

**ICANN  
Transcription  
New gTLD Subsequent Procedures Working Group  
Monday, 09 October 2017 at 15:00 UTC**

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**Adobe Connect Recording:** <https://participate.icann.org/p46netym3o7/>

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Michelle Desmyter: Hello. I would like to welcome everyone. Good morning and good afternoon and good evening and welcome to the New gTLD Subsequent Procedures Working Group call on the 9th of October 2017.

In the interest of time today there will be no roll call since there's quite a few participants online. Attendance will be taken via the Adobe Connect room, so if you happen to be only on the audio bridge today would you please let yourself be known now?

All right. Thank you. Hearing no names I would like to remind all participants to please state your name before speaking for transcription purposes, and please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I will hand the meeting back over to Jeff Neuman.

Jeffrey Neuman: Yes thank you very much. This is Jeff Neuman. We have the agenda on the – as always on the right side of the screens for those of you that are on Adobe.

And so as we always start we'll do – we'll ask for an update to Statements of Interest, go through some updates for tracks, give an update on Work Track 5 and talk about the co-leadership position.

We will talk about – continue our discussions on the predictability framework and then go on to a little bit about ICANN60 planning, then any other business and I'll note that Jim has – Jim Prendergast has asked on the chat if we could add an item on the Brands and Domains conference.

There was a panel that I was on along with a few other people including Akram, and so I could I guess give a little bit of update on that. That was last Tuesday or Wednesday.

I'm trying to remember which day it was now. So we can add that if everybody wants to. So is there any other business? Oh Dietmar says it's Monday. Sorry.

See that's how good I get my days. Okay not seeing any other business do we have any updates to Statements of Interest? Is there anyone that has filed any changes recently that would like to discuss it?

Okay not seeing any then we can go on to the next item, which is – and I'll note that we're still having some trouble getting Cheryl on the line. She's asked for a call in number but we do not have her yet.

But for Work Tracks 1 through 4 let's start and see if there is anyone on from Work Track 1 that would like to give a quick update. Christa please.

Christa Taylor: Can you hear me?

Jeffrey Neuman: Yes. There's a little static but we can hear you.

Christa Taylor: Okay sorry. This is Christa Taylor for the record and we have a meeting coming up on October 17 and our topics to be discussed are again CC2 but with variable and fixed costs, along with the clarity of application process that we happened to get through the costing discussion.

So that call is at 20:00 UTC and we're hoping everyone can join us for some further discussion on that. Thank you.

Jeffrey Neuman: Okay thanks Christa. All right, any questions for Christa or comments? Okay not seeing anyone from Work Track 2. Michael please.

Michael Flemming: Thank you Jeff. You can hear me I'm assuming. Perfect. So for Work Track 2 lately we've been discussing the closed generics. We've been coming pretty far I think in reaching a solution.

We've recently looked at past objections such as the community objections as well as the limited public interest objections just to see if there's some theme language that we can find in regards to closed generics.

And we've been able to find some of the panelists' findings that I think are leading us towards the solution to this discussion. For the week – for the upcoming meeting this week actually we have another one this Thursday at I believe 21:00 UTC.

Steve please correct me in the chat if I'm wrong. But I'm thinking that we're going to continue the discussion. We need to take it back with the leadership team to discuss what our next steps are, but we will probably continue this with the current momentum we have. Thank you.

Jeffrey Neuman: Thanks Michael. Jeff Neuman again. Any questions for Michael or Work Track 2? Okay not seeing any we have a Work Track 3 call coming up this week.

I know Robin's – but Karen if you want to give the update – either one's fine if...

Karen Day: Hi.

Jeffrey Neuman: ...Robin's on or...

Karen Day: Hi this is Karen. Can you hear me?

Jeffrey Neuman: Karen please.

Karen Day: Yes. Hi. This is Karen.

Jeffrey Neuman: Yes.

Karen Day: Our meeting – our Work Track 3 meeting is tomorrow, Tuesday the 10th at the 20:00 UTC hour and Robin will be leading that call. And we'll be continuing our CC2 review and picking up where we left off on string similarity, and hopefully moving into freedom of expression tomorrow.

One thing to be thinking about for those of you who are members of Work Track 3 is that the call subsequent to the 10th is tentatively scheduled right now for the 24th.

And so we want to talk tomorrow about whether or not we want to keep that call on the 24th or if that's too close to departure time/travel time for Abu Dhabi and whether or not we want to move that call up a week and try and get one in on the 17th.

So check your calendars and we'll talk about it tomorrow. See you there.  
Thanks.

Jeffrey Neuman: Thanks Karen. Is there anyone that has any questions for Karen? Okay. And then Work Track 4 – I know Cheryl's not on yet or at least we've not been able to – and I don't – Rubens. So maybe if we can...

((Crosstalk))

Avri Doria: Yes neither one – this is Avri. Neither is there.

Jeffrey Neuman: Yes. Okay so if we can just post the next meeting time on the chat I think it's – I know it's this week. It's like Thursday I believe so if we could just post the meeting time and make sure everyone shows up.

So I'll wait for that to be done. Okay. On the – okay the next subject is – or is there any other questions before we...?

((Crosstalk))

Avri Doria: Yes this is Avri. Yes this is Avri.

((Crosstalk))

Avri Doria: I tried to put my hand up but didn't succeed. Yes (Ruben) had just realized saying that neither of them - he basically said, "Tell them call two weeks ago was canceled due to the conflict with the WS2 schedule.

Call last week. Discussed name collisions, good progress and registry services where there is still more to discuss. Call this week will focus exclusively on registry services." So I'm passing that on from Rubens. Thanks.

