

ICANN Transcription
IGO INGO Access to Curative Rights Protection Mechanisms Working Group
Thursday, 30 March 2017 at 1600 UTC

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Michelle DeSmyter: Well good morning, good afternoon and good evening to all. Welcome to the IGO INGO Access to Curative Rights Protection Mechanisms Working Group call on the 30 of March 2017 at 1600 UTC. On the call today we do have George Kirikos, Petter Rindforth, Philip Corwin, David Maher, Paul Tattersfield, Lori Schulman. We have no apologies. From staff we have Mary Wong, Steve Chan, Denis Chang and myself, Michelle DeSmyter.

I would like to remind you all to please state your name before speaking for transcription purposes. And you may begin.

Petter Rindforth: Thank you. Petter Rindforth here. I'll start today and as I saw Mary's note in the chat room the working group cochairs have the discretion to reschedule a call if they don't believe a sufficient quorum has been reached. But let's start today and go ahead, make a summary of what we have received so far and what was discussed during ICANN in Copenhagen and we'll see what - we will find out from that.

And I'm also - I think that we have not received all public comment yet. There are some groups of interest that are still discussing in the last second, so we will at least have, well, the opportunity on the next call to discuss further comments that's arrived .

Said that, going back to the agenda, anyone that has any statements of interest. And I see Phil's hands up, I presume it's not that. Go ahead, Phil.

Phil Corwin: Yes, well I just want to note today is the final - closing date for comments so we should be seeing more today. I see Mary noted and I just counted too, we already have 35 comments filed, which I think I'm somewhat surprised and gratified that we have so many comments .we're still waiting for some key ones, I don't believe we've gotten a comment yet from the Intellectual Property Constituency. I'm interested to see their comments. I expect they'll be coming in today.

But we have good deal of work before us to review all the comments, although some of them just support the comments of others, particularly for the IGO commenters, but the main task for our working group the next few calls will be to consider all the comments in detail and to consider whether we want to make any changes in our initial recommendations for the final report. Thanks.

Petter Rindforth: Thanks. And just going back to that the number of comments we have received so far. I see from the chat room it's up to 36 now actually. I've seen that some of the comments were comments - on the comments on the comments, but I presume that out of these 36 we have a significant number of original comments and so, Mary, do you have any - I haven't checked that list out for today but does anyone having a note on what is so to speak clean comments? How many?

Mary Wong: Hi, Petter, everyone. This is Mary from staff. I haven't counted. I noticed that Paul in the chat has said there's about six comments that are along the plus one category. What staff is trying to do this week, and like I said hopefully we'll get the whole table out to everyone early next week, is to figure out a way to tabulate them such that in the document that we're compiling you not only have, you know, relevant excerpts from the comments that have substantive input, but that you can also see which have support and how much support from other commenters. So we're still working on it, but hopefully it'll be easier to count once we get that done.

Petter Rindforth: Excellent. Thanks, Mary. Okay, so let's go back to the agenda. I saw no hands up for the statements of interest so we proceed to point 2 and the recap of ICANN 58 discussions. And as you may know, there - over the year initiated by the Board a specific discussion group with GAC and GNSO representatives and Phil and me as cochairs for this working group, and also representatives from WIPO, OECD and Red Cross to sit down in a small room and discuss the common topics we have together that needs to be solved and that are - have been discussed for several years in different kind of working groups and groups of interest.

And from a personal point of view I think it was a good idea to have everybody sit down and listen to each other making comments and try to explain our point of views and our suggestions on these topics. Then we will see what it will turn out from that.

It was split up in two session and the first one was on the public interest topic. There was an acceptance that was in the global public interest to ensure there are mechanism in place in the domain name registration system to minimize risks to members of the public who are often (unintelligible) by individuals and organizations posing as IGOs or IGO officials or organizations.

And as you may also know there is another group that is dealing with the identification on the exact address and communication with IGOs and INGOs so that all the Whois data can be also effectively managed. So there was an acceptance of the Board's decision to permanently reserve the full names of IGOs from registration at the second level. This is because these names are unique and there is no other legitimate purpose for those names beyond their uses as (unintelligible) the IGO.

And the GNSO policy recommendation also provide a mechanism by which the IGO associated with the reserve name can seek to get the name delegated within new gTLDs. And of course while the representatives from the IGOs, the meeting and other meetings have stated that they prefer that IGO acronyms are reserved from registration to make protection easier for them, there was recommendation that short strings for the - two to four characters have many uses and there are no people or organization that have exclusive ownership or use of these strings but as it is not in the public interest to reserve these useful strings from registration as such.

The focus for protection against misuse of IGO acronyms has therefore shifted to mechanisms to give notice and appropriate dispute resolution options. And there was an - according to the notice the GNSO policy recommendations provide for a notice to be provided in the first 90 days of the new gTLD launches. So this leverage the software and systems as I say to be the 90-day trademark claims process.

So in this process an organization is notified of the rights as I say, to be the domain name before they complete registration, as you know. And after a registration the rights holder is notified. And there would need to be some modification of the text of such notice to avoid confusion between the legal rights of IGOs and the legal rights of trademark holders.

The GAC representatives also made it clear that they saw the need for an ongoing notification process for whenever a string is placed in the DNS that matches an IGO acronym.

The proposed possible solution whereby the IGO can be provided with a watch service for both existing and new gTLDs wherever they will be notified whenever a string matching their IGO acronyms is published in the DNS and such a service can be built using the existing process whereby registries publish their DNS zone files daily basis. And it was further discussed but no decision was made on that.

There was an agreement that the solution sounded reasonable. Did not require an additional GNSO policy development nor changes - no changes to the current GNSO proposal to the trademark claims software and systems during the first 90 days of the new gTLDs. That's the only thing that needs to be dealt with.

That's what I have on that topic. It was also a discussion of course of the Red Cross protection as Red Cross already have a number of names but they also wanted to protect more of their national names including, as I understood it, the names of the country connected to Red Cross and the local versions of Red Cross. So it was a discussion about that list that would be such case fairly more protected names for Red Cross than is accepted as there today.

So let's pass over if there is no further comments on that to the second part of the joint meeting related to our working group. It is noted that there was a general agreement that a dispute process should be modeled on the existing UDRP and URS processes. Of course we didn't discuss if that means creating a new separate UDRP or URS process related to IGOs or if it works out with what we have proposed so far in our working group.

