

**ICANN
Transcription
New gTLD Subsequent Procedures Working Group call
Monday, 11 December 2017 at 15:00 UTC**

Note: Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: <https://audio.icann.org/gnso/gnso-new-gtld-subsequent-11dec17-en.mp3>

AC Recording: <https://participate.icann.org/p5vmano7bhh/>

Attendance of the calls is also posted on the agenda wiki page: <https://community.icann.org/x/SQxyB>

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

Coordinator: The recordings have started.

Michelle DeSmyter: Thank you, (Grace). Well welcome, everyone. Good morning, good afternoon and good evening. Welcome to the New gTLD Subsequent Procedures Working Group call on the 11th of December, 2017.

In the interest of time, there will be no roll call as we have 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, would you please let yourself be known now?

Hearing no names, I would like to remind all participants if you would 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 it is my pleasure to turn the meeting back over to Cheryl Langdon-Orr.

Cheryl Langdon-Orr: Well thank you, Michelle. Good morning, good afternoon and good evening to all of you. And as Michelle said, welcome to our call. I hope my

audio is clear, if not just let me know in chat and Michelle and I will somehow sort things out.

Today we're going to be focusing on one particular aspect of the new gTLD Subsequent Procedures activities, one that we have touched on before and that is of course the types of TLDs. And I hope that with the agenda going out a day or two ago you've all had time to review the overarching issue document on application types, but we will be going through that in some detail today.

There is a Google Doc and you may find it easier to open that on a different screen or tab on your computer, but if not we will be displaying it in the slide set today, don't panic with 21 slides, most of them we're going to go through very quickly because they're placeholders. And to do that what we'll do now is move onto Slide 2 and go through the agenda.

While we're going through the agenda you'll note number 1 is the usual administration one of asking for any statement of interest update, so if any of you have any statement of interest that have been recently updated and you need to let us know or are about to update something now is the time to do so in the call.

Not hearing anybody, we will now move on to what will be your Slide 3 on the call and start to go into the question of any proposed alterations to the agenda or any any other business that you'd like to let us know about now. We will call of course for any other business again.

Not hearing anything there, we'll move straight into the next slide, told you we'd be going through it rather quickly, which will be your Slide 4, and our call for each of the work tracks in - we'll do them in numerical order, I think, but that means we'll start with Work Track 1 for some brief updates. So who's going to be doing Work Track 1 today? Go ahead, Christa, over to you.

Christa Taylor: Hi, there. Can you hear me?

Cheryl Langdon-Orr: Loud and clear.

Christa Taylor: Okay great. So we have our next call coming up on December 19, two main topics are systems and communications along with application queuing, and if we have time we'll look back at some of the other subjects that we have. But that's it for December 19. Thank you.

Cheryl Langdon-Orr: Short and sweet, Christa, thank you very much. Okay, moving straight along to Work Track 2, and who's going to do it for Work Track 2? I think it was Sophia, was it?

Sophia (Shuo) Feng: Hi, can you hear me? It's Sophia Feng.

Cheryl Langdon-Orr: Yes, we can. Go ahead.

Sophia (Shuo) Feng: Hi, everyone. So we had Work Track 2 call last week 7 December and we discussed about the contractual compliance and (unintelligible) and we discussed the CC2 review comments and the way path forward. And so we closed out the most topics in our work track for the CC2 review. So our next call will be on 21 December and before the call me and Michael want to review all the order findings and recommendation receiving from the community of the Work Track 2 members for the past various calls. And we will come up with the recommendations - some short recommendations and putting the formalized document and be able to present it to the groups in the next call and a future coming call.

And Michael, do you have any other additional comments regarding our next call, some - then please speak up. Okay, I - I'm good so that's the update from Work Track 2. Thanks.

Cheryl Langdon-Orr: Thank you very much, Sophia. Christa, your hand is still up, I'm assuming it's an old one and you're not wanting to question Work Track 2. Fantastic, thanks very much. Let's then move to Work Track 3, who's going to do that? Robin, over to you.

Robin Gross: Thank you. Can you hear me okay? This is Robin for the record.

((Crosstalk))

Robin Gross: Great. Okay, so our next meeting is actually tomorrow on 12 December at 1500 UTC. And we're going to finish up our discussion on the applications and then get into objections and that'll be our - the beginning of our third pass through objections if we get that tomorrow. Thanks.

Cheryl Langdon-Orr: Thanks, Robin. And this is Cheryl Langdon-Orr for the record. And I think it looks like I might be doing the Work Track 4 update. So Work Track 4 update will be running on the 13th of December at also 1500 UTC. We're hoping that one of our main agenda items will be the financial model and we will be looking again at where we are in terms of our general agreements or degrees of agreements on the various types of financial models that we may be proposing to the wider PDP working group.

But there may in fact be other things on the agenda with reviewing of where we were at - with all our questions, which is what we did in our last call last week, we'll probably do a review on that as well as a bit of a second reading to see what the general agreement is on degrees of - on general IDNs, on universal applications and on the other matters that are within our remit including of course the name clashes.

With that, let's move to Work Track 5, and who is going to report from Work Track 5 Geographic Names? Annebeth? Martin? Christopher? Who's going to be doing it? I'll just pick you then. Martin, go ahead.

((Crosstalk))

Martin Sutton: Hi, can you hear me?

Cheryl Langdon-Orr: All right, Annebeth, got your hand up. We can hear you...

Annebeth Lange: That's okay, I'm here as well. Hello.

Cheryl Langdon-Orr: Go for it, you can share.

Annebeth Lange: Martin, do you want me to do it, Martin, or ?

Martin Sutton: Yes, please, Annebeth, and then if I need to I'll chip in. Thank you.

Annebeth Lange: Okay. Hello. Annebeth Lange here. We had a meeting last week that was very efficient, I think but quite chaotic because of a sound difference and problems. But we are still discussing the terms of reference and not unsurprising it's a lot of different views on where to go and what to include into it. But I think we got some way and during this week we have got some further input from some of the actors and Emily is trying to include them into the Google Doc. So the next meeting we will have is the 20th of December. So I hope that this will be the second reading so we can then decide and go on with the substantial issues after Christmas.