Jeffrey Neuman: Okay thanks Avri. And then just to clarify on the registry services it's to discuss the one question that was asked or the questions that were asked in

the application on describing registry services, so we'll spend some time talking about that and some of the proposals that have been made.

And there's been more than one I think on that subject, so we'll discuss that subject during Work Track 4. Okay. Work Track 5 update. First update is that we got a note from the ALAC that they have selected Christopher Wilkinson to serve as their Co-Leader for the Work Track 5.

So we have Annebeth Lange from the ccNSO. We have Christopher Wilkinson from the ALAC. We have still not received anything from the GAC as far as who they're selecting.

I'm not sure if there's anyone on this call that could talk to that. I'm just looking down the list and I'm not sure there is. But we were told that someone has been selected but that they are also writing a letter perhaps with some conditions or some other terms that they would like to see in the Terms of Reference, but until we get that it's kind of speculation at this point.

Unless anyone else has any updates on that - Steve, Emily, I'm assuming you still haven't heard anything. All right, hearing silence I would assume that to be the case. Oh sorry. Avri please.

Avri Doria: Thanks. Avri speaking. Yes I just wanted to mention something and I understand that the GAC has their processes and, you know, want – wants to send a complete letter.

But if possible - and I'm sure you'll mention this further but if possible they might look at detaching those two, and bringing someone in so that we will be able to have at least one discussion of the co-leaders before we get to Abu Dhabi.

So I – while we're talking about the GAC I'd like to ask them to sort of – if it looks like for example the letter needs to wait until the GAC meets or

something in Abu Dhabi, if they have decided on a person even if the person is provisional it would be good to know to be able to include them in discussions that we're going to try and have with the co-leaders who are available before getting to Abu Dhabi on things like the Terms of Reference. Thanks.

Jeffrey Neuman: Yes thanks Avri. And we will put that as an action item. I'm not sure there's anyone here that can relay that message so we will send a – an email to the GAC and asking – well we'll send a note to Tom Dale who's the Secretariat – see if he can make that request.

So I agree with you. I think we should certainly get someone on a provisional basis because it is the plan to have at least one meeting of leadership team prior to the Abu Dhabi meeting and also doing a call for volunteers.

And it would be nice to have all of the names of the co-leaders on that call for volunteers. And speaking of that as you all know we had four people that volunteered from the GNSO that submitted their names to apply for a co-leadership position.

As we discussed on the last call we went back to each of the four people that volunteered, had requested – because initially we had not asked if they wanted that information public.

We got permission from all four of them to make it public and for them to send around a – an expression of interest, and once we had all of those they were sent around to the list over a week ago.

I think it was actually seven or eight or nine days ago and then started a discussion period on the list. There were some questions that were sent around and some questions that were responded to, some interesting points that were made on the list and perhaps we can discuss some of those if you'd like.

At this point as we discussed the leadership team of this working group, which includes not only Avri and myself but all of – and Cheryl but all of the work track leads as well.

So Sarah and Christa, Michael and Phil -- and I'm going through all the names here -- Karen and Robin and Cheryl and Rubens got together on a call, discussed thoroughly the candidates and we were very impressed with the caliber of candidates we got.

We think any of the four of them could make a great co-leader, but as we discussed on the call our intention is to recommend one person for that, to see if there are any objections on this call and then kind of as a failsafe to submit that recommendation to the GNSO Council to see if there's any objections from that level as well.

As you know we really wanted – initially we had sent this to the council for the council to make a call on who the co-leader would be through their SSC, the Standing Selection Committee.

Because of other work that was going on at the time they did not elect to take us up on that offer and referred it back to us. And the leaders have discussed this and are recommending that Martin Sutton take that co-leadership position.

He is – as all the candidates he's an excellent candidate, is someone that is relatively new to the other advisory committees but we think can certainly have a history of participation for a number of years in the ICANN community including within the Business Constituency, and has served in a number of leadership positions including currently as the Head of – and I'm forgetting the title whether it's the Executive Director or General Manager of the Brand Registry Group and has done an excellent job, has come highly

recommended from a number of people and so our recommendation as the full leadership team would be to submit his name forward.

And with that I don't know if anyone else from the leadership team wants to weigh in, but I will open up the floor for any questions or discussion on it so I'm just waiting.

Greg has said, "Apologies. Has a conflict today. I'm only able to join briefly without audio." Jim says, "Would it also make sense to circulate Martin's name to the email list as only 43 people are on the call?"

Yes Jim I will do that after this call. I have sent a note to each of the people that have – or we sent a note to each of the people that have applied and we'll certainly follow up this call with an email.

We wanted to make sure that there were no other comments or questions before we sent that email to the full group. Okay I'm not seeing any questions or comments.

So I – the plan then is to submit Martin's name to the council. I'll send around an email as well after this call just more formally to announce that our recommendation will be Martin. Jim please.

James Prendergast: Yes hey Jeff. Sorry. Jim Prendergast. I guess what I was suggesting is just as you've just asked people on the call for any feedback or objections, you could do the same for those who were not able to make the call via the email list before you submit it.

Jeffrey Neuman: Okay thanks Jim. Avri do you want to address that?

Avri Doria: Yes. Yes. Yes I did want to address that. I think that the fact that we have 43 people on this call is a great thing. I think we'll mention – I see no problem

with informing the group and of course if they have objections they can object.

But the primary purpose is in notifying the council since that is the representative of the GNSO and policy work, and vetting it through them to make sure since the list is mixed GNSO and others and that's one way that we are dealing with this issue.

So I don't believe we should wait before informing the council. I believe that the council meets this week and it would be good to see if this could get stuck on their consent agenda, and if not it'll have to wait or be done online.

So I actually do not believe that we should wait any longer to inform the council. Should any objections come through on the list from GNSO members, those can certainly be taken into account by the council when they say, "Sure," or, "No it needs more thought." So that's my view on it. Thanks.