But in short, we will fully agree that there was no need to create something completely new to protect IGOs even if we end up with the need to have a separate dispute resolution policy, it would be very like - very similar to the current UDRP and/or the URS.

And then we made a presentation on our working group, we are looking - we were looking at the curative rights protection and taking the approach of wanting to use the existing UDRP process, that was developed as a dispute process for complainants with trademark rights. And also that we mentioned the identification of IGOs by Article 6ter and the rationale for this, as said, was creating a new dispute resolution process would take some time and was not justified for a limited set of rights holders.

And we also noted that in the near future there will be a full review of existing UDRP. And the question is that was also discussed we have working so long time with this topic in our working group, and the - and other working group dealing with the different kinds of dispute resolution procedures, will start with the UDRP I think by now it's maybe 1.5 year from now. So I hope that we can come to a conclusion in our working group before that.

Yes, and as George says, WIPO is actively involved in other working group. So IGOs that have taken out trademark registrations on their acronyms could clearly use the existing UDRP and URS process, we also stated. And it was recognized that IGOs that have taken advantage of this Article 6ter process to prevent parties from creating trademarks using their marks, (unintelligible) actually have trademark rights and hence the UDRP may not be the best match for the legal rights that they have.

And it was noted that under the Paris Convention national governments are meant to create national laws to help protect the names and abbreviations of IGO acronyms against misuse. And however, the implementation of it varies widely between countries.

And it was discussed - I had some notes that Article 6ter was not the best way to identify IGOs, but - and I now offer making a personal statement but my note was that the official - the list that the GAC has put together on protected IGOs was actually not mentioned by no one on that meeting as an alternative to Article 6ter. So it was just heard some comments on that Article 6ter may not be the absolutely best way.

And while it's possible to create a separate dispute resolution mechanism, it's still not clear what are the underlying legal rights associated with IGO acronyms and the relevant national laws that are used to protect and enforce those rights. And that further legal advice would be needed to get the clearest sense of the specific legal rights and applicable laws before being able to design a new dispute resolution process.

And then we also discussed the second step, appeals. Noted that the current appeals process for UDRP and URS is a court of competent jurisdiction and the part defending against the complaint can take a dispute to the court before or after dispute proceedings. And we also noted that many IGOs have their acronyms registered under the dotOrg gTLD and have agreed to the existing UDRP and URS processes with respect to the registration of their names.

But the GAC advice and IGO representatives suggested an arbitration process as an appeals process where both parties would be subject to binding arbitration instead of the court of competent jurisdiction. And the rationale for this was the IGO have been granted certain immunities from prosecution to help allow them the independent of influence by individual nations. And the representative from the IGOs did not want to give up their immunity as part of the dispute resolution process.

And we also gave a rationale that the arbitration process may take away some of the legal rights available to the domain name registrants, that is subject to a UDRP or URS complaint by an IGO. We have seen a couple of

problems on that also from the public comments that we have received. And we also noted that existing UDRP and URS processes if the UDRP or URS matter was taken to court that the IGO could establish its immunity as a part of the legal process.

And, yes, then of course we finalized that presentation by asking for further comments. And we have received it after Copenhagen. I don't want to step in too quickly to the next part of the agenda, but I talked actually with WIPO separately after that meeting and I had some kind of summary from that is that Article 6ter would be acceptable from WIPO point of view as the identification of an IGO but preferably in a completely new UDRP that, let's call it, IGO UDRP.

I was trying to find some input from members of that working group and other participants that have come in with comments whether or not there's also the need to create a separate URS policy. But it seems that when even representatives for IGOs they see more that the UDRP a separate IGO UDRP is the most important thing.

Okay, so that was summary of our two early morning respectively late night meetings with the different kind of groups of interest. And as said, even if we may not make 100% conclusion on everything it was good to after all these working time at least sit down together and listen to each other in the same room.

So here I turn over to Phil.

Phil Corwin: Thank you, Petter. And I want to commend you either for excellent note-taking or an incredible memory for the detail you provided on those discussions. I had just a few comments on the facilitated discussions before launching into the next part of our agenda.

One, the Board did adopt at its open meeting during the ICANN meeting a resolution proposing permanent protections at the second level for about 190 exact matches of Red Cross National Society names which is looked upon favorably by GNSO. So to the extent that we've resolved an important piece of the Red Cross problem, I think that's overall diffused the political heat on this wider thing, not to discount the disagreements on IGOs but I think GAC members in particular seeing some real progress on the Red Cross front where they were frustrated for quite a while have a more positive attitude post that development.

The Sunday night session, which was scheduled for two hours and went two and half, was a very full and frank discussion. We did get a lot of comments on whether or not it was appropriate to use Article 6ter for standing. I think some of the comments against that were motivated by policy concerns and when we get to the US comment, I think we'll see that.

And I think others were just because the IGOs at least despite what Petter just reported on a conversation with WIPO, aren't interested in easier access to the existing process, they continue to have a - the same position they've had since the beginning of our working group which is they want a separate process with no right of appeal.

I found it somewhat ironic that some of the criticism of 6ter was based on the fact that individual nations don't always recognize 6ter rights for every IGO that asserts them, which is their right under 6ter, and yet the same party citing that want ICANN to effectively declare an advance that in every national court IGOs will always succeed in asserting immunity from judicial process, which is contrary to the expert legal advice we received on that question.

And finally, I was very frank toward the end of that discussion on Sunday night on the appeal question that I did not see any consensus ever developing in this working group based on our work over the last two years

that would support denying registrants their right to an appeal to a national court of mutual jurisdiction, that in fact in the few instances where that might - that avenue might be taken it would probably involve both a UDRP or other DRP process that the registrant felt had gone badly awry and a domain that was quite a valuable or important one to the registrant. So and that was exactly the kind of situation where appeal to a neutral judicial forum would be most important to the registrant.

I see Petter has his hand up so let me let him speak and then we'll get into Item 3 on our agenda. Go ahead, Petter.

Petter Rindforth: I saw Mary's hand was up before me I think.

Phil Corwin: Okay well either one. Mary, go ahead.

Mary Wong: Sure. Thanks very much, Petter and Phil. Hi, everyone. This is Mary from staff. I agree, Petter, that was a great note-taking or great memory because that was a very full recap of what happened during the weekend sessions. So staff just had a couple of follow up observations.

One is that we've pasted on the right hand side in the notes pod the text on IGO protections from the GAC's communiqué coming out of Copenhagen. And so that's really just for those folks who haven't seen it. And perhaps that's something that as we get into the next part of the discussion we can go back to.