So, Martin, do you want to add something to it?

Martin Sutton: Hi, Annebeth. No, that's perfect, thank you very much.

Annebeth Lange: Okay, I see Kavouss is there so he might have something to add.

Cheryl Langdon-Orr: Go ahead, Kavouss. Kavouss? Cheryl for the record, we're not hearing you.

Kavouss Arasteh: Do you hear me, please? Good afternoon, good morning, good evening and good night.

Cheryl Langdon-Orr: Yes, we hear you.

Kavouss Arasteh: Hello?

Cheryl Langdon-Orr: We hear you. Yes, go ahead.

Kavouss Arasteh: Do you hear me? Yes, okay very good. First of all I have some difficulty with the (caption). Sometimes what I said is totally reversely transcribed. I said it should not do that, they said that it should do that. Is quite different. So I would call kindly for the distinguished and respectful captionist to kindly try their best if I'm not well heard, please let me know, otherwise there will be misunderstanding.

Now, to our cochair, I believe it is a practice whenever a subgroup reporting to the main group after each report the chair or cochair may kindly ask whether there is any comment to that very short report. For Work Track 1, 2, 3 and 4, that question was not raised. And even for Work Track 5, it was about not to be raised unless I raised a hand. So I will be clear for future, but at least I have some comment on the Work Track 5. And if you allow me I want to make my comment.

Cheryl Langdon-Orr: Kavouss, it's Cheryl for the record. I in fact was about to ask if anyone had any questions for the people who updated for any of the work tracks. Several of them, of course, were simply dates and I'm sure most people will react to questions on the dates or perhaps in chat or by referring to our calendar. And the invitation were sent out, but it is indeed the appropriate time or question on Work Track 5, so please, do ask.

Kavouss Arasteh: Yes, if I may, I would like to make that first of all, some but not all some of the GAC members were surprised by the reply given to our condition for

participation. The issue is under discussion within the GAC. GAC leadership, GAC Chair and some other GAC members active in Work Track 5 and probably we will reply to that. Those people who were surprised are not comfortable with the answer which was given and now we are questioning ourselves whether the condition of participation is met or not. We don't have any reply now because still we're discussing among those active members. This is from GAC point.

There is another main point and indeed the way that this Work Track 5 is managed. I raised question three times and all of it says that, yes, we will come back to that. We have difficulty on the procedures because we believe that this work track whether is Work Track 5 or whatever is a quasi-cross community working group involving four organizations, ALAC, ccNSO, GAC and GNSO in alphabetical order.

So these four organizations should have equal rights and equal footing. I raised the question, Annebeth kindly said that, yes, we come back to that at a later stage. So this is something that perhaps we should do at the beginning but no problem, we wait until we arrive that.

Now with respect to the term of reference, there is a lot to be done. I think we are far from agreeing on 20th of December. There are major problem and major differences between the two divergent views that perhaps hopefully we may - try to achieve something, for the time being we are totally polarized with respect to the term of reference. There are many things that we do not agree. And some people unfortunately believe that some organizations looking for primacy or for dominating other which is not the case, we want to have just equal footing. That is the situation.

And the problem is that they can see there's GAC have - looking for something which is not deserved to. This is not the case here, I'm not talking of GAC geographic names belongs to the people, to the citizens of the countries. (Unintelligible) is under GAC or under any other thing, I don't care.

But we are dealing with the concerns of the citizens with respect to geographic names. So in summary, we not taking the time a lot, we are far from agreeing on 20 of December on the term of reference because the organization and the procedure is not yet agreed by everybody. And I thank you very much for that. Thank you.

Cheryl Langdon-Orr: Cheryl Langdon-Orr for the record, Kavouss. And I think if I can go through that somewhat extended list of mainly statements more than questions. Most of them seem to be directed rather more at the letter and the terms of reference. Regarding the letter, I think that's something that I can assume both the GNSO Council leadership and indeed Jeff and I look forward to seeing any response back from the Government Advisory Committee leadership on, but I can assure you that there is a single chartering organization in a GNSO PDP working group and that we are not a quasi-cross community working group activity here in the Work Track 5 activity, and that we very carefully made that clear.

But we also thought that we made quite clear about the equitable opportunities for all parties and participants to ensure that their voice is clearly heard in the PDP process. But I think that will be something that the GNSO Council leadership, both Jeff and I as the leaders of this PDP, and obviously the leadership of the GAC as they reflect the consensus opinion of the GAC to this on that will pursue in parallel.

Regarding the 20th of this month, that is of course the close off date for comments on the terms of reference. And as Annebeth and Martin and the other leaders from - coleaders from Work Track 5 indicated, they will only be getting to their second reading of the terms of reference and discussion and incorporation of those comments that have come in. So the terms of reference are indeed a current work in progress.

But the GNSO PDP guidelines do make very, very clear what the opportunities are to ensure that there is balance and equity and voice being

heard in the process and of course that is something that we may pursue further. But in today's call, unless there are any other questions - if there are any questions of any of the other work tracks let us know now.

Not hearing anybody, thank you for your questions and comments, Kavouss, as I said. Jeff and I and of course I suspect the GNSO Council leadership look forward to the responses and reactions from the GAC as of course we do if there are any from the ccNSO and ALAC as well.

So with that, if I can ask you all to now move to - or through Slide 5, which is the introduction slide of the overarching issues, and our major topic for today, application types. And then through to Slide 6, where we're going to review what is the current - what we call the status quo - the different types of TLDs that were utilized in the Applicant Guidebook in 2012.

So with that on Slide 6, let's have a brief overview. First of all, there is the standard application, it's not a community-based application. Secondly, I'm sorry, Kavouss, in the chat I'll just hold if everyone doesn't mind, going back to the previous agenda item, just for the record, Kavouss is stating in chat the issue of geographic names is much beyond the leadership of the GNSO. I and I believe anybody on this call would understand and recognize that, Kavouss, because the unique nature of geographic names and it's interests is why Work Track 5 has the specific design of co-leadership between the GNSO, the ccNSO, and the ALAC and of course the GAC.

