion, no never ever a fee for giving away data, private data.

Dirk Krischenowski: Okay for Berlin we have some experience with some paid things which cover the expense we have with it, was a dispute procedure which is also in our policies. And it's €300 so it's even more lightweight URS solution to block the domain name or just to not to bring it out of the DNS just to block the data. And then complaining party can contact the registrar and so on? And that works pretty fine with €300 because it's case by case basis and we have to look if we should put that domain on certain hold starting.

Man: I don't know yet if we plan to do it for gTLDs but for .fr we propose the database. It's a fully database on a daily model with certain conditions -- a lot of conditions for -- lawyers, registrars for €10,000 per year (swimming) in domain names. So yes anonymous. As soon as it is anonymous it's still anonymous but all the organization we - and it's on a daily basis. So lawyer's registrars can make statistics makes a change which is something that we propose since a long time now.

Man: Okay that's - it's not going to be in the protocol.

Dirk Krischenowski: Yes?

Man: Just one word with IT we just to - was just - still have this solution that you have access pretty soon for (unintelligible). But we will stop it with May this year because it is not compliant with GDPR. So it's very clear it's again in Australia it's against the law.

Dirk Krischenowski: Rubens?

Rubens Kuhl: In .PR we are planning to provide the - a service that you could sign up for monitoring of a specific expression. So it is somewhat similar to Nominet of allowing expressions. But it would only allow those specific expression for legitimate parties. Like if you're a bank call it Bank X then you could have monitoring registrations of Bank X links but that's it, no - otherwise no unlimited access of anything, just a monitoring part of what you're selling the Nominet service.

Man: I just think that that might be considered a new registry service so we might be required to go through an RSEP process for that.

Rubens Kuhl: .PR?

Man: No, no, I mean the getting paid for data kind of thing. We will consider it if the number of requests becomes so high that it will impact our day to day operations, i.e., will take over too much of our time. Law enforcement will of course not be charged. But third parties that have certain - that profess to have certain interest we will have some costs attached to validating that. And I think it's justifies to cost that if it becomes a burden on the contracted party in that case.

That being said other ways that third parties would pick any access to such data for example for to an IP address of a subscriber of an ISP they would have to go through court. So any fee we charge would still be cheaper than the normal due process means they would normally have to employ to obtain that data so it would be cheaper for them.

Dirk Krischenowski: And so Dirk Krischenowski. I thought in Germany if you have an accident with your car and the other party runs away with the car but you have the license plate number you can ask the government or send a letter, postal letter to the government. And it costs you 8 euros or so for that request. And

then the government decides if they want to give you the data of the other party. So you need to show that you are really party that is effected by another license plate holder then that's one example on a - for some payment for data.

Man: In Turkey by law any authority has the right to get any data from anywhere. Let's say there's a burglar or something in a market. For any camera recording or anything they have to provide by law. And any other privacy - private data by getting any permission or document from the courts you could ask that data be provided.

About the charge if there's any accident that happened like you mentioned in Germany. But I think in that case there are some cases that I think they charge just some amount to get that data. Other than that it will be - would the charge also government if they'd allow - allows we'll see what's going to happen with data privacy issues (dates).

Dirk Krischenowski: Then we might go to the next point if there are nothing. Registrar Whois. So even if the general public Whois is not available with most of us there's still the demand from registrars to have that - the Whois data for transfers and yes I think mainly transfer purposes. And we are not sure if this is really in line with the GDPR but we want to - don't disturb our business which we are doing with ICANN and all the other parties. So that's a question which remains a bit open for us at the moment. So maybe we can have some picture or opinions on this.

Man: As a registrar we are very conscious of this issue. We do not expect that we will be able to gain full Whois data at the time that we need it for example for a transfer. And therefore that means that we will have to figure out and there are already talks going on that how to do transfers and other procedures that require this data in another way. So registrars will not expect to have that data at the time after GDPR becomes enforceable.

That being said registries should also not expect that registrars will be able to furnish them with the full Whois data in the first place because they of course are also bound by GDPR. So while you may - we may at the registries expect that we will have the full data and then mask it and give that data out to third parties we may not even receive it from our contracted parties, the registrars because they feel that they are not permitted to give you - us the data. Sometimes it's weird wearing that many hats okay but I think I got my point across.

Dirk Krischenowski: Rubens got...