But in relation to this, staff thought that it would be helpful to note that both as part of the facilitated discussions and also part of the GAC's responsiveness to the GNSO activity that there has been recognition in not just this GAC communiqué but a couple of previous ones that our working group is still ongoing and that we are dealing the curative rights issues.

So in that regard, we had two further observations. One is that the GAC having sent us a comment specifically to our initial report and us reviewing it at a very early stage, as we're doing today, is again, our responsiveness to the GAC from the GNSO side. But secondly, in terms of things going forward, we are working with Bruce Tonkin, who was the facilitator for the GAC GNSO discussions on next steps for those discussions.

As Phil noted, there has been a Board resolution on the Red Cross issue so that work is not actually moving back to the GNSO because of the Board resolution. So we don't expect further discussions between the GAC and the GNSO delegations on that issue, not until the GNSO has completed its work at the very least.

However, on the IGO acronyms protection issue, as Phil and Petter have now described, we are at the stage where there were some full and frank discussions. There were quite a lot of details that were highlighted about the preventative type of protections such as the system of claims notification.

So the timing for us would be from the staff perspective simply for us to do what we're doing, to review all the comments received as we are doing, and to report back to the GNSO Council through Phil obviously who's a councilor as well as through our Council liaison, just to make sure that in terms of timing things either are aligned or if they're not aligned that we can be mindful of what might be going on with regard to other discussions facilitated by Bruce. So sorry for taking up so much time, I hope that was clear. Thanks, Petter, Phil.

Petter Rindforth: Thanks, Mary.

Phil Corwin: Yes, go ahead.

Petter Rindforth: Can I just step in with a short comment follow up? With the - as I said, I had a quick discussion with Brian Beckham from WIPO after the meeting. And what

he explained that I think it's worth to have in mind whatever decision - final decision we'll make, is the - he stated that even if we have Article 6ter or IGOs identification as a recommendation for the present UDRP, and not in a separate dispute resolution policy, Brian was a little bit afraid that there would be other identifications for name protection and organizations representing those that would point to that recommendation and saying that then also our kind of name protection should be accepted as similar to trademarks dealing with the dispute - with the current dispute resolution procedures.

And I mean, we can compare it to - when it comes to dotEU domain disputes where any complainants can refer to any kind of name protection according to EU regulation. So I presume that what Brian had in mind was some of these other kind of name protections.

But just a quick note on that that's something we have to have in mind and make perhaps further comments on whatever final decision we will come out with that. Thanks.

Phil Corwin: Yes, thanks, Petter and also Mary. And I just want to note one other thing, subsequent to the facilitated discussions which ended Sunday night in Copenhagen, I did have the opportunity to have some fairly brief discussions on the work of this working group with some members of the GAC and as well some ICANN Board members.

And I would say that there's a - I found a very broad recognition that our working group is trying really hard to assist IGOs to have effective access to a curative rights process that works for them. So there's no perception that we've been, you know, blind to their concerns but that we've had to balance other considerations.

But I thought that was good that the perception is that this working group is not simply stonewalling the IGOs but has been working to try to create something that works effectively for them and that if anything it's been on the

IGO side where there's been very little flexibility in terms of what they wanted where their position remains pretty much the same position they've had when we started our work more than two years ago. Excuse me.

So let's - launching into comments, I'd like to start with just a brief review of the text of the GAC communiqué which is over on the right hand side of our - of the Adobe chat room here. And then start with the GAC formal comment to be consistent and then we can go to some of the other comments within the time we have left. And we have about - close to an hour left on this call to start detailed review and discussion of the comments.

And while we are going to be reviewing comments today that were to some extent critical of our initial report and recommendations, when you review the - all the comments at the - on the ICANN Website, and we'll have a staff summation of those in a new document available next week, I just want to note, we have many highly supportive comments particularly from various stakeholder groups and constituencies within ICANN, which is gratifying.

So I didn't want people to think from our review today that there was no support for what we recommended in the initial report. There's actually quite a bit of support out there, but we're going to take all the comments that are either critical or that suggest modifications of our report very seriously and have a good pragmatic discussion on whether we need to modify what we came out with when we prepare the final report and recommendations.

So starting with the text from the GAC Copenhagen communiqué, they noted the facilitated dialogue. They'd expect the discussions to resolve the long-standing issue of IGO acronym protection. That's not our issue; that's the holdover issue from the last working group. And the temporary protections will remain in place, which is true for the GAC acronyms.

And then the GAC advice to the ICANN Board, and is that the Board should pursue implementation of a permanent system of notifications to IGOs

regarding second level registration of strings that match their acronyms. And I note it's just the acronyms, not the exact match of names in up to two language, that kind of surprised me that it's limited to acronyms.

And a parallel system of notification, although that omission maybe because of what the Board did on that resolution on blocking permanently those 190 names at the second level.

And then a parallel system of notification of registrants for a limited time in line with previous GAC advice and GNSO recommendations. Let's stop there. This working group has no role in determining whether ICANN's Board should authorize a permanent system of notifications to IGOs when domains matching their acronyms are registered. I don't know whether GNSO would have any role in considering that request. I'll leave it to staff and others to opine on that.

So far as the parallel system of notification to registrants, that would be similar to the trademark claims notice, and I'm not sure what limited time period they're talking about because even for new TLDs, registrants generally get that only during the first 90 days of general availability at a new TLD, and after that only the rights holder gets that notification. It's kind of a watch service for them.

Let's stop there and see if there's any comment on this part of the GAC advice before going onto the next part. And, Mary, I see your hand raised.

Mary Wong: Phil, this is Mary from staff again. So while not wanting to second guess the GAC's intent, and obviously there will be further discussion and follow up on this because typically now after the GAC's communiqué, the Board holds a call with the GAC about 4-6 weeks after an ICANN meeting to clarify the GAC's advice at certain points where the Board feels it requires more information or context. And then the Board comes out with a scorecard at some point after that to indicate how it wishes to respond to the GAC advice.

And in the middle of that, Phil as you know, the GNSO also provides input to the Board on those parts of the GAC communiqué that impact gTLD policy. So we're kind of at the starting point of that.

Phil Corwin: Right.