Jeffrey Neuman: Yes thanks Avri. And so what we'll do then is – and I notice Paul McGrady is not on this call but I will make sure Paul is on the email chain as well. He's our GNSO Council liaison to this group so if there are any other kind of objections, then Paul will be made aware of those and can bring those up at the council if anyone desires that to be brought up.

At this point I want to congratulate Martin and thank him for taking this on. It's not going to be easy and it's going to be a lot of work but I think we're in good hands.

And also want to encourage everyone to – we're likely to do a call for volunteers towards the end of this week, and so we strongly encourage everyone to respond and volunteer for that if you have an interest in the subject.

Remember the co-leaders position or job is really to facilitate discussion and to make sure that all the voices are heard and accounted for so it's not an advocacy role.

So I'm sure that the GNSO will depend on everyone else in this working group that belongs to the GNSO or belongs to any other group to participate and make sure that your voice is heard.

Okay with that before I hand it over to Avri, just as a formality and reminder that last week we had provisionally appointed Cheryl Langdon-Orr as the overall group Co-Chair – Working Group Co-Chair when Avri takes her position on the board at the end of the annual meeting in Abu Dhabi.

That has been submitted to the council formally and I believe will be either on their consent agenda this week during their call or on the regular agenda, but hopefully it will be approved this week. So Avri do you have another...?

((Crosstalk))

Avri Doria: Yes just one point on that that she would take over as a third co-chair immediately. Just in case people misunderstood that she wouldn't take over until the end of the annual general meeting - that actually there'll be three of us for a brief while and then I'll fade out at the end of the meeting leaving two, but that as soon as, you know, in fact she's already sort of functioning in that provisionally but that as soon as we get the approval or the non-objection from the council we would go to three co-chairs and in case anybody heard it differently. Thanks.

Jeffrey Neuman: Yes thanks Avri. Great point and Cheryl has been and already jumped in and helping us immensely, and I hope we have a call out that's got her on this line now, but we know we're having some phone difficulties today.

So with that said also if you have any questions Work Track 4 – we’re still discussing whether we need at this point to get another work track for co-leader for that work track with Rubens, or whether Cheryl will still continue to do it.

We’ll have a recommendation from the group at our next meeting as to what we’re going to do with that. Michelle says that we – still trying to get Cheryl on the call but are not able to yet.

Okay with that said any questions before we go to the heart of this call, which is the predictability framework? All right, not seeing any Avri are you ready to take over?

Avri Doria: Sure. This is Avri speaking. Okay so this is one of our three CC1 issues that we’re still working on. And I just wanted - before getting into this one specifically just wanted to mention that a fair amount of discussion and work has now gone into all three.

And I’m starting to believe that we’re getting close to a point where we can sort of start to come to closure on these documents and actually schedule first readings of these.

We’re not quite there yet, although looking at this one I’m hoping that we can get to that point by the end of today so that we can start closing off some of these issues that we’ve been discussing on and off for close to a year now if not more.

So having said that let me get into – it’s showing in the screen. I’m looking at it in the Drive doc simply because it’s easier to do that. I just stuck the URL in the chat.

Okay so in going through this there's a fair number of comments that are in there, so I'd like to see where people stand on these comments and proposed changes.

The first change I see is in the problem statement that just added the after launch. And as you see as we read through this that really – that - this basically points out that this goes into a particular stage of the gTLD process, so basically that all of these processes are due after launch.

Assuming nobody has any objection to the formatting of that and it being bolded – it's been there for a while. Okay. Then going down in the anticipated outcome there's a statement – there was a footnote put in that basically points people to the consensus policy implementation framework, which is something we've talked about a little.

Now this paragraph goes on to say that the framework complements the CPIF, does not replace it and is targeted at addressing issues that arise after program launch, that is, after implementation is considered complete after the final AGB has come out.

So I don't assume anybody objects to the footnote. I'm accepting things at – as going through. Of course nothing's ever lost so anything can be recovered.

Now there was a comment from Donna Austin on the last part of that which said, "Didn't understand what it meant." Steve Chan put in a comment basically saying, "The first draft of this document was positioned as after implementation since our prescribed methods to resolve issues that arise during the course of the IRT.

I think this drafting team will need to determine it wants to do something above and be on measures that already exist." And so that was the question but at the moment this is additional.

I see Donna's on the call. Don't know whether you want to comment on your comment or anyone else, or whether anyone objects to the addition or the edit as it stands. I'm not seeing any. Yes Donna please.

Donna Austin: And thanks Avri. Just to say that I made these comments some time ago so – and this is the first time I'm seeing them again for some time, so I'm sure I'm fine with whatever Steve has put in in response. Thanks.

Avri Doria: Okay thanks. Well I'll mark this one as resolved. And seeing no other hands we'll basically accept those changes. Okay and then going to the – if there's no more comments on that then going to the community engagement paragraph.

And there's a bunch of edits in that so the first was a – the addition of the word clear which is, "As noted above the community will seek to develop clear recommendations that can be implemented in order to result in a program when there is minimal ambiguity or change needed.

An integral part of that effort is to ensure that the process is well supported by community engagement early and often in order to develop recommendations that have broad community support."

And many of the if not all of the additional edits were from Donna. I see no reason not to accept them all. Does anybody have any comment? So I can accept them without any problem?

I am doing so. Okay. So then if there's no comments on that moving on - okay and the next comments are in predictability framework. In that it's – basically there's a – oh I just lost my place.

Okay in this there's basically a fair amount of text. Basically Steve starts out with a note saying they want to consider how change requests are handled,

though this might not be the proper time for that subject because that may be a how do we implement this framework issue, not in the definition of the framework itself.