Rubens Kuhl: Just remind everyone that there was a letter sent by registries and registrars to ICANN asking for exemption on the (Fuller) requests so and it may wouldn't be requiring more. Transfers would be done only with auth-codes authentication codes, not sending email. I don't know if that will prosper or not but most registries seems to be willing to wait for that to happen instead of devising a mechanism to a GDPR compliance mechanism to do transfers.

I'm not as optimist as the group but just saying that almost every register out there is counting on that.

Dirk Krischenowski: Yes the next - no comment.

Man: So we as you might know with our registry backend provider are participating in the RDAP pilot. And RDAP provides means that you can do this for example, transfer, provide this information. We will be able to offer this on May 25 that the possibility to get such data if as Volker said we have this data and if the registrar is willing to access or able to access via RDAP yes?

So nobody technical will be - we will have means to provide email out of then over Whois functionality or the necessary information for transferring but whether a registrar is capable of using this or not or if we have the data if the registrar denies tools and it depends on that's a future development.

Dirk Krischenowski: That doesn't look very optimistic for the maintenance of your - of our services on both sides, on the registrar side and on the registry side. So that - the 25th may be for all our transfers and sales as well. We do a critical day then. Okay then we go to the next point. Was it...

Woman: (Unintelligible).

Dirk Krischenowski: Yes. What do you do with the escrow data, the BRDR, the (CSET DS)? Yes what's your take on this because you give data to different parties, the registrars to ICANN and to the registries, registries to ICANN and may we start with you?

Man: For instance we stay on the same process and we will - we are focused on the Whois and the data process for TLD. And then we all study all this access. Our opinion is that for escrow yes there is still a discussion with ICANN with GDPR. That's data could be sent to US in the case of any issue. It's a description. And yes for the other points same thing.

For (CWS) for instance we do not (to rise) permanent access. We are on a one year process and that's it. Thank you.

Dirk Krischenowski: (Lena)?

(Lena Forklin): (Lena Forklin). I think for the escrow part the most of our customers will most likely change to European provider. That's what we expect.

Man: Yes.

((Crosstalk))

Dirk Krischenowski: But no we - for - Dirk Krischenowski for Berlin and Hamburg. We will stick to the current processes and not change anything at the moment. So

let's wait what ICANN brings up there. But I followed the discussion in the morning where there was a force of back of by (JJ) if ICANN is a controller or not. And I was quite confused what was going on there on the ICANN field. But I'm hoping this will sort out in the next couple of months.

(Ronald): (Ronald) for .win. I'm absolutely confident that we do need a full escrow, data escrow to be able for example change a backend provider or recover a registry out of an escrow. So we definitely will do the full escrow as much data as we have, proceed with the procedures that we have in place now.

We have already changed our escrow provider to a European based one who guarantees us that it is storing or he is storing data according to the necessary laws, retention time not 24 months but 12 months they have these obligations or these possibilities. So escrow is not an issue that I'm focusing on.

CCDS itself is not the real issue because there is nothing in CCDS that could be GDPR have a problem. It's the domain name and it's the name service. As long as you don't have the email that belongs to this domain, this is (unintelligible) domain and see giving away CCDS is not the problem. And if we close, somehow close this information in the Whois I think CCDS is also not that problem that it is today.

Dirk Krischenowski: Maybe I ask (Martin). He's from (Fufishare) the - yes the CC - what I see the (SSET) the S data are not the problem. It's themselves. But you are accessing data of all those people, hundreds or even thousands different people with all their private data partly as well in the CCDS system. You're - I'm - we're not storing them but you have access to this data. And I'm - I don't know what's your take on the CCDS?

(Martin Osa): (Martin Osa) (Fufishare). Thanks (unintelligible). Actually I must confess that I'm not too familiar with the CCDS data so maybe you could give me some more detail about what data actually saw there and what is done with it?

Man: CCDS data is the domain name, the name server, that's it. Of all the domains of (unintelligible).

Dirk Krischenowski: Yes we're on a daily basis sending this data domain name and name server to ICANN. And there's a ICANN platform where anybody can request access to that zone file. And there are hundreds of different persons and organizations asking us for access. You go to that platform and you see the data if they are complete of the requestor and then say yes or no, access or no access and that's it. But in that platform you have access to all these data of the registrant, of the requestors there.