Mary Wong: But our read of this part of the GAC advice is that for the Roman - little Roman 1 when they talk about permanent system of notification, that refers back to the IGO small group proposal where they were talking about essentially a permanent claims system just for the IGOs and only when a domain is actually registered that matches the acronym. And that is the one that, as Petter summarized, got considerable discussion under Bruce's facilitation in Copenhagen.

Then for Roman 2 the parallel system of notification for a limited time period, we read that as possibly referring to the original GNSO PDP where the recommendation was indeed for a 90-days claims notification service. And that would be to the potential registrants whereas the permanent notification would only be to the IGOs after a registration was made.

Phil Corwin: Yes, but, Mary, 90 days from when? With new TLDs it's 90 days from the start of general availability. Almost all the new TLDs have been delegated and passed our 90 day point. So I'm just not understanding how a temporary - a limited time notification period for registrants would work.

Mary Wong: Right, Phil. And I think this is something that if Petter and Dennis might recall, also came up as part of the implementation discussions for those recommendations that were adopted by the Board. So it seems to us that this is something that would probably need to be fleshed out a little more potentially under Bruce's facilitation because the original GNSO PDP recommendations came out in November 2013 and that was really the start

of the launch of new gTLDs. And as you noted, the landscape has changed considerably since then.

Phil Corwin: Right. I'll just comment here, and this is speaking personally. I don't have a, other than wanting to know what the budget impact would be, which I think probably wouldn't be too substantial to ICANN setting up a permanent notification system to IGOs, if that makes them happy and if that facilitates their use of curative rights process when they think a registration has been made and is being used in bad faith.

Though I imagine others may object to that, I notice that the Registry Stakeholder Group although we didn't recommend it, we said it was the ICANN corporate's decision, they came out in their statement against any subsidization of IGO filings in any curative rights process as setting an unwelcome precedent; that other parties would then be asking for special discounts or free access to UDRP or other systems. So we'll see, but that's outside the bailiwick of our working group, that notification recommendation.

So then we get down to Roman Numeral 2, facilitate continued discussions - now this is to the Board, it's not clear to me who they're asking the Board to facilitate discussions with, unless they're talking about the type of facilitated discussions we had in Copenhagen.

And that reflect, one, the fact that IGOs are in an objectively unique category of rights holders. And, two, a better understanding of relevant GAC advice particularly as it relates to IGO immunities as recognized under international law as noted by IGO legal counsels.

Let me state, and this is a personal statement here, one, I made clear in statements in the facilitated discussion in Copenhagen an IGO CRP issues that while we welcome the discussion - while I welcome the discussion as a way for the participating parties to better acquaint one another with their views and with the relevant facts as they saw them, that the - such

discussions could not be a decision making forum on curative rights process, that the way to influence that issue was to participate in this working group, and that this working group is the only process recognized under ICANN bylaws for developing policy recommendations on the subject of IGO access to CRPs, that the facilitated discussions could not be allowed to become a parallel decision making system on policy matters.

Secondly, that I think this working group has recognized the fact that IGOs are objectively unique and that's why we have taken the position we've taken so far on 6ter notification being a separate basis for potential standing. And, I think this working group up to now has been very understanding of what the GAC advice is. We simply haven't agreed with it or with the IGO view on the scope of their immunities, and that's been based in part on the expert legal advice we received from Professor Swaine.

I see George has his hand up so, George, go ahead.

George Kirikos: Thanks, Phil. George Kirikos for the transcript. I just wanted to follow up on what you were saying, to the extent that they're, quote, a uniquely - sorry, an objectively unique category of rights holders, that's somewhat, you know, perhaps far a bold statement to make because they're still subject to, you know, regular court procedures if they choose to avail themselves of those procedures. They're not, you know, they're not deserving of a - necessarily a special court just for them.

So to the extent that they want special rules for them, they still need to be based upon international law. And I think that goes with what Professor Swaine was saying in our supporting document.

I just wanted to remind people that didn't listen to all the oral recordings or read the transcripts of Copenhagen meetings, there was an example where one of the GAC members, I think it was - I can't remember his name, he gave an example of what would happen if somebody in Australia published a

magazine called Who magazine and gave all kinds of bad health advice, and, you know, what would the World Health Organization do under that scenario?

And, you know, obviously they couldn't drag that magazine into a binding arbitration. They gave examples of, well, we could get consumer protection authorities to get involved and things like that. So they would still need to use the legal apparatus available to them. And so national law - sorry, international law doesn't, you know, compel anybody to create a special procedure for them. And that's kind of what we've been saying all along.

And the IGOs didn't really have a good explanation why domain names should have like a special set of rules, you know, just because the - just because it's so called the Internet doesn't mean that traditional laws don't apply. Thank you.

Phil Corwin: Yes, and, George, I see Paul's hand up, but just to respond quickly, I think we have recognized that IGOs are unique to the extent that they can obtain certain protection, not trademark rights but certain protections within national trademark law systems under Article 6ter. And also that they do have some claim to immunity from judicial processes just that we've found that different national courts would treat such claims differently and not in a uniform manner.

Paul, go ahead.

Paul Keating: Hi. This is Paul Keating for the record. I want to juxtapose the two comments that were just made by Phil and by Kirikos is that yes, IGOs are granted certain recognition under the Paris Convention, okay? That recognition is not equivalent to a trademark, as we all know, we've gone through all the relevant statutes in various jurisdictions. And it doesn't grant them the rights of a trademark. But nevertheless, we're saying okay, you could use this for standing purposes for the UDRP.

So we're recognizing that they're special in that regard. But that's a public policy position, Phil. And I want to recognize it as such. The remainder of what we're talking about, which is the rights section, how do they get to enforce their rights or protect their rights? This becomes a voluntary act on their behalf, okay, on their point. And we need to be very cognizant of this.

It is their wanting to enter the world and defend a claim which they assert that they have, to prevent a wrong that they assert is being prevented. Now, once they enter someone else's realm, they have to abide by the laws of that realm. If I enter the kingdom I have to pay taxes to the king. Okay? I don't get special dispensation.

So the point is, is that this is a voluntary process. The right of immunity, sovereign or otherwise, is subject to waiver, voluntarily or involuntarily through action. Okay? It's not something that comes long just because they are who they are. If they want to participate they can participate and waive their sovereignty. If they don't want to participate they don't have to participate and they don't have to waive their sovereignty.

So I'm not inclined to carve out an entire special set of rules, a special quasi-judicial process solely to appease their desire to participate in protecting rights or enforcing rights that exist in the normal realm, but yet not participate in the normal realm for all other purposes. Okay? That's my point in parcel.