That was to provide leadership balance for the activities of the geographic names discussion and that is one of those unique designs which recognize the importance and (unintelligible) to the wider community. And these other points that Kavouss has raised in chat is that he believes there is - sorry - the chat is scrolling so quickly, he also believes that the issue is disagreement with PDP is relevant here, well of course it is, that, as you said Kavouss, you are in discussion in the GAC and when the GAC has concluded its discussions and its responses to the letter we sent out or that was sent out on

behalf of all of us in terms of the conditions that the GAC indicated, then it would be up to the GAC to decide what it accepts or doesn't do.

As I think it's up to me or anyone here on this call to have that debate because it is in fact for a matter for the GAC leadership and indeed being a reaction from the GNSO leadership if there is one required. So is there anything else you'd like to us make sure was captured from your comments, Kavouss, before we get onto the other activities for today's call, which of course includes all of the activities of all the work tracks? Okay, with that, let's hope that we do not take too much time. Sorry, Kavouss, you're asking what rules, dear madam? And in upper case and perhaps your finger slipped again, referring to me as madam, a discussion I think you and I have had privately before in other activities.

The rules I refer to in fact are the - or we refer to - are the referred to in many cases including the letter to the Government Advisory Committee are the GNSO guidelines for PDPs. And if you like I will get Emily, sorry, or Michelle or one of staff to put a link to that document in chat here so that you can make sure you've got your reference and you can read through them. They're very well designed and has stood the test of time for a GNSO PDP process.

With that, if I can take everybody's attention back to Slide 6, and our topic for tonight, which is a discussion - or today - which is a discussion of the application types, and we were reviewing the status quo, the current types of top level domain names, these - that ran through the 201 round.

Just to recap again, the standard application which is, if it's not a community-based application, there was a community-based applications and here that is a gTLD operated for the benefit of a clearly delineated community, remembering what we're doing here is simply stating what the types were. And underneath these community-based applications there were additional questions asked at application submission. There is a requirement for endorsement from the representative community. There was a response to

community-based questions which only evaluated if any string contention and elected community priority evaluation and there were contractual obligations to ensure adherence to community-based registration restrictions.

We then had continuation, if you'll now move to your Slide 7, I believe it is, the one that says, types of 2012 - different types in 2012 continued. There was also geographic names, so other than standard community, there was geographic names, the definition for geographic name in the last round was provided in Section 2.2.1.4.2 of the Applicant Guidebook.

In this, there's additional documentation required at application submission, though all applications were reviewed by a panel even if not designated as a geographic name, then is a geographic name documentation and support or non-objection to that application was verified by a panel. So that's where we were at with geographic names in 2012.

In addition, there was a type called Specification 13, these were brand names, top level name types. These were approved by NGPC in March 2014. So it was a follow up activity after the launch of the rounds. And it said as following, Applications TLD trademarked, with a single registrant model and not a generic string as specified or defined as required in what was known as Specification 11, modifies the Registry Agreement. And since there are no registrant exemption from Specification 19, so it's very specific to brand TLDs.

That is - those two slides are basically a review and statement of fact of where things were in the 2012 round. If I can ask is there any comments or discussions on that? Have we fairly and reasonably represented history as it was? Just reviewing the chat and I see that in the chat there really is very little to do with the current conversation going on. It's - thank you very much, by the way, Emily, for putting up that link to the GNSO Operating Procedures guidelines for PDP processes. And this is all chat about the specifics of Work Track 5.

And I would ask, again, that we try and keep debate to a civilized and courteous level. Thank you, ladies and gentlemen, it seems we're getting a little hot under the collar. Perhaps if one came back to all of the topics that we're discussing tonight - today's call, which is of course application types, as that would also assist. Oh thank you, Steve, you're quicker than I am getting to that. The NGPC, which was referred to in shorthand in the slide, was the New gTLD Program Committee. And Steve also thanks very much Donna for raising that and I'll take that as a wrist slap for not using the full text when I should have been doing so reading through the slide, which of course is just a (front).

So we do also note here that there's distinctions made between community policy-based and independent agreements that Heather (unintelligible) Kurt's comment.

So with that, and Donna, I suspect your memory is perfectly good, but it was a very good reminder for us not to just rely on our shorthand. If we can move on? Kavouss, just saying there's no key description on community. And in fact, that has then one of the topics that has been occupying the work track looking at that in detail as we're looking to subsequent procedures for any round that may occur in new gTLD type - and the types that are the - one of the things that we will be looking at is how these definitions served us well or otherwise in 2012 and what if any changes to the Applicant Guidebook may or may not be required.

And in fact, that is what we are starting to do with the full working group in today's call. One of the things we're trying to remind you all of and to get your thinking going on and getting some responses from you on is that if we are to change these existing status quo types, these types as listed, which were the standard application, the community application, geographic names, or brands, that we need to have a agreement from the full PDP to recommend any change of the Applicant Guidebook.

If we cannot agree on proposed changes, then the Applicant Guidebook as it is written, is unlikely to be changed. There is no reason to make a policy change unless this group, the Subsequent Procedures PDP Working Group, proposes one. So with that, what we would like to do is start getting those thought processes done tonight. We've got then some particular work track related efforts that are looking at each of these topics.

Work Track 2 is the one that is looking at the closed generics. It's been looking - its deliberations have focused - Emily if you can take us over to Slide 7 please - deliberations are focused on the pros and cons of allowing closed generics and it's also discussed possible means for allowing closed generic TLDs where they are - where they are consistent with public interest.

Work Track 3 has been looking at the community applications, it's also deliberating what has come in from their community consultation round 2 input, the CC2 input, and they've developed what is affectionately known as a straw bunny definition of the word "community" so that is a work in progress. They are consulting with those - the Government Advisory Committee and the At Large Advisory Committee to seek input on that specific aspect of their work.