Man: And it's just the domain name and the DNS server right?

Dirk Krischenowski: No - yes just the data we give to ICANN but the platform at ICANN we can see all the data of all the requestors.

Woman: It's actually the domain name, the name servers and the IP addresses connected to that name servers I guess, isn't it?

Man: Yes.

Woman: Yes, so that...

Man: (Unintelligible).

Woman: No in my view no personal data.

Man: So as long as there's no personal data involved of course we have no GDPR compliance problem here. But actually the domain name might be seen as personal data in some...

Man: It's an easy way to get personal data involved yes? I download or I take the zone file of yesterday? I take the zone file of today, get the differences which is for example ten domain names. I use these ten domain names, go to Whois, the combination. And then I have ten domain names being registered yesterday and send a Spam or whatever product offer email to these ten persons. Concerning the domain name you registered yesterday if you want to take full advantage you have to pay another \$160 to this bank account to be listed in this and that directly -- happens every day -- everyday.

It's not the CCDS file itself. It's the combination of the Whois and the CCDS. And we have multiple customers who paid this \$160, \$180, \$240 or whatever euros. So CCDS is not the issue as long as the Whois is not there.

Man: Yes exactly and this is what I would say. The problem is more what data is accessible for what party in the Whois. And it's not what data is stored in the see that yes, yes.

Man: But there is one thing that I think (Dirk) was mentioning is that there is also the data of the requestors of that information like names of those persons requesting access, email addresses. And so how one does handle that personal data is possibly subject to GDPR, not the zone data itself but names, addresses and reasoning of those data. But I suggest any European registry to ask any CCDS requestor how does that request comply withy GDPR for reasoning? Say hey you don't way why you comply with GDPR would deny your request so that would probably be fun.

Man: Now what...

Man: Go on.

Man: ...we do we do? We'll live with them. What do you do? CCDS is just a - it's a horrible mechanism and well you have to go along with the other ones. That is - otherwise you will be breach.

Dirk Krischenowski: Okay then we go to the next point. I think there are a few ones. So the retention time of any data you have. I think ICANN suggest it 24 months when I'm right? And yes would be interesting how this complies to GDPR or what do you think about this? Volker?

Volker Greimann: Retention time what data you mean?

Man 1: Escrow data. Currently we're at two years. We're looking at if we need to reduce that or not. It's basically what we think is have - what we have implemented at this time. We have not really yet considered what would be reasonable. As basically the retention time is a very arbitrary time of determining what is still reasonable and with respect to the business needs of this - these data files as opposed to the interest of the data subject. So two years may probably be a bit long. One month might be a bit too little. So we'll probably find a number in - somewhere in there and ask ICANN to approve that.

Dirk Krischenowski: (Robert)?

(Robert): We spoke to the Austin DPA that were complaining about the 24 months defined by ICANN. And they said that 12 months will be okay with them and our data escrow, the European one has already limited to 12 months so I think this should be fine. And the registrars by the way the German (alter) registrars have got a way for that they are allowed to store I think 12 months if I'm correct.

Dirk Krischenowski: Okay if there are not any - so we have only 20 minutes or so left and we have some more points. I'm going - I'm rushing through the next slide too. Could you please? Then was a question, "When do you implement these things because 25th of May, sorry, May is a Friday and if you implement wait for the weekend that could make some headache. So we thought for Berlin and Hamburg to implement this on Tuesday the - in that week and so that we

have some time to Friday, until Friday to fix things that could potentially happen. So what's your take on this?

(Lena Forklin): (Lena Forklin). Well we have a golden rule, you never deploy on Fridays. Nevertheless in this case if our customers show up pretty late and there are things to do in the last couple files we might have to deal with that on Friday. I don't know.

Man 1: Since most of GDPR were already European directors if I was in Europe I would deploy them next week instead of waiting till May.

Don't quote me on that but we will do it whenever we are ready or whenever we feel ready. And let's suppose it's the Tuesday. If ICANN recognizes that for example we don't display any name of a person or email or whatever so the three are not compliant we will get a compliant notice. And we are allowed to answer I think the next seven or eight days. And this will be the Wednesday June 3 or whatever. And then we are in operation and then it's okay, yes?