So I treat everything that I've read coming from the ICANN meeting forward, it's very interesting, but none of it changes my mind at all. And so I think I would like to see us move forward quickly to conclude this working group. I'd like to consider the comments, I'd like our report to be revised to consider every single comment that was made and nevertheless, reach a conclusion. And I believe, fundamentally, that the conclusion that we have reached before is not going to change based upon any of the comments that I've seen, heard or read. I'll put my phone on mute now.

((Crosstalk))

Phil Corwin: Thank you, Paul. Appreciate the comments. I'm not going to project what might change between our initial report and final report, that's up to consensus within the working group. I can tell you the cochairs strongly share your desire to bring this working group to a conclusion as quickly as possible.

And so while we're going to be deliberative in carefully reviewing all the comments, we don't envision that process taking more than the next few meetings at which point we'll be in a position to say okay, of everything we read in the comments, which ones do we take seriously enough to consider modifying the final report from the initial report? And then so I would hope that we can get to a draft of a final report by sometime in May.

And that we can have - it'd be great if we could have something out there at least for comment before the ICANN Johannesburg meeting, which is toward the end of June .and I would think we should be able to do that. So we want to wrap this up as quickly as we can while being responsible and careful about considering all the comments.

And I agree, both in saying to the - in our initial report that IGOs don't have to get a trademark, they can rely on 6ter notification for standing and saying that they can file through agents, assignees or licensees so they don't have to directly engage in the action and thereby directly waive their rights. We've tried to accommodate their concerns as best we saw fit.

Paul, your hand is still up.

Paul Keating: I put it - yes, I put it back up. Paul Keating for the record.

Phil Corwin: Okay.

Paul Keating: Can I ask that Mary or anyone else on staff advise us now as to the number of comments that we received during that process? And then I ask that we move forward very quickly. I realize that it is now the end of March, but I see - I don't see a reason why in one or two calls we cannot, as a group, go through all the comments and raise those issues that we believe are - warrant consideration.

But in actuality my preference is, because I haven't - I have not seen that there are so many comments to our proposed report that they - that we couldn't just simply deal with every single one of them and put it all to bed. We'd eliminate anybody else's complaint that we didn't consider their position or simply - or ask staff to categorize them and deal with them on a categorical basis.

But I think that this is something that we could, if for example, we move the next call to a 90-minute call, I don't see why we can't run through all of these single comments in one row and then spend the next phone conversation dealing with the proposed revisions to the current draft and then actually issue a proposed final with consensus approval in the third call. So I don't see why we need to continue this longer. And I certainly want this to be done before the next ICANN meeting so that the Board has our final report and they can consider it how they're going to consider it.

((Crosstalk))

Phil Corwin: Paul, I don't want to project how many more meetings it'll take to consider all the comments but we're beginning that process right now in about 30 seconds. But we have 37 but a great many are me too comments of individual IGOs saying I support the WIPO filing or the OECD filing. We've got some special comments from the US government, mostly on Article 6ter, which I think we have to give good consideration to.

We're about to get into the GAC one. And then we have a lot of comments which generally particularly from ICANN constituencies and stakeholder groups and other individuals which support our initial report and recommendations. So it's mostly going to be detailed review of the critical comments, which we're starting today. And I would think by mid-April we're going to be done with that review and another call or two max should do it. And then we'll be ready to consider whether we want to change anything in the initial report based on that review. So we're on a - we're seeing the light at the end of the tunnel here.

So let me move Roman Numeral 3 in the GAC report is urging the working group, that's us, to take into account the GAC's comments and initial report and I think that's the perfect segue to put up the GAC comments and review them and discuss them. So I see, yes, that was just the email, but not the actual comment.

Mary Wong: Hi, Phil, Petter and everyone...

Phil Corwin: Yes.

Mary Wong: Sorry, this is Mary. I think we don't actually have the right document up just yet but if you will give me literally one minute I can get that up on the screen for you.

Phil Corwin: Yes, let's do that. Given that we just reviewed the...

Paul Keating: This is Paul. There's an actual link in the text - in the chat box, there's an actual link.

Phil Corwin: Okay. Here we are.

Mary Wong: Yes, thank you, George, and it's now on screen as well.

Phil Corwin: And this was submitted by the GAC early on in the ICANN meeting. This was submitted on Sunday, March 12, the same day as the second day of the facilitated discussion. So this is only a three-page comment. I'm going to go through it - I'm not going to read every sentence here but just we can all read, but just hit the high points.

So the GAC first states that the public policy rationale for its submission which is that GACs are unique treaty-based institutions created by governments under international law an important - serve important public service missions, IGOs have recognized policies to protect their identities and domain name system, should accommodate their legitimate third party coexistence. I'm not even sure what that term means.

Mary, do you have any idea what that term means? Unique legitimate third party coexistence.

Paul Keating: Phil, this is Paul Keating.

((Crosstalk))

Mary Wong: ..that it means - go ahead, Paul.

Paul Keating: No, I'm sorry, I should have put my hand up, I apologize. It's Paul Keating. I believe that they're referring to that it is not a nongovernmental, so they exist alongside governments but they are not governments, so they are third parties from the GAC standpoint, they're not governmental.

Phil Corwin: Yes, I'm not sure if it's that or coexistence with other parties who may legitimately be using the same acronyms. I'm just not sure what that means, but it's probably not that important, it's just a rationale for the actual substance of their comment.

The GAC affirmed its position that the Small Group compromise, I'm going to take personal issue with the term "compromise" I've never seen any sign of compromise in the Small Group position - should be duly taken into account by ICANN and the GNSO. I would say as cochair that this working group has taken that IGO Small Group proposal very much into account, we just haven't agreed with it.

The GAC also notes that ICANN's Bylaws and Core Values specify that the concerns and interests of entities most affected should be taken into account. Well, again, we have.

Set out below, the GAC specific concerns and interests regarding the working group's initial report relating principally to Recommendations 2 and 4, the GAC doesn't take exception to Number 1 which notes that the initial report recommendations do not apply to INGOs.

And so far as two such INGOs, Red Cross and the Olympic Committee, are the subject of separate GAC advice. And as was noted earlier in this call, the Board took positive action to protect permanently the names of national Red Cross societies in the second level of the DNS.

At the Copenhagen meeting, which I don't foresee any problem with the GNSO going along with that, in fact there was great relief within the GNSO that we made progress on that.