Okay then the rest of this is – I don't think it's completely new text. It's been there for a while but it has been edited so want to look at these. So the first phase is the phase we're in now, which is the policy development process and basically saying the predictability framework is not relevant to this phase.

I'm assuming that there's no issue with that statement. Okay then the next phase is policy implementation phase and this takes place under the auspices of the consensus policy implementation framework, which is – exists which is something that the GNSO and ICANN Org have worked on extensively, and has a whole defined set of processes for IRTs, for how issues are brought up, for how issues are dealt with.

So again this is saying this predictability framework is not relevant to that phase either. Any issue or objection to that? And welcome Cheryl. Glad you were able to get in.

Kristina asks, "Is the use of passive voice intentional? If not should we be identifying the actor to avoid future uncertainty?" Let me go back and look more at the question so I can understand it.

It's a general comment about passive voice. Oh things that can be implemented and implementable. Okay I guess - I know from personal writing that often passive voice ends up being used because describing the actor varies but has put - basically Jeff says he's put Kristina's suggested text in the Google Doc.

Fantastic. So I'll move on from there. So assuming that Phase 2 there was no implement – no issue with it, then we have Phase 3, which is operations slash administration of the new gTLD program.

And that was the specific area where this set of predictability recommendations would come in, and basically operations take place after IRT has completed its work.

“For the implementation of consensus policy this phase could be considered analogous...” I’m not sure why we indicate Thick WHOIS there. That may be - as confusing as anything to people is why are we mentioning WHOIS and does those – this have some relation to that?

And other people may not know the full story of WHOIS and its implementation issues. So thank you. “This phase could be considered analogous to the time after policy effective date.

For purposes of the new gTLD program the effective date may be better considered as the date of program slash Applicant Guidebook by the ICANN Board or the opening of the application window.”

And that says, “This framework is solely focused on this issue.” Now we may want to come to a stronger recommendation than an or and say, “It is during the publication of the AGB,” which I think when the implementation has been codified but it could be as late as start of applications.

I tend to think the AGB but that’s sort of a personal view and don’t know if others have a view on that or have a view in general on this paragraph so I’ll stop for a second.

Okay I’m seeing nothing. I’m hearing nothing. So we’ll accept the paragraph. We’ll leave the or in there for now, though we may want to come back to that to see if we can eliminate the or and just pick one, either AGB or opening of the window.

I guess the question that would be key to me in that – in solving that or would be does the CPIF cover us after the AGB is published but before the application window, or does that phase end up sort of not covered if problems do come up during that interim period?

Okay seeing nothing so we'll accept that in general. It's still part of that one change. "Categories are established below." I'm not sure categories is the right word.

It may confuse us. "Which attempt to draw distinctions in the type of changes that..." I think we might want to call them substages or something or not substages.

It is a category of sorts but we use that word too many times and I'm afraid it's overloaded. "Which attempt to draw distinction in the type of changes that may be needed after program launch.

These distinctions are intended to balance the need to allow disposition of issues that arise with proper community consultation when warranted versus allowing ICANN Org on its own," and that's something that I just inserted when reading it last night, "to effectively manage the program in a reasonable and efficient manner."

I had a lot of trouble parsing that sentence, and once I finally parsed it I believe that we were saying that most of the time they can just effectively manage the program and - on their own and nobody needs to be bothered.

But in some cases there may be a reason for the community to get involved. And it was without something there to – because versus allowing ICANN to effectively manage the program, we expect that whether these processes are going on or not.

And the only distinction is are they doing it on their own or are – or is the community participating? I'll stop again and see if there's any comment on any of these changes.

Okay and let me go back. And so I think I can accept. Okay I've accepted most of those. Still giving people a chance to talk. Okay yes Jeff I see your hand up.

Jeffrey Neuman: Yes maybe we can just discuss – sorry Stephanie – the last sentence in that paragraph which says, “By way of example the need for new contractual requirements is vastly different than ICANN meeting staffing needs by hiring a contractor.”

Do we want to take that step a little bit – by saying, you know, “In the former community because of potential impact on the community or applicants or whoever,” you know, we don't explain why they're different.

All we just say is that by way of example these are different, so we probably should go that next step to say, “And in the former we should do this and in the latter we should do that.”

Avri Doria: Okay so should make the comment there yes about some additional wording needed. Okay any comment on that? If anybody has any suggested wording please add it to the document.

Okay the next paragraph, which ended up being accepted when I accept the previous but hadn't been gone on is just a note. “While this framework often discusses the change as if it had already been determined, it is also intended to be utilized in the circumstances where an issue arises and potential solutions/changes have not yet been proposed by ICANN or the wider community.”

Jeff is that your hand still being up or if it's an – yes okay thanks. Okay so any objection to that last – to that note? Okay. So then we go through what we're calling categories for now or types of changes.

And it may just be good to call them types of changes and have a clear referent. Okay so this changes – there's two types you'll see. There's changes to ICANN organization internal operations, and then there's changes that are fundamental possible policy level changes.

At this first section we're looking at the changes to the organization. Now by and large the division into these bullets has been talked about often and I think is fairly stable, though there have been some wording changes.

Under minor process update one of the examples was a change in the internal process workflow for contracting or pre-delegation testing. And then semicolon a new back-end accounting system is deployed (sic).

You know, so that was two examples that were added and such so I don't know if there's any issues on those additions. I see none. Okay then there's the next type - subtype in this case was revised process procedures.

And there was a change to ICANN's internal processes that may have an effect on applicants or other community members. And it's a recommendation/a delete of may and of minimal to significant.

Both are anonymous but that's okay. A lot of people's comments are anonymous and it's the content of the comment that counts. So any objection to those deletions?