So being five or six days advance of that time gives you probably a compliance case but then you just sit there idle, wait until the 25th is over and then say, "Hey what they are complaining about? It's exactly what has to be in place on May 28." It's about gaming a little bit ICANN's rules but we will act that way. When we are ready we will deploy and not take or - and not be somehow afraid of getting a compliance notice in these four or five days if we get one. I hope that ICANN will not send out such compliance notices two or three days before that effective date.

(Robert): ICANN said that they wouldn't send any compliance notice starting along some month ago or so. If anyone gets a compliance notice please notify executive committees of the gTLD group and Registry Stakeholder Group because we will just jump on ICANN's throat for that.

Dirk Krischenowski: Okay Volker?

Volker Greimann: First of all the 25th of March is a Sunday.

Man: Yes.

Volker Greimann: But...

Man: It's May.

Volker Greimann: May.

Man: May.

Volker Greimann: May I know.

Man: Yes.

Volker Greimann: We will implement when we're done with implementation. That will probably mean somewhere in the first of second week of May. We will not wait for May 25 because that will mean we will still have some time to make changes, modifications to the live system where we see that there's still something that does work as intended to make sure that we're complaint by May 25 yes.

Dirk Krischenowski: Okay thank you. Then the next question is what does your ccTL do - ccTLD do and is it the same model you're applying? Is it the same access model and is it the same timeline? So is it much different or less different?

Man 1: Yes...

((Crosstalk))

Man 1: ...so (.fr) will be exactly the same model -- exactly the same so no big surprise.

Dirk Krischenowski: Okay.

Man: (Unintelligible) over there (unintelligible).

Dirk Krischenowski: Oh.

Man: (Richard).

Dirk Krischenowski: (Richard). So (Quebec) and .CA, what's the take on this, same model or different models?

(Richard): So a couple comments. First of all we don't think it's very likely that we'll be subject to GDPR so we're kind of not ignoring the - what's going to happen but not paying as close attention as perhaps all of you are. Secondly for years, and years, and years, and years, and years we've always only published the name of the registrar for a personal registration, the personal domain name registration. We've never published personal information of any kind. And we use the organization field as part of the validation process to determine that hey, registration is for a company as opposed to an individual.

Having said that we also know that what's likely to happen out of this whole process is there will be some common best practices if you will that I think all registries are going to end up adopting. And so we're watching it from that context in support of .kiwi and in support of .sx and what they're doing and where we would have to be compliant with a G model anyway on the delivery of their specific requirements. But we have enough flexibility in the way the platform works that we could pretty much do anything.

Dirk Krischenowski: Okay thank you. Voices to that, more opinions?

Man 1: I don't have a comment on ccTLDs.

Dirk Krischenowski: Oh okay. Okay then I think we are done with the questions or do you have more questions? We should make a opinion picture on?

(Richard): Besides GDPR?

Dirk Krischenowski: No, I mean GDPR related questions?

(Richard): No questions related to GD.

Dirk Krischenowski: And another question...

(Richard): Another point if we're done with GDPR? Are we done?

Dirk Krischenowski: We are. Then I would say we're done with this kind of - Volker?

Volker Greimann: Just one question. When do you intend to inform your registrars or what your actual plan is?

Man 1: What for? On the Sunday of March 25.

Volker Greimann: Okay I can wait two weeks.

Dirk Krischenowski: Okay thanks folks. I think that was - we will put that in the protocols or the opinion pictures here that is - which was quite nice to see how this works out here. And then we would come to the next point, marketing experience. So I had some talks with WordPress. Maybe we can have the next slide on how to integrate your TLD there. And (Kelly) from WordPress said first of all they have a - of all the domain names which are extra choosing to the third level WordPress.com gives you all the names they register like the .blog and others. They have a 90% plus usage rate. And out of this is 85% immediate

use after the domain name or the WordPress Web is published. That's amazing high number of active domain names.

So if you - looks like if you have a domain name registered with WordPress it's one of these active domain names you want to have in your zone. And she said also that domain names need either to fit into their payment plans which are between \$48 and \$300. That's I think the business plan. Then she can give you only .com like fees so would mean \$8 or \$10 or something like this to have them integrated in that annual plan.

So if you have an \$84, \$48 plan then she would pay or WordPress would pay \$10 to you even if you're general price is higher to the registrar. Or you can choose to have a standalone purchase on your regular price. It would mean, let's say if you have 20 euros to the registrar then they charge the registrant as extra price maybe \$49 or something like this. So that's another option you can choose.

