

**ICANN
Transcription
New gTLD Subsequent Procedures PDP-Sub Group A
Thursday, 20 December 2018 at 20:00 UTC**

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<https://audio.icann.org/gnso/gnso-new-gtld-sub-pro-pdp-sub-group-a-20dec18-en.mp3> [audio.icann.org]

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Operator: Recording has started.

Julie Bisland: Super. Thank you. Well, good morning, good afternoon, good evening, everyone. Welcome to the New gTLD Subsequent Procedures PDP Subgroup A call, held on Thursday, the 20th of December, 2018. In the interest of time, there will be no roll call. Attendance will be taken by the Adobe Connect room. If you're only on the audio bridge at this time, could you please let yourself be known now?

Anne Aikman-Scalese: Yeah, it's Anne Aikman-Scalese. I'm trying to get into Adobe. I'm on audio.

Julie Bisland: Audio only? Okay. Thank you, Anne. And hearing no other names, I just want to remind everyone to please state your name before speaking for transcription purposes. And please keep your phones and microphones on mute when not speaking, to avoid background noise. And with this, I will turn it over to Robin Gross. You can begin, Robin.

Robin Gross: Thank you very much. And thank you to all of you who joined the call today. Let me quickly review the agenda. We're going to see if anybody is updating their statement of interest, and then we'll dive into the discussion of the public comments. We're going to continue with Section 2.2.3, which is the topic of applications assessed in rounds. And in particular, where we left off last week and where we'll pick up this week, is at 2.2.3.c.1, specifically line 14 in the Google spreadsheet, which we posted a link to in the chat here, and has also been included in the email messages about today's call. So then we'll move on from that, if we're able to finish that 2.2.3, then we'll move on if time permits, to 2.2.4, which deals with the different TLD types, and the public comments that we received on that.

Okay, so and then, of course, any other business; and we're also going to wrap up a couple of minutes early today, just because the GNSO Council is meeting immediately after this call, basically at the same time that this call ends, it's supposed to end. So

we've got a number of people who need to be on both calls. So we'll just end a couple minutes early, just to give folks a heads up as to that.

Okay, so does anybody have any question on the agenda, or shall we just move right along? Okay, not seeing any, is there anybody who would like to update their statement of interest? Okay. Not seeing or hearing anyone on that, let's just dive right into our substantive material, reviewing the public comments on, again, Section 2.2.3.c.1, line 14. And we're dealing with applications assessed in rounds. And so we'll be working from the Google spreadsheet that was posted into the chat, and also sent around in email. Again, this is line 14. Although let me review the specific question that was asked in 2.2.3.c.1.

Okay, so here's the recommendation. The working group recommends that the next introduction of new gTLDs shall be in the form of a round. With respect to subsequent introductions of the new gTLDs, although the working group does not have any consensus on a specific proposal, it does generally believe that it should be known prior to the launch of the next round, either A, the day in which the next introduction of the new gTLDs will take place; or B, a specific set of criteria and/or events that must occur prior to the opening up of the subsequent process.

Okay, so that was the question that was asked. And again, we're going through the responses from the public comment, and we're on line 14, which is a response from the brand registry. And the brand registry -- both some agreement and some concerns with respect to this recommendation. There was support for the recommendation, but concern with the length of time expected before the next application window is opened. So the BRG generally supports this recommendation, although it is, it says, deeply concerned with the length of time expected.

Okay, so again, this one is sort of a mixed bag. That it's generally agreement, but does additionally have some concerns. Okay, does anybody have any comments on that? Do you think we have characterized this correctly in terms of what this comment has said on this topic?

Okay, I don't see anyone. Oh, I thought I saw a hand. Nope, I guess not. Okay. So I don't see any hands or hear any voices. Let me move on to the next one. Okay. And this is a comment from INTA on line 15. And again, this is another bit of a mixed bag, where there's some agreement, some concerns. There's general support for discrete, regular, and predictable timed rounds. But newly formed brands should be able to apply outside of the normal cycle.

Okay, so there's agreement by supporting discrete rounds. This would appear to support the next introduction, if no new gTLDs to be a round. Again, there are no concerns. Excuse me, there are concerns, although no concerns were raised about the recommendation. But it's the preference expressed for the specific model that's in 2.2.3.d.3.