And Work Track 3 - sorry - Work Track 5, Geographic Names, which is our new one, which has the, as you said, the At Large Advisory Committee, the Country Code Name Support Organization, Government Advisory Committee, then Generic Name Support Organization, having selected their co-leads for Work Track 5, and they held their first meeting on the 15th of November. And they're currently working on the terms of reference for Geo Names. So that's where we are in the work track related efforts and who is doing what on the types of names as is currently defined up the Applicant Guidebook.

If I can ask if there's any questions, discussion or debate on that before we review the attributes of the current application types? Let's have a look, nobody's raising their hand. Let's have a look at the chat. Okay, we have considerable discussion about the GNSO PDP Working Group Guidelines. And then we're Slide 7 on the slide deck there.

And again is just making clarifying comments and so what's this, Kavouss has asked in chat, "I asked a clear description of community and I guess it's (unintelligible) between various communities and no answer has been provided." Well in fact if anyone from Work Track 3 would like to prepare a response beyond what I've already covered in where you are up to in work track-related efforts I'll go to you in a moment.

So Sara's having some technical issues, she's obviously got gremlins although she's describing them as poltergeists, that means serious gremlins. I'm going to go to Annebeth who has raised her hand and I'm fairly sure may not have something to say about Work Track 5, but she may indeed have a question on other work track-related efforts. Over to you, Annebeth.

Annebeth Lange: Hi, Annebeth Lange here for the record. I have a question actually about the definition of geographic names on the Slide 6, we use the definition provided in 2.2.1.4.2 of the AGB. And in the 2012 book, then all the country and territory names they were in a different chapter because they were taken away for applications or other in 2012 round, so they were not included in the geographic names. So that we are of course discussing everything from - the country and territory names and the creator codes which ISO 3168 and then goes down to what's in the Applicant Guidebook, what was described as geographic names. Right?

Cheryl Langdon-Orr: Indeed, Cheryl Langdon-Orr for the record. Yes indeed, Annebeth. There was the list as you described and the definition was as was outlined in the Applicant Guidebook in 2.2.1.4.2 and yes, it is very much the business of Work Track 5 to look at both those aspects. It's too early in Work Track 5,

however, to be reporting any particular progress, and of course what we need to recognize and what is important for Work Track 5 to recognize is that unless they can come to this PDP Subsequent Procedures for new gTLDs Working Group as a whole with specific agreed definitions or proposed changes to the existing Applicant Guidebook then the status quo would of course be the default or the fall back position.

And so that's why it's so very important that your work track is clearly focused and is working to see what if any changes to the Applicant Guidebook are proposed and seen as advantageous for the smooth operation and predictability of any future round. So you've got - you had the right of it, Annebeth, most definitely and it's a primary piece of your work in Work Track 5.

However, we have some information coming in I hope from Karen, working out of the Work Track 3 group, and I'm assuming you're responding to the questions posed in chat by Kavouss. Over to you, Karen.

Karen Day: Thank you, Cheryl. This is Karen Day for the record. Yes, with regard to the chat and Kavouss's comment, where we are in Work Track 3 as we are still defining community but I think that one of the things that we can say is to Kavouss - to your specific comment, could we have a community of drug traffickers?

I think the one thing that we can say pretty confidently that we have agreement on within the work track that we will be sending up to plenary is that however we define "community" the overarching principle is that it will need to be in promotion of the public interest. That has been the sort of the bedrock of community, the intent of community in the previous rounds. We want that - the consensus, I believe, is that that will continue. So I think the drug traffickers would fail that test off the bat, I hope.

But we're still working on it and so I think - and hopefully in the next couple of weeks what we come up with to present to the plenary will then be fed back into this process and however we define work tracks and Work Track 3, excuse me, however we define communities in Work Track 3 will then be fed back into the plenary for re-discussion as to is that appropriate for a category - application category type? So I hope that answers your question. Again, we're right in the middle of those discussions, look forward to talking to you about it more tomorrow. Thanks.

Cheryl Langdon-Orr: And thank you, Karen. Cheryl Langdon-Orr for the record. Regarding that specific proposed community type question, with an illegal activity in the chat, Avri has pointed out that there are also other conditions within the Applicant Guidebook against criminal behaviors and activities so perhaps that example was one that would probably if that came up with a reaction as something along the lines of well yes it could be considered as a community, but unfortunately for that community, it is still not going to be an appropriate TLD name because under the Applicant Guidebook in other sections, such criminal behaviors and activities would not be then condoned.

And of course Kavouss, I must say I'm distressed to think that you believe you or anyone else is being criticized for raising questions and having discussion and debate in today's call or in the whole process. The thrust and parry of question and answer and opinion is in fact the foundation part to this PDP process and indeed most of what we do in ICANN and there should be no criticisms of each other in which others opinions - there may be disagreement and we may not ever come to agreement on some points, but there should be no implied or otherwise ad hominem and criticisms of each other.

Something that I trust we all agree on, and if you feel that you are being criticized, I suggest that we all increase our level of courtesy even further to make sure that those risks are being minimized to zero, please. So with that, yes, Kavouss, you are correct, we need to revisit the definition of community

and revisit the various categories within community, which is in fact, as Karen described, what she and Robin are helping Work Track 3 to go through at the moment. This is work in progress, not concluded yet.

But we do have a timeline which I will remind you of, I shall channel Jeff now, and say it is aggressive but necessarily aggressive timeline where we would like preliminary draft material out for public comment in March of 2018 so it's conversation that is under pressure at the moment within the work tracks. If you have - any of you have deeply held views and contributions that you'd like to make on these topics to these work tracks, I am sure that you'll be more than welcome to join as members and make your contribution in the debate over the next few weeks and months.

And indeed, most importantly, you all have the right to raise issues and make comments when it goes out to public comment as a draft document. And then of course it could apply but should say not only to each of as individuals, but to the entities within the ICANN community of the At Large Advisory Committee, the Government Advisory Committee, and of course the ccNSO and indeed the ASO, so if they wanted to, Security and Stability Advisory Committee and should the Root Server people wish to make a comment, they're welcome to also. That is the normal process.