Okay, substantive considerations regarding curative rights protection, okay, GAC still wants us to establish a separate dispute resolution mechanism modeled on but separate from the UDRP, which that standing for IGOs need not be expressly granted in trademark law.

They don't say what they would have it grounded in other than trademark law. And that bullet point - there are two issues where the working group Recommendation Number 2, which suggests using policy guidance on UDRP

standing, first insofar as the recommendation would effectively alter an existing consensus policy, and then they put in parentheses, no amendment of the UDRP, it improperly bypasses the ordinary bylaws prescribed policy development process. It should not, therefore, be described merely as some form of policy implementation guidance.

We'll - we can get back and discuss that in detail. And I'll let Petter talk in a minute. But since we're not recommending any change in the language of the UDRP, I'm not sure how it would effectively alter an existing consensus policy, which is what the UDRP is and how it would bypass the PDP process when this working group is, you know, being undertaken pursuant to the PDP process recognizing the bylaws.

Let me stop there and let Petter speak up. Petter, not hearing you. Are you off mute?

Petter Rindforth: Hi, Petter here. Can you hear me now?

Phil Corwin: Yes.

Petter Rindforth: Sorry. Yes, this is a short comment document, three pages, but as I read it, I can - I summarize the text, correct me if I'm wrong, in a couple of short notices. First, that they recommend that there should be a separate dispute resolution mechanism that is modeled from the UDRP but similar. And again, they're only talking about the UDRP, not the URS.

It seems that the URS is either forgotten in this respect or, again, that it is the UDRP version that is more important. So that is the first quick summarize of that comment.

And the other one is that again, when they refer to Article 6ter, and say that it's not the best way to identify, it is again, referring to if we should use Article 6ter in the - with the present URS and UDRP. So what they state about

Article 6ter is when they talk about the second phase dispute resolution mechanism and the identification there.

So again, maybe a lot of text, but I see more or less the same conclusion that has also been provided by WIPO. Thanks.

Phil Corwin: Right. Thank you, Petter. Okay, George, go ahead.

George Kirikos: George Kirikos for the transcript. Yes, I just wanted to reiterate what I put into the chat room, that they're trying to argue that it's a separate set of legal rights that compels us to create a brand new legal process. But if we think about it, you know, what is the legal dispute that separate legal process is trying to solve?

And Mary mentioned that, you know, it's based on Article 6ter, and we know from the US State Department letter for the (UNIFEM) case that the United States government considered it appropriate and, you know, fully satisfying their treaty obligations to allow the IGO for the (UNIFEM) case to bring a court action. And obviously that would be a trademark kind of case if it was to dispute a domain name with regards to Article 6ter. So we're right back into the UDRP in which I think we got it right in our own analysis. Thank you.

Phil Corwin: Okay thanks, George. Petter, I see your hand up again.

Petter Rindforth: Well thanks. And I would probably turn over that to Mary once I've made my comment because I saw Mary's comment in the chat room that in 2007 a separate UDRP was drafted for consideration that was based on 6ter. And I presume you mean that the original draft that was for some reasons not accepted at that time and that we also - and I don't have the papers and the protocol in front of me right now, but I know that we looked at that at the beginning of our working group and we decided fairly quickly for some reasons that it was not the best way to proceed.

But after we have gone through all the comments, I would suggest that we at least have maybe on the next meeting that we are going through that old proposal. It's 10 years back now. And just reconsider why we didn't accept it and if we still stand for that. Thanks.

Phil Corwin: Yes, thanks, Petter. And I see hands up from Paul Keating and then Lori Schulman. But Mary's had her hand up. Mary, why don't you intervene and then we'll get to Paul and Lori.

Mary Wong: Sure. Thanks, Phil and Petter. So just to follow up on Petter's point, and this is not staff pushing a particular position. But in reviewing the discussions in Copenhagen, and considering the concerns that had been raised about 6ter, including by the US government, it seemed to us that it may be helpful for the working group to at least briefly, as Petter has suggested, look back at the 2007 text or similar types of procedures.

Because one potential advantage of something like that is that to the extent we want to use or rely on 6ter, it takes us away from the problem of trademark rights. It doesn't fully answer the question that George and others have raised about, you know, whether that creates new rights, but then that perhaps is a discussion that we can have at this time in light of the comments that we've received and the discussions at Copenhagen. Thanks.

Phil Corwin: Yes, and Mary, I would agree that it might be useful for us to review that 2007 draft. Personally I think that should occur after we do a comprehensive review of the US comment - the US government comment which was focused pretty much exclusively on 6ter as a basis for standing.

Paul and then Lori after Paul.

Paul Keating: Yes, I think I would like very much to receive, if we could do it by email blast it's a lot easier for me to receive things by email than going and following a bountiful of links in ICANN's Website the material that Petter was referring to

because if anything to me that is giving us ammunition to change our justification for standing to either be one that is more acceptable to the community at large or it tells us that we need to eliminate the standing issue completely and therefore IGOs have no standing under the UDRP and consequently under the URS.

Which requires a registered trademark, Petter, and not a common - it's not the broadest standpoint, broader standard that UDRP requires. But, I mean, personally I think it's - I don't have a problem granting IGOs standing, element 1 under the UDRP. I don't necessarily have that problem. And I think it's a good political compromise for us to find a way to give them standing, utilizing the preexisting resources that we have. Okay?

Failing that, and without even worrying about amending the UDRP as a whole, I will tell you in my personal opinion, having attended every single UDRP WIPO workshop for the last eight years, if this panel - if this working group were to issue a recommendation that stated that IGOs were granted standing under the first element pursuant to 6ter, every single panelist that dealt with an IGO trademark claim under the UDRP would find equivalently, okay?

So I don't think we need to worry as a group as to whether or not we need to formally amend the UDRP or not, I believe affirmatively that the language of the UDRP particularly the fact that it doesn't rely on registered trademarks, it allows common law trademarks and the equivalents, right, I don't think that there's a problem with IGOs losing the argument about standing when they come before the UDRP panel, right?

So I don't think we need to worry about going the next step and formally amending the UDRP for this process. But I do agree that we need to review the earlier materials to make sure that our - the basis - the foundation upon our - upon which we're basing our conclusion that 6ter forms some basis for standing, is actually legally sustainable. Thank you.