Oh, I see we have a couple of hands here. Yes, I've got Jeff and then Jim. Jeff, please go ahead.

Jeff Neuman:

Sure. So this is Jeff Neuman. I would actually classify this as -- I don't think there are concerns. I think it's more a new idea, which is the concept of having brands apply outside the normal -- but I don't think there are concerns. I wouldn't classify any of these as concerns. But I mean maybe we should ask Wilson (ph) from INTA, I guess. But to me, the way I see it, is it's really support for the recommendation, but a new idea to have brands apply outside. I'm not judging whether that's good or not. But I don't think it's a concern. Thanks.

- Robin Gross: Okay, Jeff. Thanks. That's really helpful. Yeah, it would be great if there's somebody from INTA or somebody who maybe helped draft this, could speak specifically in terms of our mischaracterization of this as a concern. Maybe it is better as a new idea, a new approach. Okay, I see we've got Jim and then Kathy. Jim, please go ahead.
- Jim Prendergast: Yep, yep. Yeah, thanks, Robin. Jim Prendergast. Yeah, I agree exactly with what Jeff said, and I was also trying to get your attention, because Kathy was having problems getting her hand up. So I'm good. Thanks.
- Robin Gross: Great. Thank you. Kathy, please go ahead.
- Kathy: Hi. I'm on the phone now, and thanks to Jim. And so I was actually trying to respond to the earlier question, 2.2.3.c.1. And it has to do with rounds and that I thought the Non-commercial Stakeholder Group comment belonged in there. And NCSG did not address by sub points, but I thought that it's NCSG support of rounds and its articulation of why rounds are very important, including for notice to the community and for the global (inaudible), it seems to belong in 2.2.3.c.1.
- Robin Gross: Thanks, Kathy. Take a look at line 58, because line 58 is -- and the comment is the line that deals with the NCSG comment. And it does talk about the preference for rounds, with the rationale that you've described. I think one thing that we're going to discover today, as we look at all these different comments, is there's a lot of questions that just say, you know, please refer to 2.2.3.2.a.7 or that sort of thing. So there's a lot of sort of skipping back and forth, and people answer the questions maybe in d.4 and that's where it is instead of the c.1. And I know it's not -- we do need to watch that and make sure everybody's comments get in there. But I think this comment is in there. It's just down on line 58. But if we need to put it up above as well, we can certainly to that.
- Kathy: Yeah. It's as, as Cheryl notes, we can duplicate it. I'm just afraid if it's in another spot, it might not be part of the discussion when it gets to the working group. So I like Cheryl's suggestion, if that's okay.
- Robin Gross: Terrific. Yes. And if anyone else sees some comments that are listed in one section and maybe would be better listed in another, then please let us know. Because it is not easy to get this is all straight when we're asking very slight differences between point C and point D. And then sometimes it gets characterized in one place and not the other, and so thanks for pointing that out.
- Kathy: So Robin, this is a new hand.
- Robin Gross: Is that a new hand?
- Kathy: New hand.
- Robin Gross: Please go ahead.
- Kathy: I'm going to ask a similar question to what I asked in the earlier SubPro meeting today. But specifically to this, so if there's a new idea, like brands want to go to the top of the queue or they don't want rounds or something like that; does that go out to the public to comment? Because of course if it's a new idea, we didn't have a chance to do it the first time. And my guess is parts of the community might have concerns about jumping the queue on this or not being in the queue at all. So procedurally, how does that go? Thanks. Thanks, Robin.
- Robin Gross: Thanks, Kathy. And I see Jeff has his hand up, and I suspect it is to answer this question. Please Jeff, go ahead.

Jeff Neuman: Yep. And thanks. And I'll answer it the same way I answered in the chat on that last sub group. Essentially there's lots of new ideas. They're all going to go to the full working group. If the full working group finds merit in the new ideas and wants to move forward with that idea and that new idea has not be subject to a public comment, then of course we're going to have to have some mechanism to get public input on that. But the thinking is now at this point, just new ideas. Unless the working group gets behind that new idea, it's not really worth going out for comment from the public. We can end up in some endless loop of idea, public comment; idea, public comment. So I think at this point we will take the new ideas. We'll flush them out with the full working group. If the full working group does find merit in that, it seems like we're heading towards a good support or consensus from the working group; then those new ideas, if they're truly new, will have to go out for some sort of public input.