So what we're trying to do today is - sorry, I'm just reading chat again. GAC advice - Maxim's raising the point that GAC advice (unintelligible) about the community, absolutely, public interest and indeed the At Large Advisory Committee would also undoubtedly want to weigh in on the risks of bad actor communities and (unintelligible) a likelihood of affecting consumers and end users in a way and of course there would be the Non Contracted Party House would undoubtedly have some particularly strong views from some of their component parts as well on that topic, Maxim.

That's very much one of the reasons we're looking at the definitions of communities and how we may perhaps make it more predictable and indeed

take less debate after the rounds open by making the questions and definitions smarter before the rounds start in the future. And in fact I shouldn't use just the term "round" because we haven't even decided yet on what mechanism or types of mechanisms may be used for future new names.

Okay, Kavouss, I'm not going to - if I may - take us down the particular debate line of public interest today. The public interest would come into play when - as it does in many parts of ICANN, the definition of public interest is something that is a hot topic in itself within ICANN and if at all possible I would like to bring us back on track for today's agenda which is looking specifically at our current application types. And that is the existing ones that came through in the 2012 round.

Okay, and again, Kavouss, the who determines these things is the mainstay of conversation on this topic within Work Track 3 and Karen has kindly updated as to say where they're at in the development of discussion and debate. If they cannot come up with recommendations, however, there would be no change to the Applicant Guidebook proposed, therefore we felt it rather important that we all reminded ourselves of that fact.

I'm trying to channel Avri here, she had a wonderful way of describing it, perhaps if she's got an open microphone she can speak for herself, but the view had been that of course we need to remember unless we had a good rationale, reasoning and agreement to propose a change then the change doesn't happen and the Applicant Guidebook stays as is. That is after all the purpose of this PDP process to review the Applicant Guidebook and see what if any changes would need to be made.

So now if I can encourage you, and as I said, I am not going down the rabbit hole of public interest, certainly an important topic but simply not the one for today's call, and get you to all look now at Slide 8 where we have a very high level overview of the attributes of the current application types. And these slides are taken their material from the spreadsheet document that is linked

from your - from the agenda that you were all sent and is referenced, as you can see, in the pod on the top right hand side of your screen in the Adobe Connect room.

And if you would prefer to look at that spreadsheet rather than at the slide deck overview, you're more than welcome to. You'll find quite a few tabs at the bottom of that spreadsheet and what you would be looking at is the document with the second tab which talks about the attributions matrix and then the third tab which is further discussions or records of further discussions that we've had to date on the attributes of the current application types.

But let's review them at high level. And, Kavouss, if you would like to continue your conversation in chat in the topic of public interest, then I would - and thank you for the link to the Google Doc in the chat, Emily. Perhaps rather than having it line by line if you'd like to - I'm sorry - intimidation? Kavouss, unfortunately the ombudsman is not on today's call. I will refer this chat to him and ask him to review the audio of this call. I can assure you that terms like "intimidation" are red flags to me as they would be to the neutral leadership of any part of this PDP process.

And so I take that term and that question very, very seriously. So what I will do is ask staff to ensure that we take the chat transcript from today's call, the audio from today's call and any notes from today's call and - for - under my request and auspices, and I think I can probably speak on behalf of Jeff here as well, ask him to review and to advise Jeff and I if indeed lines of expected standards of behavior have been crossed and that we, in any way shape or form, have been overwhelmingly unacceptably behaving or indeed crossing the lines of overbearing behavior from any particular member of today's call can be ascertained.

Can I also suggest, Kavouss, that if you have a particular concern or complaint it is your right, as I know you've exercised before, to also approach

the ombuds office, but we take this very, very seriously. All voices should be heard, all opinions should be respected. And there should be no risk of the assumption of intimidation during these calls. So that's an action item. We will take this to the ombuds and to make sure that if there is any behavioral modifications required of me or indeed anyone else on this chat that he can advise us with the expertise.

You've raised the question, Kavouss, and I'm responding to it. And perhaps with that, we can move on to, as others have said in the chat, the substantive discussion for today's call.

Maxim, sorry you have to drop off but thank you for your contributions today. So if we can go back to Slide 8 and look at the attributes or you may also wish to look at the fuller text in the link that Emily put earlier on in chat. Kind application attributes. We have the standard application and there are no applicable specified attributes for a standard application.

There are, however, some attributes that we are seeing as requirements in the submission for some of the others. In community-based applications, is an application submission requirement, there's eligibility requirements, there's additional evaluation elements, there are registration restrictions, there's a limited pool of potential registrants and contractual requirements and it's one of - one of the things that I think you can all see is why Work Track 3 has such a very large piece of work just in this part of their work for looking at community-based applications, it's definitions and any changes to any of these attributes so that's important work and a lot of work that's being done in community applications in Work Track 3. But this is the attributes that are identifiable.

We also have attributes specific to geographic names, there's application submission requirements, there's eligibility requirements, and there are additional evaluation elements and we referred to the panel work as well. Susan, I'm sorry to lose you as well, but thank you very much for joining us

and we look forward to any of your comments coming in either on the list or next time we gather.

And finally, there are specific attributes related to what's called the Specification 13 or those brand names and that is that there are eligibility requirements and contractual requirements, so these are specific attributes that we can identify for the current types of new gTLD applications as per the Applicant Guidebook and relevant to the 2013 round.

Have we missed anything? Is there any discussion? Is there are any questions on the where we are in terms of what is the existing or status quo of name types? And there's some writing going on. But nothing coming through. Okay, so looks like everybody is clear or is clear as we're going to get in today's call on the where we are and how we can identify attributes to those different types of existing application categories.

Let's challenge you now by moving to next slide which was type of (unintelligible). And this is the question that we as a group now need to ask ourselves, what would happen if we changed absolutely nothing and that status quo that we have just gone over and defined in some detail and yes we're on Slide 10, thank you very much, Sue. If nothing changed, if we do not create any new types we now need to think about what would happen, is there a problem? Can we identify any risk, any issue, any problem with making no changes to the Applicant Guidebook?

That's the question posed and one that I hope we'll start getting your debating juices going. I see you, Donna, go ahead.