I don't see any. Okay and then in – under examples an example was added. For example, a procedural change rather than a change in the scope of allowable change requests.

So that was basically being a specific modifier on a change made to the workflow for change requests. Okay there's, "Instead of effect can we use inverse impact?"

Okay so that would be in this first sentence. "A change to ICANN's internal process that have an adverse impact." Question Jeff. Do we have -- so I know there has to be an analysis beforehand on somebody's part to determine that this effect is adverse.

is that sort of what we expect to achieve through communicating the changes to the effected parties, that we have changes that are issues that have an effect and does someone need to predetermine that it's an adverse effect? Or is the process of notifying people here that the change is being made, whether it's positive or negative and such.

Yes, Jeff, please?

Jeff Neuman: This is Jeff. I think maybe I'm just jumping to the next step but I think any change could have in theory an effect and so I think that's just a little too broad. Because -- but to your question of who determines whether it's adverse or not, it's a good question so I'm just trying to think it through (unintelligible) just saying having an effect.

Avri Doria: The first one said does not have a material effect. So if anything if we're going to do a parallel construction, we may just want material effect here because we already created a subtype that says does not have a material effect. Does that work for you? Because we need to notify even of a positive effect.

Jeff Neuman: I think notification is right. I think -- I guess I'm just again moving onto the next step in my mind as to whether the community or people should weigh in. So yes, I think it's fine.

Avri Doria: Okay, so we can add material here just to differentiate it from the first one. The first one was non-material. This is material. Okay. Any objections? Any comments on that? And then (Kristina) says if (unintelligible) material effect, we should use ICANN's written definition of it, which would be helpful. Of material effect, you mean we should stick that in a footnote? Yes, okay, so I'll make a note on that. Provide org definition in footnote.

Okay. And that's okay to accept the lower. Okay. So then moving on, seeing no hands, okay. Oh, sorry, I haven't been telling people where I am. I think people are free to move this one. No, they're not. It is synched. So that one should be unsynched so people can move it. And at the moment, we're on new process and procedures, which is -- oh, it doesn't have page numbers -- which is the bottom of page two. And I've added page numbers.

Okay, new process procedures. Basically, the change here was that an example was added. For example, standing IRT or similar. Basic accepted mitigation because of processes new. Collaboration with the community, for example, standing IRT or similar is needed and staff will work with community to develop the solution. Once changes are agreed, communicate changes to affected parties before they have been deployed. Any comments on this, either the example, addition, or the expected mitigation strategy or any part of it?

Seeing no hands. The document is -- it says the document being shared should be unsynched but it is synched at the moment. Anyhow, moving on. And then we go to the second -- yes (Steve)?

(Steve): Thanks, (Avri). This is (Steve) from staff and I had just a quick comment for maybe symmetry. I was wondering if you wanted to add material effect on applicants on the new processes and procedures here. And then also a comment about the example that's added there, the example of saying IRT or similar. I think that may be pending the decision of this working group on

what its recommendation is for this community review system. So I think once -- hopefully there's agreement on what that mechanism will be.

Then the collaboration with the community would be whatever that choice is. If it's a standing RT then it would say a standing RT. Hopefully that makes sense. Thanks.

Avri Doria: Yes, Jeff?

Jeff Neuman: On the new process procedures, let's -- I saw that you put the world material in there. Why don't we just put that as to still be resolved because I think -- I know from a personal standpoint, I'd like to think about that because it's not a change but this is something new and I'm not sure if -- I think something new is in a different category. I'm not 100% sure it should have to be material before something's done. Does that make sense?

Avri Doria: So you think any new process, even a new internal process that doesn't affect the outside would need to go through this process?

Jeff Neuman: I'm saying I'm not 100% sure. I want to think about it, put it in brackets just to think about it.

Avri Doria: Okay, so why don't you add a comment where I added material to indicate the question or you could just add it to mine. But to add the extra consideration that we need there. And you have (Kristina) having the definition of material effect that ICANN uses will be helpful to your issue too, I think. Okay. Thank you. So then moving onto the other type, which is the fundamental possibly policy level changes and so there's two subtypes on that, which is revisions and new.

And there's a large comment from (Anne) in here. So in the definition, a word was added. A potential needed change to implementation that are material or significantly different from the original intent of the policy and could be

considered creation of a new policy. Now, let me look and actually, I should probably go to (Anne's) comment on top, which says revision section makes reference to implementation that may materially and significantly differ from original intent. So that's the paragraph that was just read.

The text goes on to say that staff will collaborate with the community. Later, it says that staff may determine, presumably in collaboration with community, that the change is not significant even though the definition says the revision may in fact be quite significant. Why does this suggest that a significant and material revision can move forward without resorts to the policy process if it is determined in collaboration with the community that the revision is not significant?

Please Kavouss and I must say that I'm not fully understanding the comments. So please Kavouss go ahead.

Kavouss Arasteh: Do you hear me please?

Avri Doria: I hear you but with an immense amount of echo.

Kavouss Arasteh: You said that for significant, not to be significant. Are there some criteria that community could use in order to define or decide or identify or whatever that it is significant? What are the criteria that they could use or community could use? Thank you.

Avri Doria: Thank you. Okay. So not only do we need the definition of material, which we've said we're going to try and footnote in ICANN Org's definition of material, Kavouss has suggested that we also need a definition of significant so just put in. Okay. But that does address the issue of (Anne's) note? And as I say, I'm having difficulty with parsing the note. So (Anne) I see you're online. Jeff, perhaps you understood better. Please Jeff.