Kathy: Great. Thanks, Jeff. And thanks, Robin.

Robin Gross: Thank you, both. Okay, is there any other comments on that topic, or shall we move on to the next comment? All right, not seeing anything further on that, let's go on to the next comment on the spreadsheet, which I believe is going to be on line 16. And it's the comment from the ICANN board, a suggestion to consider round closure and to consider criteria and mechanism for determining when and how to close a round. So the board requests that the PDP working group consider the issue of round closure and what criteria and what mechanism could be used to close a round. This had been characterized as concerns, because it flags consideration for the working group to take into account. Although it also perhaps is better described as potentially a new idea, because it is a suggestion to try to get us to think about and define what constitutes the end of a round and how do we sort of handle that step in the process.

Okay, I see Jeff has his hand up. Jeff, please go ahead.

Jeff Neuman: Yeah, I'm going to make a proposal that this be one of the items that gets moved to the full group for more immediate consideration. I think because it seems -- and I don't mean to jump the gun -- but it seems like most of it (ph) did support at least the very next opening of applications be in the form of a round. And while there may be some disagreement of what comes after the very next round, we will still have to define was a closure is. So I think this is one of those items that would be good to send up on a more immediate basis to the full working group for discussion.

Robin Gross: Yeah, Jeff. I agree. That sounds like a good idea. Anybody else want to weigh in on that? I see Cheryl's got a green check in the Adobe Connect, indicating agreement. Okay, so let's -- if there's nothing further on this one, let's go on to the next one, which is line 17. Okay, and this is also an NCSG comment. Okay, we've got agreement on support for 2.2.3.d.3, and divergence which means it's against the 2.2.3.d.4-5-6, which is basically the first-come-first-serve suggestion.

So here we've characterized this comment as support for 2.2.3.d.3 above, believes the rounds better support training, planning, provision of information. Rounds also support your evaluation process, as well as objections, comments, round support review, and public policy development process. So it's clearly saying that the NCSG supports the introduction of new gTLDs in rounds, but not on a rolling or ongoing basis. So that's how this one has been characterized. Again, some of these you're going to find a number of times today. Because we ask slightly different questions, although it's all really about the same question, application in rounds.

Okay, so I see, Jeff, is that a new hand?

Jeff Neuman: Yeah. It's a question for the NCSG or a clarification. So looking at the words specifically and not on a rolling or ongoing basis, so we know that the NCSG is not in favor of a first-come-first-serve. But I think here (ph), when we saying ongoing rounds, normally it means you have a round with a fixed period in between and then start the next round and it's very predictable. And they seem to support that in the two paragraphs down, where it says, accordingly the only optional answer is to conduct all future new gTLD procedures in rounds, separated by predictable periods.

So that to me does the quote, "not on a rolling or ongoing basis" mean that -- is that referring to first-come -- not first-come-first-serve? Or is it just a contradiction with the predictable periods in between? That's where I'm a little bit confused. So maybe Kathy has got her hand up. So, thanks.

Robin Gross: Yep, I see that. Kathy, please go ahead.

Kathy: Okay, so this is Kathy. In this case, I'd probably draft a dissection (ph). So -- and let's see if this make sense. Because you guys are much deeper into this and I'm still floating from rights protection mechanisms to here. But the introduction of new gTLDs, NCSG supports in discrete rounds. So by a rolling or an ongoing basis means that the idea that we saw at least in some places in the initial report that it would kind of remain open, that people could submit at any time, or that there might be a discrete round coming up. But that after that, there's an idea it might be open, a rolling and ongoing basis. So that's kind of a distinct term together, not separate. Not that you can't have ongoing rounds in the future, but this rolling and ongoing basis, a lot of things you apply for like that, like new licenses. You can walk in anytime and get a new license, or renew your license. We're in favor of discrete rounds, because as the watchers, as part of the community, we need that ability to watch a round when it goes through file objections, raise concerns; write comments. So I don't know if that answers your question, Jeff. I'd love to know. But again, rolling and ongoing basis is a discrete term. Thanks.

Robin Gross: Yes, Jeff. I see you've got your hand up. Please go ahead.