Donna Austin: Thanks, Cheryl. Donna Austin from Neustar. So just in response to your question, I don't know that we need necessarily any new categories, actually I don't support any new categories. But I think there might be some tweaks required to the Guidebook in relation to some of the categories that we already have. And I think it's been mentioned in chat as well that, you know,

we don't - while dotBrands actually have a place, they're not in the Guidebook, they weren't consensus policy so we would need to tidy that up.

And obviously closed generics we haven't had that full discussion yet. So I would, you know, thinking about the question a little bit differently, I don't see any reason to change the categories that have been discussed so far within the deck that you're presenting to. But I do think there are some tweaks that need to be made to some of the relevant sections in the Guidebook. Thanks.

Cheryl Langdon-Orr: Thanks, Donna. Cheryl. Oh, thanks, Donna. Cheryl for the record. Took me a second to get off mute for some reason. Yes, and I think in chat Kurt's also supportive on that particular opinion or perhaps not opinion but the aspect you were raising that there would be some tweaks because if there was nothing changed in the Guidebook, there would be no brand TLDs and no restrictions on closed generics, and that's - because there's no consensus policy on that.

And that's certainly I would consider us giving a tweak, that's a fairly significant piece of tidying up to the Applicant Guidebook that of course is the whole reason we're here. So Martin, over to you.

Martin Sutton: Hi, Cheryl. Thank you. And just really to repeat I think what Donna was mentioning there, we've heard people say, I think Jeff's raised it and within the relative work tracks, that the dotBrands they're not (unintelligible) for in terms of policy previously so we would need to rework that back into any future application process in terms. Thank you.

Cheryl Langdon-Orr: Thank you, Martin. Cheryl for the record. And, yes, it appears that that is a significant piece of work that I'm not hearing any debate against being done, and so we wouldn't be rolling back the sands of time but we do need to challenge ourselves with these types of hypothesis. Is there - we're not here for change for change's sake, we are here to consider and consider very deeply and seriously what if any changes need to be made to the tweaks

referred to by Donna and the perhaps bigger than tweaks on the Spec 13, the brands clearly need to go. Heather, I'm sorry to lose you at this stage. But thank you very much for being with us today. I know you will look through the recording because you're very good at follow up after calls. And Greg, again, sorry to lose you as well.

Just as a reminder, ladies and gentlemen, these full PDP working group meeting calls are 90 minutes in length. If you - for the next full call wouldn't mind looking at your calendars and seeing if you've got that 90 minutes in the block that would be greatly appreciated because these are very important topics, but then again you all have real lives to lead, not just the volunteer ones that are you doing in the ICANN world. Thank you one and all for those of you who now have to leave at the top of the hour. We appreciate the efforts you've made to be with us in today's call. We look forward to your contributions on this topic but it is a reminder that these full working group calls are 90 minutes in length.

So let's go back to Slide 10, and now look at if we only had standard community, geographic names and the brands, we are assuming that we will be continuing with that, but if someone wants to debate in the opposite way then please feel free to do so in the future. What impact would that have on potential new types? In other words, can we go forward with new types and have them (catered) for within the current structure?

Back to you, Martin, please go ahead.

Martin Sutton: Thanks, Cheryl. So in this regard I think it's important to reflect up on that we have witnessed in the 2012 round which was the introduction of significant numbers of particular types that we've been able to work through and hopefully define where possible. I think therefore we cannot predict everything, it's going to be much more of the case that any new types that emerge there's opportunities to improve policies and processes over time.

But I think predicting everything is going to be a huge problem but certainly having the ability to put some reflected changes in place at a future date, once that new type has emerged and is understood. Thank you.

Cheryl Langdon-Orr: Thank you, Martin. Over to you, Donna.

Donna Austin: Yes, thanks Cheryl. Donna Austin from Neustar. So I think we should also include generic as a category there and just understand that, you know, it's really broad intentionally so, and I think one of the things from the 2012 round is that there were some things that happened after the application process closed that had impacts on some of the TLDs, obviously (unintelligible) GAC advice here, in that additional - what's the word I'm looking for - but there were additional restrictions in some respects applied to some of the TLDs after the fact based on GAC advice.

But I don't think that the - by not having an exhaustive list of categories that there was any harm done. And what I mean by that is that, you know, this was - that potentially what the late advice from the GAC did, and we can argue this back and forward either way, but it could have been seen as restrictive and reduced the possibility for innovation. So I think one of the problems here is we if we try to define too many categories and put too many conditions around what a category is, then we stifle that innovation which is supposed to be part of this program anyway.

So I am of the view that, you know, let's leave it where it is and you know, the argument being that we don't want to stifle innovation. So what we're looking for is you know, how TLDs can be used in different ways. And if we start putting, you know, parameters around everything then that takes some of that away. So I would - I don't think that if we, you know, I think you get what I'm saying. Thanks, Cheryl.

Cheryl Langdon-Orr: Thank you, Donna. Cheryl for the record. Yes, I got very clearly what you were trying to say. And of course that's the reason we're having this

conversation in this full call and that is to air out - because the work tracks have been beavering away but now it's time to bring the topic back in to the wider workgroup and to air and re-air and address the variation and opinion on whether or not we can manage with some modifications to the exiting framework of application types or whether we need to have some radical overhaul on these.

And as we - just before we head to the next slide, I'd like to just remind you again in case I haven't said it enough times in today's call, if we do not reach consensus to recommend a change then things will remain the same. Now if you can move yourselves to Slide, I believe, 11, which is the - do these types have unique needs? So are there, A, a requirement similar to those we saw from existing types? Now this seems to be out of order, unless I've skipped (unintelligible)? Okay.

That doesn't follow quite as well, my apology, it was probably me asking Emily to shift a slide that I shouldn't have done so that's absolutely my fault, mea culpa. However, if I can now take you to the following slide with all the pretty colored arrows, and it's the preliminary list of types beyond existing. Now these are the ones that you will see in the spreadsheet much more fully articulated, the slide is giving you high level information only as any of these types of PowerPoint slides are only ever meant to do.