Jeff Neuman: Thanks, this is Jeff. I'm not sure I fully understand. I think (Anne) would be in the best position to say that but I was wondering why we needed materially and significantly. If we're going to use the word material let's just use that as a definition and then get rid of the word significant because I'm not sure what it adds or what the different is between material and significant versus material or significant. I would recommend -- I'll put a comment in. I'd recommend just keeping the word material.

Avri Doria: Okay, thank you. I have -- before going to Kavouss -- I do have one question from Maxim Alzoba, who does not have mic -- who asks specifically, "What happens when ICANN does not agree with the category?" And I assume you mean ICANN org, seeing something as minor internal and community sees as same or major material.

Okay. It's a good question. I guess we need to clarify on that point. I'm not sure we don't have something later. Kavouss, please?

Kavouss Arasteh: Yes, just before taking my question I would like to act on your question. You said that if ICANN does not agree with the categorization. I think if you want to put that (unintelligible) with sufficient justification does not agree. I don't think they have the black and white saying that I agree or I don't agree. ICANN presents sufficient justification not agreeing with that. That is some issue and then with respect to the materially or significantly, perhaps I was not clear. I have no problem with saying materially and/or significantly, but I wondered what are the criteria to decide materially affected or significantly affected. If some of us remember, in IOT we have the same issue, materially affected and we had some criteria to see how and when somebody is materially affected. So we need criteria for both of them, materially affected and/or significantly affected. I was just referring to the criteria perhaps. I was not clear I'm sorry about that.

Avri Doria: Thank you, Kavouss. I think that went the discussion went after your comment was that for materially, we had already decided earlier that the

criteria are those that have been defined by ICANN org for materiality or whatever and that we were going to put those in a footnote. So that would define them, basically trying to use a standard term that's been defined and used elsewhere. And I think Jeff's point, if I understood it correctly, was that to add and/or significantly would not add anything to those criteria because significance is determined by the material aspect. So basically having the definition of material provides the answer to your question and trying to come up with a definition of significant would be not only difficult but redundant because material is already defining it.

If I said that wrong in any way, Jeff, or made things more confusing, please forgive me. And Jeff says yes, that's what he was saying and Kavouss agrees to not add significantly. Great. Thank you. Okay. And I'm guessing that the rest of the changes in that first bullet were acceptable to people. It was of the policy and essentially creates new policy and could be considered creation of new policy. So let's see where we're at on this one at the moment. Okay. And I know this takes time but basically gives people time to chime in.

Going to the next bullet, there were no changes, examples, development of an application, ordering mechanism. Then expected mitigation strategy, collaboration with the community. And it says for example, standing IRT or similar. The same note would apply. I think that (Steve) was speaking of earlier that once we decide on standing IRT or not we could probably clarify that for example.

Then again in the next sub-bullet on that, standing IRT or similar, we'll make a determination that the change is not significant and that the proposed change is consistent with existing recommendations. And the standing IRT or similar will make a determination that additional consideration is needed. For example, a request could be sent to GNSO Council to consider invoking the GNSO input process, GIP, or the GNSO guidance process, GGP. And under extraordinary circumstances.

Now, I think this goes to answer the question that Maxim was asking in terms of what does -- what happens if there's not agreement here. So on these, we have that that the standing IRP or similar is what makes the determination. It's not the org at this point. Any comments there? Any comments on the changes? So these changes would be okay with people.

Okay. Our meeting -- so we have, what, I guess, 26 minutes left of this meeting but we do have any other business. So watching time and not assuming a two hour meeting this time.

Jeff Neuman: Avri, this is Jeff.

Avri Doria: Yes, Jeff?

Jeff Neuman: Can I just jump in? I'm trying to think if we need a default statement saying that if it's determined to be one of these that the change is not implemented until it completes its process. In other words, there needs to be some default that a change is not implementable until after this whole thing goes through because I don't want it...

Avri Doria: Would that be right at the top? Basically, no. I was trying to respond to you and I jumped in too soon. Would that be right because that would apply to both revisions and new? So that would be something that would supersede both bullets.

Jeff Neuman: Yes, I think it's something we should discuss as a group. That's just kind of offering one view that changes should not be allowed until it goes through the process. In other words, the default is no change.

Avri Doria: Okay. I've got more comments from Maxim who asks me to read all of his lines of text, I guess before I forgot to read one. It's very difficult for me to get this posed. Okay, where is it? Okay, there's, thanks. Martin, and then

there's two example of minor process update. Lately, ICANN updated so-called GDD portal with the new click through agreement, which re-registries and later potentially applicants have to agree to and cash things caused delays.

Unknown text needs to pass through legal and if the change is significant, which it was last time, the issue potentially is not minor anymore. And then there was Martin -- okay, no. I lost track of these. Please read comments. The same happened a few days ago. Then there's given the speed of the development of new processes, I think such process needs to be designed in advance and not just when needed. Please read my three lines of text. Okay, I think hopefully I have read everything that's there. Then we have Jeff responding, good point, change in portals, good resort, new click through agreement, which is fundamentally different than the older one and could result in new terms superseding those in registry agreements.

I've got one question then I'll go to (Steve) and I guess I wasn't clear in Maxim's point, are we not trying to decide those processes now? So I'm not quite sure I understand the point of defining the process now as opposed to in the future because I thought we actually were attempting to define that process. I've got (Steve) and then Jeff.

(Steve): Thanks, Avri. This is (Steve) again from staff and I actually just wanted to point out in the section above related to changes to ICANN org internal operations that in the expected mitigation strategy, the communication with affected parties is expected to happen before the solution is deployed. So I think the intention in writing it in such a matter is to hopefully mitigate what Maxim is mentioning so that that change that he mentioned would hopefully have been communicated ahead of time and if it's determined to be material, it needs to be reworked and that happens before it actually gets deployed.