Jeff Neuman: Yeah, and thanks, Kathy. I think it does. But if I can give you an example, maybe that would be better. So what if the group said, okay -- and this is just hypothetical -- we'll do a round in 2020 that will go from January to March, and then go through all its steps. And then we're going to do the next round January 2021 to March 2021. And then the next round after then, January 2022 to March 2022. That's -- I think that's okay, in line with what you just said. Just you don't want it ongoing, meaning that the round is always open? So--

Kathy: Okay, so a different question is rounds that are fairly short. That's a really good question. The anticipation, I think, of discrete round is that it finishes. And it certainly took us more than one year to get through the contention sets, and the changes and the comment period, and the comments of this first round. So I think that would need to go out for more clarification, Jeff. The idea -- I think the expectation is that one round finishes before another round starts, and it certainly took more than a year, again, to get through this first round.

And especially where we're talking, like in the supplemental initial report, where we're talking about major changes going up for public notice on an application, and perhaps joint ventures and other types of major changes. And those will going out for public comment. Those will be going out for public review. If those are happening in a prior round, as the next round is starting or going midway, I think you're going to have chaos in the world, and that kind of might go against this idea that we say in the second line, rounds allow ICANN to publicize a fixed event with an application deadline to engage in kind of -- and the folks training (ph) of organizations, but also to allow the community to

respond. So I don't know if that makes sense. I think the idea of a round is that it largely finishes before the next round starts.

Robin Gross: Yes, Jeff? Do you want to respond?

Jeff Neuman: Yeah. I think we're getting closer. I didn't really mean for you to focus on the short time period. I just meant that if a round started and did whatever it was supposed to do, and gave a predictable starting date, like so every two years; ignore the short time period. If we said that it was predictable time periods in between, but it was ongoing in the sense that it's going to happen every two years. Again, assuming that the previous round is closed, that would be okay. I want to take these as separate questions. So I just want to make sure that the NCSG is not against having a predictable time period for each round to start and end. It's just against kind of this ongoing rolling applications in process.

Kathy: Okay. Thanks for the clarification, Jeff. I cannot say yes or no, because that was not the question we asked NCSG. We asked NCSG, the community, and then the people working on this, the subcommittee working on this; about rounds, discrete rounds, the idea of announcing ahead of time dates for those rounds. I don't know. It's a good question.

There is an expectation that it will not be just one round coming up that there will be more than one round. But ongoing rounds at fixed times, again, without knowing how many applications. Let's say we have 20,000 applications in the next round. And we've already announced that we're going to have another round in two years. That could be a problem. I don't know. Its scale is going to impact this. So this preannouncement of fixed dates for rounds, I don't think we have any consensus on, because we haven't discussed it in NCSG. Thanks.

Robin Gross: Thanks, Kathy. I noticed that in the chat, Jim Prendergast asked a question, a clarifying question, about the NCSG comment. So he asks that -- so an ongoing accreditation process similar to the registries (ph) is something that the NCSG opposes? Kathy, did you have any thoughts on that question?

Kathy: We don't accredit registries. Sorry, and I can't see it. I'm following too many tabs. So I don't see Jim's question. But we don't accredit registries.

Jim Prendergast: Cath, I think it was either a typo or a misread. It's registrars, so like the process by which a registrar is accredited, where it's open and you apply at any time. That's not something the NCSG would support, is that correct?

Kathy: No. No, absolutely not. Thank you for clarifying. No, no-no-no.

Jim Prendergast: Yeah, okay.

Kathy: Because of the complex nature of the review process, the comment process, and the objection process, among others, kind of this interaction between the community and the application for the registries. It's not a one-size-fits-all at all. So thanks for clarifying, Jim. I appreciate it.

Robin Gross: Okay. Thank you. Next in the queue we have Donna. Donna, please go ahead.

Donna Austin: Thanks, Robin. Donna Austin from Neustar. So I guess I have a question in chat as well about whether round dates relates to the application window only, or whether it extends to evaluation and delegation. And I notice Jeff has said we can't -- we need to be careful about talking about using the term round closed. Because we haven't defined that yet. But I guess in my mind, I always thought of a round as more the application window. So

you'll have the window opens on the 1st of January and it closes on the 30th of March. And then there's an assumption about how long the evaluation and delegation period would take, in order to establish when the next window opens, or the next round opens.