If you have the first option so the domain name fits in that payment plan then WordPress said they would offer you a ICANN compliant RRR solution. That means we all need to treat all registrars equal. And that must be given also if you give a discount to WordPress so that your name fits into this plan. That was quite interesting.

And she also said that if gTLD they're working on this they have implemented a now (.ways) and .miami. If the gTLD is requested or WordPress (WEP) has requested from a geo location which they can locate by IP then a geo TLD domain name or this geo TLD domain name would preferred listed with WordPress. So that's what I got, yes.

Man: (Unintelligible).

Man: Though I don't quite get how we could still abide to the non-discriminatory conditions for registers and still give them differentiated pricing.

Dirk Krischenowski: Yes that's a good question. So she's not here but we - I can put in a protocol her email address so you might contact her on an individual basis.

Man: By she do you mean...

Dirk Krischenowski: (Kelly)...

Man: (Alexis)?

Dirk Krischenowski: ...(Peterson) from...

Man: Oh (Kelly).

Dirk Krischenowski: ...WordPress. Volker?

Volker Greimann: Yes putting my registrar hat on again. I just wonder how this would be implementable on a registrar level because if you offer a lot of different TLDs then having some TLDs that offer this WordPress solution and some that don't is a bit troublesome I think. So it might be better to have a solution that would be implemented by WordPress on the registrar level so they could offer that for all their TLDs, not just geo TLDs.

Dirk Krischenowski: Okay so yes that's - I'm really not sure how big the impact is if you are listed with your geo TLD domain name at WordPress. I can't say. She couldn't give me numbers on that. And yes I just we'll provide with a protocol then the contact data and you can talk to her individually. (Unintelligible) yes (Richard)?

(Richard): Maybe just to provide some clarity if I interpret this right and to answer Volker's question. I think this is a registrar solution where WordPress is in fact the registrar right? So if somebody comes to the WordPress site and want -

they look for a name and if that's geo located with IP and all that kind of stuff then WordPress will provide a .ca domain name.

The problem with the registrar model where a registrar offers WordPress as one of their alternatives in a hosting scenario the customer at that point already has chosen their domain name. So regardless of whether WordPress that stage would (unintelligible) offer something different it's likely that in the shopping cycle they've already bought their domain name and they've already been shown whatever other alternatives that that registrar does or that hosting provider if it's just a hosting provider.

Dirk Krischenowski: Yes like I think a .com domain name is already in that plan in that whatever on over business premium plan. And you would pay an extra for an extra expensive geo domain name then. Okay, okay, okay. Then let's go to the next point. Yes I tried to figure out in regards of premium domain names but we don't have some proper lists let's say where other parties can see that geo TLD domain names are quite valuable.

You find here and there some announcement that some geo TLD names have been sold for this or that price but there's no source where you can find a lot of information about the names. So and I think we all want to have well want that any registrants perceive geo TLD domain names have a high value like ccTLDs let's say. Maybe not like .com but like ccTLDs. And my thought was to have some list of the let's say the top 100 geo TLDs sales that have been made with a prize. These prizes are from (Zedo) and some other sources on the Web which are publicly available but let's say we and Hamburg and Berlin have made a lot of sales which were EPP sales which are not public then as - by registrars where EPP and only some (Zedo) names are available like here (wire.berlin) but not some higher sales. And what do you think about to having such a list? No opinion on that, (Rubens)?

(Richard): I would say nice to have.

Dirk Krischenowski: Okay.

Man: It's very clear what is worth more in each city of the world. So in London it's rooms. In Miami it's personal injury so there is a different cultures in different world cities.

Woman: Well if you think that's addressing you probably should at least use the same currency so you can compare directly. I think of our customers probably and they're interested in any information about how others price and how they do with that. So for sure.

Dirk Krischenowski: Volker?

Volker Greimann: I don't know if pricing this - such a list on your Web site as a registry to advertise for your domain is - that will attract the right kind of customers. I mean the customers that are really interested in these sales prices are domainers. And domainers are not likely to use domain name that they're registering. And at least for our case .talent we'd much rather have a domain name registered and being used than having a domain name registered and being parked.

Dirk Krischenowski: Yes (Richard)?