Avri Doria: Okay, thanks and it was Maxim's. It was about the venue to resolve disagreement. Now, I think there's a whole table down at the bottom that sort

of takes all of these different mitigation strategies and talks about that. I'm not sure that necessarily answers your questions but I do believe that a mechanism is being determined in the mitigation strategy. But if you believe it's not specifically detailed, please point out in the document in comments where you believe that the venue for resolving disagreements is not well enough laid out.

Jeff, please.

Jeff Neuman: So let me try to take Maxim -- I think I know what he's saying because the registries are discussing this. So ICANN is moving to a new portal called the naming whatever it's called portal from the GDD portal. The changes about what it was going to do is actually relatively minor in terms of the substance of they're going to make it easier to do certain administrative functions that were hard for us to do. Everyone likes it. It's great that we're moving to this new portal. It's just that ICANN when we went to go sign in for the first time, all of a sudden there's this new legal document that's new legal terms and conditions, which are very troublesome in a lot of different ways, namely just giving up rights and things that ICANN maybe not have thought about. They may have thought it was minor. They may still think it's minor.

The point is that I think applicants or registries now think it's pretty major so there's a disagreement as to the classification of the type of issue as to whether it's major or minor and I think that's the disagreement that Maxim is referring to. How do we handle those disagreements when ICANN insists that it's minor and everyone else or a lot of others say, no, wait a minute, that's pretty major. That's got a material impact on us.

Avri Doria: Okay. Thank you for the clarification. I guess my assumption would be that if anybody thinks it's major, it's major. But how can it not be? If there's a stakeholder, an effected party that thinks this is a major change, I think that does make it a major change but anyway, perhaps we need to say that somewhere unless somebody disagrees with that point that it doesn't matter

that one person sees it, a change happening to someone else as minor. If anybody sees it as major then the process needs to deal with it.

Yes, Jeff?

Jeff Neuman: Let's put that in parentheses or brackets. I think that's probably another area that we need to talk about. Just because one person sees it major, it depends also on the impact of that one person. It could be some person that it really doesn't have an impact on. They just philosophically or theoretically think it's major. I'm just saying let's put a pencil on that, bracket it. let's think about what we want as the standard as opposed -- or if it is one person or one group or something, let's put a bracket around that and consider it.

Avri Doria: Okay, thanks. I was thinking an entity larger than a person but great. Good point. Okay. But in terms of the changes we have in this one.

Kavouss Arasteh: Hello?

Avri Doria: Okay, now, there was a Donna question, which was the standing item will make a determination and Donna said by who, but I'm not sure that that was not before the standing IRT was added. So I believe that resolves that. Donna could tell me otherwise but I'll move on for now. Then there was the new policy, and by the way, Jeff, how much time do you need for any other business? Should I stop five minutes before, ten minutes before?

Jeff Neuman: I think five minutes is fine, although we do want to talk a little bit about ICANN 50.

Avri Doria: Okay, ten minutes. Not much more than another five minutes on this. I want to get as far -- we might not complete but we might. So then in the new -- it was being defined -- again, the, for example IRREVOCABLE TRUST or similar. Then the standing IRT makes determination or similar. So it's the

same stages as before. We probably also have the same issues of the disagreement in such that we have throughout all of them. Yes, Kavouss?

Kavouss Arasteh: Yes, I have a question. Why in the last part one in then do we say if any stakeholder thinks the change is major? That is one that is sufficient that we decide this is major or minor or we need a more broader support to be major or minor? Why we say if any? Could we not delete if any stakeholder decides or concludes that the changes are major or minor? Why only one is sufficient to override the others or to decide for others? Thank you.

Avri Doria: Thank you, I was thinking more but yes, you've spoken to the problem that Jeff brought up that we need to further define what the criteria is, to use that word again, for deciding that there is a sufficient disagreement on major/minor to warrant going into a process. So that is a discussion we need to have and I think it was one, if I understand correctly, that Jeff just put on the table. So that's an issue we'll have to come back with but it's being noted and we'll comment.

And the next part of this, and let's see if we have, was the role of standing implementation review team. So now, this is presuming that we have a standing IRT on this program and then the work of the standing IRT begins when the AGB is published and is responsible for considering changes in the implementation after that point. The standing IRT would be responsible for dealing with any changes that may be necessary to the established implementation.

So I think that this point very well to who is responsible and I believe that when saying if anyone believes it's significant versus the other, I believe that the two that may be discussing it are if either the standing IRT or the staff believes it's significant, then it's significant. So anyway, that would be my first stake in the ground on what it means, who's enough to effect the major/minor. But anyhow, then the next sentence was removed. Then the standing IRT can, for example, review any potential change before it is made

to determine which of the categories delineated above are relevant to the change. It is also the group that can raise any issues of policy implementation, conflict to the GNSO Council for further discussion and possible uses of, for example, the expedited PDP or the GNSO guidance process.

So I think that this, assuming we accept the standing IRT, answers a lot of those determinative questions that basically it is the standing IRP that people approach. It is the standing IRP that needs to agree on an issue being major or minor and that the anyone is really anyone out of a class of two, the org or the standing IRT.

So in the last couple of minutes open it up to is this definition of the role of standing implementation review team good as a basis to work forward on and any specific comments? And Kavouss is asking do we have the structure of the SIRT already determined? Me, I was presuming it looked like an IRT but perhaps we do need to be more specific and does the SIRT representing the community? The SIRT is answerable to the GNSO Council and represents the PDP I think and the community was within the PDP but their touchstone, as I understand it, is the policy that was agreed to in the PDP by the Council, by the Board.

So can we accept this moving forward even though there are more details to - - (Anne) says she likes the standing IRT, need to check all language, again, between now and next meeting. Yes, and Kavouss says please specifically mention that as possible. (Anne) says that refers to -- let me get the that correctly -- refers to I think the process and the representation of the PDP. And I think that's in there but I think that that needs to be emphasized.