Phil Corwin: Yes, thanks Paul. And just to be clear, you were saying that based upon your interaction with WIPO panelists over many, many years that they would have no objection to providing IGOs with standing based on 6ter notification and doing that through policy guidance rather than formal amendment of the UDRP policy?

Paul Keating: If I might - Paul Keating responding?

Phil Corwin: Yes.

Paul Keating: I think that if presented with the question - with a claim raised by an IGO which asserted rights based upon 6ter, the panelists would have no problems whatsoever finding that they met the standing requirements of the UDRP because the 6ter elements are so close to a trademark right, that it would be - and the first element of the UDRP is so watered down that literally it's a wall that a snail could cross, okay?

So this is really not an issue in the great scheme of things. We're not - by not amending the UDRP we are not precluding one IGO in the world from raising a legitimate, an otherwise legitimate UDRP claim in my opinion.

Phil Corwin: Okay, thank you Paul. And I'm going to recognize Lori now, but I just want to note we have 14 minutes left on this call. I would like to finish our initial review of this GAC comment in the remaining 14 minutes which I think we can do, there's really only a page left. So go ahead, Lori, and then let's try to get through initial reading of the GAC comment and then we'll talk about the next meeting. Go ahead, Lori.

Lori Schulman: Okay, I have a comment and a question. So my comment is in terms of policy guidance, one of the concerns that my membership has in terms of recommending policy guidance is there was a concern that the policy guidance itself would then roll around to becoming in a sense a de facto

(unintelligible) in the policy. And my organization has been very clear about feeling that the UDRP is operating quite well and that there is no need for amendment, no need for work arounds.

And I don't know that we ever really tackled that issue. And I note the time constraint and wanting to get through the GAC advice. But I do want to say for the record, I think it is worth a discussion about how we feel the real practical effects of policy guidance would work provided we stick to all of our recommendations. And that, you know, if there currently now - and I am not a - no longer - actually I never was a UDRP expert; I was in house counsel who hired others.

So for those who do this work regularly, is there a policy guidebook now that implements the UDRP policies? So this would just be adding to a current publication? Or is this something new that we are asking for in order to clarify what our positions are in terms of the tasks? That's one.

And then the second one about standing, whether 6ter works or not, I was one of those people who had very long conversations with the USG folks, and it did raise some questions. And my thoughts are if we decide that 6ter is not what we need for whatever reason, I'm not clear why for an IGO they couldn't just asset standing based on their organizing treaty. Why does it have to go as far as 6ter?

Phil Corwin: Yes, Lori, I'm going to respond briefly. I'd be very concerned about letting - I would think there'd be much greater concern about letting IGOs have access to the UDRP have standing based on treaty rights which can vary significantly between separate IGOs as opposed to based on 6ter notification which is directly related to national trademark systems. I think allowing - at least under 6ter you're within the world of trademark; treaty rights are totally separate from trademark.

But I just want to say one other thing, if we decide that policy guidance, which would be similar to the guidance that WIPO provides to panelists on all the various issues that can arise in UDRP cases and where there's a new overview 3.0 scheduled to come out I believe to be unveiled by the time of the INTA annual meeting, we're talking about something similar to that.

But I want to remind everybody, this working group if we decide that guidance is not sufficient or would set a bad precedent, we have absolute authority to suggest a surgical edit of the UDRP policy which would not affect any of the substantive grounds for finding infringement and awarding relief, but would simply be a parenthetical stating that in the portion for standing that for IGOs and that would be strictly defined in that standing cannot be established by proof of notification of WIPO of their 6ter rights.

So we have that authority if we decide that's the proper way to do it. And I don't - I wouldn't think that that offends the UDRP overall policy. But the last thing I want to say as we review all these comments initially I think the best way to handle this is to review the comments so we understand the detailed comments of GAC, WIPO, OECD, USG, etcetera and then separate from that, not simultaneously, go back to them after the initial reading and decide whether there's any need to alter our initial recommendations.

And, Paul, I see your hand up again. Can you keep it brief...

((Crosstalk))

Phil Corwin: ...we have nine minutes left? Okay.

Lori Schulman: I'd like to respond to one thing you said there, Phil...

Phil Corwin: Sure.

Lori Schulman: ...and that is about just using the treaty rather than 6ter. And I'm speaking now in a personal capacity, I'm not representing anybody at the moment. I'm just trying to get some clarity here because one of the issues that the law USG - and I know we're going through it, you know, has is that what we see on the registry - at least on the USG end, is something that's already been vetted. The US has already made a determination one way or the other.

Whereas if you go back to the organizing treaty it's like saying I am an IGO. The USG has highlighted, and I think it was even put in the chat today, that some claims of the IGOs aren't actually IGOs. And that is an issue in terms of why some countries handle 6ter notices differently than others. So I'm going to stop right there, but have people keep that in mind.

Phil Corwin: Okay, well I'm going to respond personally and briefly, Lori, and then let Paul speak.

((Crosstalk))

Paul Keating: ...our deadline, Phil.

Phil Corwin: I would - yes, I'm not sure but that's okay. It's a good discussion to have. I want to point out that trademark rights are the only rights for which ICANN has established a process outside of using national courts for resolving disputes. Personally I think it'd be improper to permit IGOs to use the UDRP based on treaty rights, which have no relationship to trademark rights as opposed to Article 6ter protections.

And second, once you open that Pandora's box, I'm not sure they'll be the last group to come to ICANN and say, well we have some special rights too and we want our own type of alternate dispute policy. So I think we'd be opening a Pandora's box by going down that road, that's a personal view. But and we can discuss it further within the working group as we continue. Paul.

Paul Keating: Okay, Paul Keating for the record, the transcript. I think, Lori, a couple questions you asked, one is there a general policy about the UDRP? Yes, it's the WIPO 2.0 Index, okay? There's an equivalent in the DRS.co.uk equivalent that Tony wrote and that's kind of the bible for .co.uk, but it very much mirrors the WIPO Index.

The concept I think that everybody is trying to grasp is there are two ways to prove standing in a UDRP. One is I have a registered trademark. In a federal - in a jurisdiction in which the application has been contested and subjected to some sort of investigation, okay, if I get a state trademark in the United States that is available just simply I filed the application, I pay the \$50 and I get my registration, that is not generally accepted by panelists. And that is set forth in Section 1.1 of the Index 2.0, which you can find just by searching for WIPO Index 2.0. okay?