The preliminary list of types beyond the existing that we had seen, discussed and get some degree of support in the work track activities to date include, intergovernmental organizations, validated registries, and this would be restricted registries where registrations must meet qualification criteria that must be verifiable, a proposal for a not for profit or nonprofit, an NGO, type, here it would be organizations generally considered to exist to serve the public interest however that is qualified, the highly regulated or sensitive TLDs, these would be sensitive strings or strings related to highly regulated industries, this would be the frequently used example of the dotBank and

some of the pharma ones, pharmacological ones, I should have said, I shouldn't have used the short term.

Another one that has been proposed and discussed to some extent is exclusive use, these would be keyword registries limited to one registrant and their affiliates. There is of course closed generics, which is a generic string that operates in an exclusive manner. Open TLDs with minimal registration requirements is another one that's being looked at and this would be a targeted TLD, top level domain, that minimal - with minimal registration requirements. And finally on our checklist of things that have been discussed and not dismissed outright as yet, is the governmental organizations and that is a government organization applicant that is likely to have specific - I cannot speak - let me try that again, my put mouth back in order.

Another type that has been proposed is the governmental organizations type which would be a governmental organization applicant that is likely to have specific contractual requirements associated with it. So that's the shopping list of ones that have been discussed and have had to some degree or other some support for consideration. You've heard in today's call though, strong and reasons about for why we should stick with what we already have, the existing ones. But it's important that you recognize that at least these as types have been proposed.

Let's open the floor on discussion there, without going back to the debate in too great a detail, have - do you see additional preliminary types that the work track may need to look at? If so, now is the time to raise your hand and make that suggestion. Gg, go ahead.

Gg Levine: Yes, this is Gg Levine for the record. And I'm just wondering wouldn't it be possible to address differences in different types of applicants through specifications added to the main base agreement without creating special boxes for varying categories which tend to overlap anyway? For instance, would it be possible to say that those strings that are associated with highly

regulated sensitive issues have some additional requirements perhaps but have that be included in a specification without changing the base model? I believe that that has been discussed but that - but I don't recall if there were any significant problems with that approach. It seems to me a simpler approach then creating a separate box for each category.

Cheryl Langdon-Orr: Thank you, Gg. There's certainly - it is absolutely possible and in fact if the consensus is to do that I'm quite sure a number of folks on today's call would be more than satisfied with that outcome. And in fact that would be a particular line of argument that the Work Track 3, and others, need to look at, is indeed there ways of within the existing framework working out specific attributes, specific requirements that will allow the flexibility and the encouragement of the innovation that we are clearly looking to encourage with new names to allow for new business models to be explored without, as you can see, getting into quite a number of different types.

And remember, as we get into quite a number of different types, we will also need to think about how new applicants would need to navigate through the application process and in the Applicant Guidebook structure to even discover what they needed to do and how they needed to do it and what they may or may not be restricted for and what indeed category they or type they may even need to be qualifying themselves in. So yes indeed is the knee jerk reaction, it would be more than possible. Some people may argue, and perhaps Kurt will, that it is desirable.

Did you have a follow up, Gg, or can I go to Kurt?

Gg Levine: No, that's all. Thank you.

Cheryl Langdon-Orr: Okay, thanks very much. Kurt, over to you.

Kurt Pritz: Thanks. Yes, so I agree strong with Gg that in order to encourage innovation you know, and others have said we don't know the types of business models

that are going to be applied for, so for example in brand TLDs, you know, certain accommodations are given about the level playing field and such and the reason is because they own a trademark. But, you know, that's not really the reason, the real reason is they have a business model that sort of obviates the need to use a lot of registrars, plus they're inward facing, and there could be many other types of TLDs that are inward facing but don't have the power of trademarks to create a, you know, an extra policy process to accommodate their needs.

And so there's no way of predicting in advance the different accommodations that we might afford TLDs that would not upset any of the policy reasons for why we have, you know, all the current restrictions in place. And that's why you know, I think Gg's idea of creating maybe criteria for, you know, excusing restrictions. And if you meet that criteria and don't upset, you know, existing policy then you should get some sort of accommodation, so I agree.

Cheryl Langdon-Orr: Thank you, Kurt. And now if I can follow on from that, it's a beautiful segue actually from what Gg and Kurt have just contributed, get you to just jump back one slide to the slide that says, "Do these types have unique needs?" And so this is with relation to the proposed preliminary listing of types beyond the existing ones. The questions we were hoping to get you to think about were - are any of the requirements similar to those that we see in the existing types? And of course if the answer there is, you know, yes, then indeed the interventions that Gg and Kurt have just made that could very well take us down an exploration of that decision - part of the decision tree.

The next thing we need to ask ourselves is, are there requirements that are unique to any of these preliminary types? And how can these needs be accommodated in the process? And in exploring those questions, again, it may assist us in which direction to take in the decision forks in our not too distant future. And I guess it's the fact that it's the not too distant future that we're hoping that today's call will get a PDP working group membership as a whole to start thinking proactively and actively on these things before we get

our recommendations in from the individual work tracks because we will not have much time to discuss so we do need to come into those discussions with a good set of prepared deliberations and debates still ahead.

If I can take you now - oh no, Kurt, is that hand still up before I go to Donna? I'm going to assume it's an old hand. Go to Donna, and - oh yes it is. Over to you, Donna.

Donna Austin: Thanks, Cheryl. Donna Austin from Neustar. So I don't know whether it's the wrong time to make this observation, but, you know, one of the challenges if, you know, there's eight potential different types of TLDs that you have on the - on Slide 12. And if we include geos community generic then my math, that's about 11. But so if the policy is that you develop different categories for, you know, all the foreseen types of TLDs, the administration of that becomes very, very difficult.

And what I mean by that is, you know, just in reviewing the applications, it makes it more difficult for you know, ICANN in moving through that process in an organized and streamlined manner. They now have to double check to see if it's the category identified is fit, you know, fit for what it says it is. So that makes that process difficult up front.