But if it's okay with people, no one objects, I will accept this paragraph as with the changes as what we're working on and then I'll stop. Now, what I didn't get to and this needs a little bit of attention from people before our next conversation, is the table of the IRT and the notes, and this is sort of the

details that I think (Anne) wants to check out and we also still have one more section, which is the role of public comments in the change process and it has a table that people need to look at before we talk about this next.

Thanks for going through this. I think we've got a solid start here or almost -- I think we're really close to people being able to do -- to the group being able to do a first reading on this but we do need one more discussion first on the standing IRT and the role of public comments and some of the early notes. Thank you. Jeff, I pass it back to you.

Jeff Neuman: Yes, thanks Avri. So the two things that we need to talk about now are ICANN 60 planning and any other business. So on the ICANN 60 front, just a reminder, I think the -- I guess it's the final schedule or it's the final for now -- posted up on the ICANN site, schedule at [icann.org](http://icann.org). There's a full schedule of all of the meetings. Our two meetings, official two meetings are 12:15 on the first day, on Saturday. That is a, I want to say it's close to a three hour meeting, or two and a half hours, something like that. And then the second one is at 8:30 in the morning on Wednesday.

Unfortunately, as always, there is overlap with other meetings that are going on. Nothing we can do about that but the schedule or the plan is to take the first allotted time period and talk about individual work track issues. Each of the work track leaders are now working on what we should be discussing and the second meeting on Wednesday is going to be dedicated solely to the new work track five, talk about the terms of reference, and then kind of a brainstorming of some ideas on thoughts on the group and the issues.

So we have some pretty good plans for those. I strongly encourage everyone to be there. We also have a meeting set up where the co-leaders of work track one and work track three are going to update the GAC on what we've been doing so far with respect to the financial -- sorry, the applicant support program -- as well as what we have discussed so far on the communities issue and then the GAC will take that for the next hour after the co-leaders

present and discuss those two particular issues with the co-leaders and President. It's an open meeting so actually anyone can be there.

There's a question that says, Jeff, do we have a brief report or working reference for the first meeting? Kavouss, we'll try to get that up on the site as quickly as possible. We'll make sure that it's pretty clear what's covered during both of those meetings. So we'll get that updated as quickly as we can. Martin says unable to find the schedule. I found it by going to the meeting site, clicking on the ICANN 60 and then schedule. So it's there but it was a couple links in. And Roger has put the one up there as well. So if you're still unable to find it, Martin, let us know.

The only other topic to cover is on Jim Pendergrass has asked if I could give a quick update. There was a conference last week called brands and domains and it was in the Hague last Monday, and Tuesday, and Wednesday, I think. There was a panel in the morning, which Akram and I participated in. I participated on my own personal behalf, not on behalf of this PDP, although the PDP did come up several times. There was a discussion that basically Akram reiterated the point that his point was that he did not want to move forward with the new GTLD program until the community told him that they should.

This got into a little philosophical discussion. Again, from my personal standpoint, not on behalf of the group, I'll say that again, which is I believe personally that ICANN should be more of a permissive based organization than -- or I should say permission-less organization than having to give permission to go to the next round. My views are that the GNSO is already, again personal view, the GNSO already has a policy that there shall be additional or that there shall be predictable, reliable process for the introduction of new GTLDs and that it shouldn't have to wait until a consensus of the community actually says we want more new GTLDs. It should be assumed that that is the way we go, so that was an interesting

discussion and very philosophical depending on which side of the fence you are on.

There was a discussion in the afternoon. Akram was not there but (unintelligible) was there from the Board. She listened in. In that discussion, I guess I was a representative or I was speaking for -- sorry it was the wrong word -- I was speaking about the PDP working group and really just trying to encourage everyone to participate. There are a lot of brands that want to move forward quickly and again, I encouraged everyone to the best way to move more quickly is to participate and to help with solutions and participate in this group.

So I think that's the crux of the conversation. There are other people that were there that want to give any other details but I think that's pretty much it. And I see in the chat, Avri says unless this group were to decide to change the policy about new GTLDs in the future. So I guess, again, just on that, it's ICANN org's view right now that the community needs to affirmatively tell them to move forward as opposed to following the existing policy, which should be moving forward that obviously subject to these reviews and things. But we should be moving forward. So it's a philosophical difference I'm sure. There are many groups that feel one way or the other and I strongly encourage those conversations to continue to take place with ICANN.

I'm just reading the comments. Avri, yes, please.

Avri Doria: Yes, a quick comment on that and I wonder if in your philosophical discussion, you were distinguishing between whether we were moving forward, which seems to be that all is in place to plan on moving forward but that Akram and org should not proceed until we say yes, we're ready for it to proceed.

So I'm wondering if you made that differentiation in the conversation that whether doesn't seem to be a question at the moment. When does seem to be a question at the moment.

Jeff Neuman: Yes, thanks Avri. I get the impression from the conversation that they are intertwined as being the same thing and I understand that they are not the same thing. Most of us understand it's not the same thing, but I get the impression that ICANN or at least Akram's view that they are absolutely intertwined so if we never give them the green light then they would never move forward.

So they are intertwined at least in Akram's mind.

Avri Doria: Okay.

Jeff Neuman: Okay. Any other questions or comments? All right, great. Then I will talk to everyone -- I'll close the meeting and we'll talk to everyone on the work chart calls this week. Thank you everyone.

Avri Doria: Thank you, bye.

Michelle Desmyter: Thank you. Again, the meeting has been adjourned. Please stop the recording and disconnect all remaining lines. Have a great remainder of your day everyone.

END