But I'm a little bit confused as to whether that comes into the discussion when we're talking about a round. Because one of the challenges we would have is we don't -- I guess to Kathy's point, if you have 20,000 applications, you don't know how long the evaluation and delegation process would take. So I guess I just wanted some clarity on what the thinking was on that. Thanks, Robin.

Robin Gross: Thank you. Yes, Jeff, please go ahead.

Jeff Neuman: Yeah, thanks. I want to take everyone back up to line 8, which is the actual 2.2.3.c.1, the question. So the question talks about with respect to subsequent introductions of new gTLDs, although the working group does not have any consensus on a specific proposal, it does generally believe that it should be known prior to the launch of the next round, either A, the date in which the next introduction of new gTLDs will take place; or B, the specific set of criteria and/or events that must occur prior to the opening up of the subsequent process. For the purposes of providing an example, prior to the launch of the next round of new gTLDs, ICANN could state something like, quote, "the subsequent introduction of new gTLDs after this round will occur on January 1, 2023, or nine months following the date at which 50% of the applications from the last round have completed initial evaluation." So that's just one example.

So I think we haven't yet defined closing of rounds. We haven't yet even in the discussions with Kathy and the NCSG comments, it doesn't sound like we've gotten to a point yet where what it sounded like when I was listening to Kathy speak that they certainly want ample notice of applications, ample time to comment, and to file objections and all the interactivity with the community. But I don't think we've settled on whether that means, okay, let's say all those periods have passed. And now ICANN is just doing its technical evaluations or string contention stuff that doesn't address as to whether the next rounds can or can't start. So I don't think we've gotten there yet. It's something that we all still need to discuss.

I know that there are some groups that filed comments that said, sure, as long as people know what comments are in, as long as you put things in the queue that you evaluate the ones that came in, in the first round. Some comments said, we don't mind if you start a second round. But nothing in the second round can be considered until everything in the first round is considered. So there's kind of comments all over the place. And that's got to go for discussion for the full group.

And as Jim says, when a round closes, is an open question. And that's the one that I had suggested that we move over to the full group. And as Kathy says, has the first round closed? Great question. It's never been defined. And although we can't retroactively define when the first round is deemed closed, we can certainly for future rounds give a definition of when we think it should be considered closed.

Robin Gross: Thanks. And yeah, that certainly dovetails nicely with the board comment on this very topic of needing to look carefully and think carefully about how we define closure of a round. Kathy, I see you've got your hand up. Please go ahead.

Kathy: Yeah, thanks. So Jeff, that's really important background and discussion. So is the first round closed? I just wanted to submit that rounds definitely to NCSG are much more than the application window. Because our work really starts when the application window closes. The community's work really starts. The GAC's work in some ways continues. So is the first round closed? This might be a really interesting point of discussion for the

working group, because even though there's a few bits and bytes and stragglers and open questions on .internet and .home and .mail and some of these things that are still somewhat open. I would say the first round is largely closed. And I think that's how we're going to have to define it, is when is something for all intents and purposes, how that we've gotten as far as we can get.

But yeah, I think we definitely have to consider within a round, strongly consider the fact that we're asking for a lot of community input and define that within the round. But let's define when a round is closed or when it is for all intents and purposes closed, or almost all closed. I don't think we're going to get a perfect definition. But we might get something close. And it sound like an important process to do that. Thanks.

Robin Gross:

Thank you. Yeah, it seems like rounds are really just about stages. And stages close one after another, different stages within the round close. And so we need to be specific about which stage of the round are we talking about as closing.

Okay, did anybody else want to get in the queue on this or shall we move on to the next question? All right. I don't see anyone's hands or hear any voices, so let's move on to the next question, line 18. Which is now we're moving off of that question, onto this question, which is 2.2.3.d.1. Conduct one additional round, followed by an undefined review period to determine how future applications for new gTLDs should be accepted.

So basically here, a couple different types of possible ways of managing the rounds or the application periods have been proposed in this D section, 2.2.3.d. And so we've got a few different proposals, and people have commented on certain specific ones, or just said, see my comments above on this one. So we sort of need to take them all as a basket together, when we're thinking about them, and not just very discretely. Because they all tie together.

Okay, so the first public comment on this question is from the registry stakeholder group. And it agrees with some parts and disagrees with other parts. Well, actually they provide two viewpoints on this option. It looks like they weren't able to reach a consensus on a single viewpoint. And so one of the viewpoints is agreement, which says that model 1, they would conduct one additional round, followed by an undefined review period to determine how future applications for new gTLDs should be accepted. That's the most appropriate way to answer the question.