(Richard): Maybe you will probably remember that I have a long history in the secondary market. And I have two lists in front of me right now from the London Charity Auction and the New York City Charity Auction. And the high ones on those two for example were marijuana.nyc that sold for a little over \$60,000 US. And the high one you've almost got right on London. It was flats.london that sold for \$16,400 US.

Now going to Volker's question it's true that a lot of the people that are really interested in these numbers are the domainers and the investors and so on. But the knowledge of the secondary market and the knowledge of the value

of the domains in the secondary market is important to create value for our strengths. So even when somebody is looking at going out and having a platform on say let's say .bean for example if he sees in the local paper that a good .bean name sells for \$2000 or 2000 euros or whatever there's an implicit value that's placed on having a .bean name as a result of that for example. And so I think having the information especially where it can be made public is very valuable. Now having said that most of the people that go into these transactions have no interest in making that information available to the public. So getting it is going to be very difficult.

Dirk Krischenowski: (Cedric)?

(Cedric): Yes I think your list could be interesting to share with the group especially the top one (write offs) a domain name do not forget. It could help the group. And after that you have specialty, (Macaron) and Paris so I think the group comes to think to - so that does the (CF) Paris is able to think to this domain name. But yes just to focus on the premium program of .Paris on under .Paris we are - the premium program is growing. We have a lack of communication but the premium program is pretty good. And we renew the domain name under creation fee so it's quite expensive but we are growing so it's good thing.

Dirk Krischenowski: Okay I'm - I have the take-home message that there's another overwhelming majority of having such list at the moment. Well I'm right.

(Ronald)?

(Ronald): (Ronald) for The Dream. I don't know where is information on (zone) on dream is coming from. It doesn't come from us. If we sell a premium domain name on a pair person or pair entity basis we never ever did publish the data their domain has been sold for because the people, other companies do not want it.

We offer fees extension for premium names. And the registrars that have it can put a top up or whatever. So if you're going to a registrar who supports

this fee extension you can see that for example I don't know, (sex.dream) would be sold for 2500 euros plus the markup or the top-up of the registrars on a one-time and a regular yearly basis of whatever their finishing is. So anyone who wants to use a - or buy a domain name can see it. I would not get the okay from a premium customer to publish this data.

Dirk Krischenowski: Okay (Lena)?

(Lena Forklin): A quick question about that. I think on Sunday you discussed the KPI for - and I think it was actually you that said you would be interested in having information about what prices have been paid in this stuff. So I thought actually you would also - well be willing to at least share it around the group so...

(Ronald): This is the next - (Ronald) for (.domain). This is the other thing. I like to have the experiences where should we price our premium names? So we talked this .Paris and two years before we were I think for being five or eight times as you were at that moment. Currently you're at exactly the same price. We have four tiers, create 100, renew 100. This is the one then 250, 250 create and renew 1000 and 1000 and then the super premiums which is two five for something like this.

We sold one, no, two domain names for 1000 and renew 1000. We sold at about 25, 35 I don't think - not exact number. It's 250. But we sold some 1000 it 100, 100. So I think 100 is a create fee registry to registrar again, not end user price. And the renew price seems to be somehow acceptable to a better name to a registrant.

Going higher is very, very let's say critical. It reduces the number of sales by at least a factor of ten yes? And I would like to have the group sharing information what prices are you confident that you can sell? But then again I think (Durbin) will have a different price limit than London or Paris or Vienna has, probably just people willing to spend 250 euros in Paris is probably not a

problem but in (Durbin) \$250, euro -- whatever -- I don't think that it will - that you can just compare numbers. You have to take this in account also.

Dirk Krischenowski: (Sammy) we have only - we have...

Woman: We're done.

Dirk Krischenowski: We're done. Maybe we have one more slide that was the - any other points?

Woman: We have to end (unintelligible).

Dirk Krischenowski: Yes.

Woman: Guys in the back so we got to end the recording and all this.

Dirk Krischenowski: Okay.

Woman: Sorry.

Dirk Krischenowski: Yes you have a point but we can do it without technical services as well.

Woman: Okay (Natalie) we can end the recording and all that and the guys can go but we - they want to still continue to meet. Is that fine? Okay thank you.

Dirk Krischenowski: Yes okay (Luis)?

(Luis): Yes well a while ago you've been talking about lower some fees, some of the geo TLDs were asking for that target, that amount of money that ICANN's asking...

END