And I say if it's not examined it's not a trademark. All right? Now my problem with 6ter is very much as Phil's, and I think, Lori, as you indicated, which is 6ter is not an examined process; it's simply a declaratory process. One entity declares that it's an IGO, and the rest of the spaces don't say anything and therefore it becomes one. The same is true conceptually with a treaty which is a contractual relationship between two states, two sovereign parties, doesn't involve the rest of the world per se, okay? So I have a problem with that.

However, that being said, as the UDRP specialist, whose done a fair number of UDRPs, albeit namely in favor of responding parties and not complainants, if I were representing an IGO I would focus on the common law use of my mark, okay? The actual evidence that I have used it in the community, here's my Website, here's my - all of the newspapers that have referred to me, etcetera. And you would sustain the first element very easily based upon that and the explanation that you're an NGO, which is a nonprofit, therefore revenues are insignificant.

However, if you wanted to include the concept that I'm receiving grant money or donations, here, bang, here's my evidence. I can't imagine that a legitimate IGO would not be able to overcome this very, very small hurdle of standing in the UDRP. So I'm inclined to actually, based on what I've heard, and based upon the comments that have been made, if anything I'm watering down my concept of 6ter, I'm saying that 6ter is simply one more element of evidence to establish a right as are all the other pieces of evidence they have to put forward to establish a non-registered trademark in the event that that's what I'm relying upon.

Obviously if I have a registered trademark somewhere that's what I'm going to put forward and I'm done. Okay? But I'm an IGO and I don't have a registered trademark through agency or whatever, I'm going to rely upon an argument of common law trademark rights which is easily sustainable and I would include in that, as an argument, my 6ter rights if I have gone through that process. So I really think we're arguing - we're making a mountain out of a molehill here, and I think if anything we water down our reliance on 6ter under our final report and we simply say that it is included as one of the many factors to determine standing under Element 1. That's it.

And I think that if we do that, Phil, I think we've - we have addressed almost every single one of the comments that we've received except for those which say we're an NGO, we should be, you know, second to God.

Phil Corwin: Right. Okay. Thank you, Paul. Okay, with three minutes left I'm going to very quickly note, and we can return to this next week that in the remainder of the GAC comments we saw they couldn't agree to Recommendation 3, which is about policy guidance, that's about Article 6ter again, they still want to appeal only to an arbitrator, not to any national court.

And that's pretty much - they have no argument with Recommendation 5 which they note is the one that took their advice into account, that any CRP providers to no or nominal cost, we didn't actually recommend that, we said

that's an issue for ICANN Organization; we have no authority to create a subsidy mechanism for filings by any type of party.

And they want us to basically take their - all their advice into account and change most of what we recommended, and go with the IGO Small Group. So let me stop there. It's 1:29 Eastern Time. As I understand it, we're going to come back at this time next week for another 90-minute call. At that call we can quickly revisit the GAC comment on our work.

And during that call we're going to focus on the WIPO and OECD comments, which are the main IGO comments. All the other IGOs comments that I've looked at have basically just endorsed the WIPO or OECD ones. And then the US government comment, which is primarily focused - well almost exclusively focused on concerns about using Article 6ter for standing. And I think if we can get through those next week in 90 minutes we will have - of course we're going to have a staff document for next week, which summarizes all the comments and identifies the key issues raised in each one.

But I would think that next week we can get through all the governmental IGO comments that are critical of our report on the next call. Paul, you had another comment or is that hand an old one?

Paul Keating: No, just a quick one, which is a manner of process, which is rather than going through every single comment kind of so they're a new thing, we deal with them as though here we have our report that we've issued in front of us, how is this changing anything? How is this changing anything? Does it change anything in our principle report? Does it - or secondarily, does it require us to address anything in our secondary - in our principle report that we have not already addressed adequately?

I think if we look at the comments in that frame, we'll be able to get past the comments much more quickly.

Phil Corwin: Yes, well Paul, I would think that if we can get through all those other three main comments next week, OECD, WIPO, and US government, we'd be in position on the call after that to say okay, we've reviewed them, now what if anything in them do we feel we need to take seriously and consider an alteration of our initial report? We're not going to be going through every comment. Many of the comments are simply comments that support our recommendations overall or that endorse the comments of others.

Paul Keating: Okay, so but Phil, mine is a little bit - sorry to interrupt. Paul Keating again. This is more process-oriented, because we all have jobs that take us - that occupy us 24/7 besides this, okay? So going through all of the comments and then coming back to our report to decide how those comments might impact our report, I think is inefficient mentally, for me.

I would rather deal with each single comment that is important enough to deal with like the GAC one that we just reviewed and we say, okay, here's our report, everybody has our report in mind, how does this change our report? Does it require us to add something, detract something, change something, yes, boom, yes, no? Fine. Done. Next one. Okay?

Phil Corwin: Yes, okay, Paul. We're passed time here, two minutes past. I'm going to say quickly we can discuss this as a working group. My preference personally is to review the comments in detail because many of them are going to repeat the same points. And I think it'd be more efficient to review them each and then see where they match up on criticism or suggestions and then deal with them. But I see my cochair has his hand up and then we're going to have wrap this call up. Petter.

Petter Rindforth: Well Petter here. Well, frankly, you just said what my view also was. I think it's a lot easier to actually go through all reports and frankly just to make two, three words on each of them because they are quite similar. But it's good that we have noticed that the name of the organization that have reported them

make comments and then we can say, this organization, these comments refers to the same, they have these issues on the topic. So we don't need to have half an hour on each comment.

Phil Corwin: Right. Okay, well we're going to wrap up now. Thank you all for attending. I've seen comments that people spend a lot of time on ICANN calls, God knows I do, particularly cochairing two working groups dealing with related issues. But, that's the price you pay if you want to influence ICANN policy.

So we're going to be back next week, same time, for 90 minutes. Our agenda next week is to return briefly to the GAC comments, see if there's anything anyone wants to say further about it. Then review the OECD and WIPO comments which are the ones that have been pretty much endorsed by all the other IGOs. Then look at the US government comment, which is focused almost exclusively on concerns about using 6ter for standing.

And then see what time we have left. We can start looking at the other comments. But again, we'll have that staff summary next week, and I think we'll see that many of the other comments will take very little if any time because they're simply endorsements of other comments or endorsements of our recommendations. So with that I'm going to adjourn the call and give you back the rest of your day. Thank you for your participation. Bye now.

Petter Rindforth: Thanks, bye.

Mary Wong: Thank you, Phil. Thank you, Petter. Thanks, everybody.

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