And then the other viewpoint within the Registry Stakeholder Group was more of a disagreement and said, this may be achieved through one or two further application rounds imposed before the goal can realistically be achieved. So the numbers that support this viewpoint, which is one or two rounds, followed by an open window based schedule, recommended a clear commitment is given to a schedule of further application rounds with shorter timespans between each round, in line with the original target of one year.

Again, so this one is sort of a mixed bag. There's some of the people in this group have one view, and then other people in the group have another view. So we're trying to make sure both views get included in the analysis.

Okay, I see Anne's got her hand up. Anne, please go ahead.

Anne Aikman-Scalese: Yeah, I'm sorry, Robin. I was just late with respect to this very interesting question posed earlier about when is a round actually closed. And a couple things that occurred in chat about the working group really needing to understand the full list of applications that are still pending from the 2012 round, and why they're still pending. I mean I guess, we said that the board's question about definition of the close of a round was kind of something

that we didn't really need to address. But I think maybe there are several questions swirling around where we might need to address it. But I mean I tend to agree with Donna, when she said, well, she views a round as -- I think it was Donna -- who said, as just an application window. But as we found out on another call earlier this week, there are questions that arise as to whether we're still in the 2012 round. And in that call, there were ideas floated that as well we needed to talk about whether or not we should be making any policies with respect to existing pending applications.

So it's really important for staff to get us a summary of applications still pending, and why they're still pending from the 2012 round, so that we can have this discussion in the full working group, as to what defines a round and what's the status of those applications, vis-à-vis others that may come in the next round. We just don't have the detail that we need on what's pending to consider these policy issues adequately. Thank you.

Robin Gross: Thanks, Anne. Jeff, you are next in the queue. Please go ahead.

Jeff Neuman: Yeah, I just -- thanks, this is Jeff. I just want to make it clear that we are not, even in the full group, we are not going to define when the last round was closed. We can't really do that retroactively. We're getting the information for the full group that Anne has mentioned, four (ph) topics. But we are not setting any policy right now in this group that affects in any way the previous applications or anything that's still pending. We are only going to be to look forward. So I just want to be really clear on that. So people may use the last round as examples, and may kind of talk about the last round to inform how we think about going forward. But we are not going -- it's outside of our scope to retroactively in any way impact the last round. Thanks.

Robin Gross: Thanks, Jeff. Okay, did anybody else want to weigh in on this point? Jamie, yes. Please go ahead.

Jamie Baxter: Yeah, Jamie Baxter for the record. It sort of sounds like what I'm hearing though now is that existing policy is applicable to a current application window. And I think maybe that is what's surfacing for me out of this. Because if round is undefined, if you applied in 2012, but policy changes this year and your application doesn't get approved for three more years, where are you connected to the existing parts or the proper policy for your application? So maybe that's something to look at. But what I think I'm hearing is that this might be connected to the application window, is the policy that your application will eventually follow down the road.

Robin Gross: Thanks, Jamie. Jeff, yes. Please go ahead.

Jeff Neuman: Thanks. So I can't -- it's something we need to be clear on in the guidebook certainly going forward or whatever we end up calling it, whether it's a guidebook or whatever. But what I want to make clear is that people who applied in 2012 have applied under that guidebook, under those rules, and we cannot -- this group does not have the power to retroactively change any of the terms or conditions, or policies under which that applicant applied for. I would think going forward, but obviously it needs to be discussed, that it would probably be very similar that your application is going to be governed by the terms and conditions under which you applied, however long that takes to get all the way through the process, unless -- well, I shouldn't even say less, because I don't even know what will change that. So I think that that's kind of what we're operating under. Thanks.

Robin Gross: Thanks, Jeff. And I think as Donna has pointed out in the past or in the chat, we're not really trying to impact that last round, but rather learn from it, and just use it as a learning tool for the next time. Okay, does anybody else want to weigh in on this? Okay, let's move on to the next comment then.

And actually, I think we should maybe do the next three together, because they all are very similar, lines 20, 21, and 22 from the Brand Registry group, from the Business Constituents, from INTA, because all of them disagree with this particular option. And they do not support this option. So it's a very similar thread. So I think this is significant divergence, and from a few different viewpoints here, basically saying the same thing.