And then on the backend of that it also makes it potentially difficult for compliance so if you have 11 different types of Registry Agreements that you're trying to administer, and it has all sorts of different requirements in it, then it becomes more challenging from an administrative perspective as well. And I don't know whether you know, whether there should be a consideration request in that about what's the value and what does it achieve. So you know, it's not just, you know, do we agree with new categories, but it's what's the impact of doing that that I think we should consider as well. Thanks, Cheryl.

Cheryl Langdon-Orr: Thank you very much, Donna. And I note in the chat Annebeth quote, “@Donna, I agree. However, if that is what is the intention, still many do not feel that it is a true cross community working group and that the process, etcetera.” With the complexity, which I think is what you were getting at, Donna, that this many application types would bring in at all stages, at the pre-application stage, at the application process, at the review of the applications and of course right through to later on in compliance, would be a very complex system and complex systems do have certain risks associated with them. And the - this group would need to consider all of that very, very carefully.

And one of the things we’re hoping today’s conversation will do is help the work track leads and the work track members as they’re looking at some of these aspects. And obviously a lot of this is things that they’ve been deeply thinking on already. But it’s to give them a little more input from the wider membership of the PDP, not just that group that’s within their work tracks to perhaps consider some of these dare I say, bigger questions around the issue. So thank you all for your interventions so far on this.

And with that, if I can take you to the next slide, which is type of future application types, potential attributes, again, what we’re trying to do is make clear to you all the nature and specific points that have been developed so far in the discussions and debates that happened in the work tracks. On these potential future application types the attributes that we’ve identified and there is a whole tab within the spreadsheet devoted to this, is the specific application submissions tend to have eligibility requirements. They have additional evaluation elements, they have registration restrictions within the Registry Agreement.

They have limited potential, often with a very specific pool of registrants. They have limited need for registrars, and in that case that becomes something that Work Track 2 needs to look at, that has potentially limited funding available, which is something that Work Track 1 needs to consider, there’s

the issue of operating as a cost center. They may have lower financial or technical requirements as attributes, and if that's the case then Work Track 4 needs to consider and look at that. And they may justify a more limited set or no registrant protections, which is something Work Track 2 needs to look at.

And whilst that is very high level text, if you are to scan through what we've done here in the next slide or two is make hopefully a little bit more graphically easier for you to read, the attributions matrix. There is nothing new in these slides, staff has taken this material and simply improved the visual appeals and I would suggest readability of the material in the existing tab within the spreadsheet.

But the next three slides, and we're not going to go through them because time is not our friend at the moment, but more importantly, we don't need to go through them in great detail because this is an aide-memoire for those of you who are wanting to look at this topic sooner. So there are three slides here that take you through a checklist, a matrix on each of the types of attributes for domains, proposed new types.

There is then - and here we would be to Slide, I believe, 17, correct me if I'm wrong please, Sue, which gives you in greater detail the overall pros for categories and the overall cons for categories. And this is what we believe has been captured so far from the deliberations in the work tracks. Slide 17, yay. And to - we're not again going to go through that, this is an aide-memoire and a focus point for you all and hopefully also for the work tracks.

Which brings me over to the good part and that's the homework. Why have we taken you through all of this? Well because we need you all, as the wider PDP membership, to start thinking about at least the following questions. So here's your homework. Do you believe it is critical to carve out exceptions for some of the identified types? If you do, let's discuss that on the list.

Can you help us identify pros and cons for any of these specific proposed types? Or indeed as has happened with the interventions in today's call, help us identify if there's a need to even explore any of these proposed types at all. And help us identify the critical exceptions to any of these specific proposed types. These are things we desperately want you to proactively contribute to the list so that they assist the individual work track deliberations. And again, it's now truly I think a mantra, thank you, Kurt, if we don't reach consensus to recommend changes things will remain the same.

Let's move to the next slide which is don't panic, we're not going to delve into the predictability framework but we discussed the predictability framework in our last meeting, and we're setting you some homework on it. We do have some more work to do on the predictability framework and here, just to remind you, the predictability framework is linked to the Google Doc, it is linked to your agenda. Want to encourage you all to go back in and explore it and review the discussions and debates we've had on it to date.

But it's intended to balance ICANN Org's ability to operate in an effective manner while ensuring the community is properly consulted when issues arise. That's what it's trying to do. We want to think about how can we seek assurance in that predictability framework, or that the predictability framework will work just as that, predictable. In other words, is our exploration of the predictability framework a valid one? Is it going to increase predictability which of course is one of our major aims, trying to increase predictability in the future process.

And here we have a suggestion that is to develop a set of use cases to apply against this framework. We believe that the framework is developed now with you all to a point where we would like you to suggest some use cases for us to test it against. All right? We will do the testing and we will then take that as an exercise back to this full group but we would very much value any or all of you putting in some proposed use cases for us to now sit up against this predictability framework and see if it's doing what we would hope it does do.

So help us identify some of these use cases, put those on the list and then we will use that from your homework to create the basis for some of our future discussions on this very important tool, the predictability framework one. With that, I'm now going to ask with a few moments to note literally, seconds, to close of our call, if there's anybody who has any other business, there wasn't any at the beginning but just in case that someone has some more now?

And with that I am going to thank each and every one of you and our fabulous staff for being on today's call. Thank all of you who made it through the full call. And note yes, Kavouss, you have raised several questions for which you expect an answer, well, some of them may or may not have answers that are developed, some of them may have thoughts that will go on and that there will in fact be no answer to because they are not parts of the decision tree that the work tracks or the PDP process is taking us down.

However, whatever is answerable we will do our best to do so in the fullness of time and with that, thank you all for those of you who are traveling to IGS, as Vanda is, travel safe. And good-bye one and all. The recording can stop and with that, I believe our own homework, only action item is indeed for us to have the ombuds office review this call for the required degrees of courtesy and effectiveness. Good-bye one and all. Bye for now.

Michelle DeSmyter: Thank you so much, Cheryl. Again, the meeting has been adjourned. Operator, please stop the recordings for us and disconnect all remaining lines. Have a great day, everyone.

Cheryl Langdon-Orr: Thank you, (Derek). Bye.

END