I see Steve has his hand up. Yes, Steve, please go ahead.

Steve: Thanks, Robin. This is Steve from staff. So as you were going through the Registry Stakeholder Group comment, I had a second look at that. And I think the agreement there is mischaracterized. The line that precedes the bolded green part, it says they believe it's too early to answer the question asked by the charter. I think what may have fooled us is that they quoted some of the text from the question, I believe. So I think in summary, this one is actually -- not actually support or agreement for that option.

I'm sort multitasking here, so hopefully I got that right, thanks.

Robin Gross: Thanks, Steve. That's a good point. Thanks for pointing that out. We'll correct that. Okay. So did anybody have any other thoughts here on how these comments from the Brand Registry, the Business Constituency, INTA, don't like this option? And then we're going to discuss the options they do like in a few minutes. Because they're a few lines down. Okay. So I'm not seeing or hearing anything more on this. So let's go down to, okay, the next comment on this question, the last one on this particular question proposal, is from the ALAC.

And they say to see our response to preliminary recommendation 2.2.3 above. Again, this is what they've suggested is no position taken on rounds versus first-come-first-serve. Although first-come-first-serve should not be used for the next introduction of new gTLDs. We believe the evaluations need to be batched, regardless of the mechanism. Okay. Anybody have any thoughts on the characterization there or the ALAC comment, or any of these on d.1?

Okay, I don't hear anything.

Kathy: Robin?

Robin Gross: Yes?

Kathy: Robin, I'm not at the screen. Sorry, it's Kathy. I wanted to express a concern before we move on with the NCSG comment in line 17, which cuts out a good part of what was actually in the comment under 2.2.3. So like ALAC, we responded to the general question. And a lot of that's been cut out. And so I just wanted to make sure we can expand that, because it actually has relevance to the next section we're about to get to. I don't know if that makes sense. But a lot of the comments and a lot of the rationale of rounds has been cut out.

Robin Gross: Thanks for noticing that and pointing that out. And we will get the record corrected to reflect that. Thank you. Okay, any other thoughts on d.1?

Okay, I do not see or hear anyone. So let's go down now to the next line, line 24, d.2. The proposal here is to conduct two or three additional application rounds, separated by predictable rounds for the purpose of major course corrections, to determine the permanent process for the acceptance of new gTLDs in the future. Okay, so the first comment on this one, line 25, is from INTA. And it basically agrees with this proposal, although it does have concerns. INTA believes that the gap between the rounds shouldn't

be too long. There's general support for this option if the gaps between the rounds are not too long. So INTA largely approves of this option.

The concern could be considered a new idea, as well, as it seeks to shorten the review time after the two to three rounds. Okay, so this one again is a little bit more nuanced than a simple agreement or disagreement. Anyone have any thoughts on how this has been characterized?

Okay, not seeing anyone. Okay, let's go on to the next comment, which is going to be line 26. And again, this is from ALAC, and points out what their preference is. As we've said a couple of times already, no position is taken on the round versus first-come-first-serve. Although the first-come-first-serve should not be used for the next introduction of gTLDs. ALAC believes that evaluations need to be batched, regardless of the mechanism.

Okay, so again, some of these, we've just kind of got cut and paste from what we've had before. Because they answer the question in one place and not another, or vice-versa. Okay, anybody have any comments on this one?

Okay, let's go on to the next one, line 27, from the Registry Stakeholder Group. And again, it directs us to look at d.1 above, again, which basically says the Registry Stakeholder Group supports a continuous process which could be regular rounds, and believes that additional data is needed to determine if the scale of demand is understood. Okay. Oh, I see Jim has his hand up. Yes, Jim, please go ahead.

Jim Prendergast:

Yep, thanks, Robin. You know, I would say that the second part of what's in column E, additional data, is needed to determine if the scale demand is understood is actually a new item. Because that's asking for a market analysis before making any policy decisions. So my sense is that that part of it should be a new item, and put in the parking lot, or whatever we call it these days. Thanks.

Robin Gross:

Thanks, Jim. That's a really helpful observation. Okay, anybody else have any thoughts on this? All right, not seeing any, let's go on to the next question, d.3, d.3 of the particular proposal that they've requested public comment on, line 28, 2.2.3.d.3. And the proposal here is to conduct all future new gTLD application procedures in rounds, separated by predictable periods for the purpose of course correction indefinitely. Policy development processes would then be required to make substantial policy-driven changes to the program, and would then only apply to the opening of the application round following the date in which the PDP recommendations were adopted by the ICANN board.

Okay, so the first comment under this proposal is going to be line 29, and that's from MARQUES. And this agreement, it's support for a system of predictable rounds, described in 2.2.3.d.3, although larger brands can cope with the first-come-first-serve permanently open application process. MARQUES advocates a permanently open application system, featuring predictable rounds as described in 2.2.3.d.3.

Okay, anybody have any comments on this? Oh, I see Jeff said it's pronounced "marks." Well, I like "marquis." Just kidding. Okay, anybody have any comments on this? Okay, I don't see any. Let's go on to the next line, which is line 30 from the Brand Registry Group. And again, there's agreement with this proposal, and a suggestion that the rounds could overlap. The BRG considers this option to be the most reasonable approach. The rounds could also overlap.

Okay, anybody have any thought on this? Michael, yes? Please, go ahead.

- Michael: I actually had a comment on the (inaudible), versus having it looks like rounds. Because I think this is agreement/concerns, because it shows concerns from the smaller applicants, but just my two cents on the takeaway from that comment.
- Robin Gross: Thanks, Michael. I was not able to hear the beginning of what you had said. I'm sorry. Could you tell me again which comment you're referring to and just repeat that? I'm sorry.
- Michael: Can you hear me now?
- Robin Gross: Yes, I can.
- Michael: Hello? Okay, all right. I was just looking at the MARQUES comment and it talks about both how larger brands can cope with a first-come-first-serve on permanently open applications. It also talks about how smaller brands may not be able to cope by implication. And then so I'm wondering if this should be agreement/concern. I'm jumping in a little late, so I am just trying to keep with up with everything that's going on. So that's just my only two cents on that one.
- Robin Gross: Great. Thanks, Michael. Anybody have any thoughts on that? Okay, I don't hear or see anyone. Okay, so let's go on to the next line. Okay, this is going to be line 31 and this is a comment from Christopher Wilkinson, where he has concerns with this proposal. He has general concerns, but they don't seem to appear to be directly responsive to the option that is proposed in this d.4. He supports batches, it looks like in this comment.
- Okay, anybody have any thoughts on this comment's characterization? Okay, I don't see any. So let's go on to the next comment, which is from the ALAC. Again, it just says, see our preliminary response above, which we've noted a few times. And again, the same thing from the next two, from INTA and from the Registry Stakeholder Group, where it just says, see our comments above that points us to the specific proposal that's proposed here that they support.
- I see Kathy has her hand up. Yes? Kathy, please go ahead.
- Kathy: Yeah, hi. Thanks, Robin. I like "marquis" better too. I think it's much classier. So we could just call it that, but we can't. Okay, so since this is one of the few areas where the Non-commercial Stakeholder Group comment actually mentions this specific section, I think we need a line that, just like in ALAC and some of the others, that references the earlier NCSG comments, so right in this section. So I'd like to recommend that. Also NCSG does have some discussion of brands and concerns for brands that imply that brands should be in rounds as well, so that people can have the opportunity to express some of the freedom of expression issues that might arise from a gTLD string that's a brand, that's classified as a brand.
- So I don't know if that's worth bringing into -- it may be valuable, very valuable to bring that in here, so that when the working group sees it, it sees that there's actually, even though the issue hasn't been raised directly. Different parties have raised support and concerns for brands being in or out of rounds, and what I can do is send that to staff, unless anybody objects. That's an entrance for this area. Thanks, Robin.
- Robin Gross: Perfect, Kathy. That would be very much appreciated, great suggestions there. Okay, so I'm going to see if there's any other business at this point, because we have concluded this particular d.4 down here. And we can get started with the next one the next time, the next question, rather than starting in the middle of a question. And folks can get off to the GNSO Council meeting, which starts two minutes from now.

So any other business? Going once, going twice; all right, everyone. Have happy holidays, safe travels to you all, and look forward to working together in 2019. Bye-bye.

Unidentified Participant: Bye-bye.

Unidentified Participant: Thanks, everyone. Have a good rest of your day or night. You can disconnect your lines.