

ICANN Transcription
New gTLD Subsequent Procedures Working Group
Monday, 12 February 2018 at 20:00 UTC

Note: The following is the output of transcribing from an audio recording of New gTLD Subsequent Procedures Working Group call on the Monday, 12 February 2018 at 20:00 UTC. 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.

Attendance may be found at: <https://community.icann.org/x/HwWfB> Recordings may be found at: <https://audio.icann.org/gnso/gnso-new-gtld-subsequent-12feb18-en.mp3> and <https://participate.icann.org/p4rx2p97wjj/>

Michelle DeSmyter: Great. Thank you so much, Noreen. Welcome, everyone. Good morning, good afternoon and good evening. Welcome to the GNSO Next Generation RDS Policy Development Process Working Group call on the 24th of January, 2018. In the interest of time, there will be no roll call. Attendance will be taken via the Adobe Connect room. So if you're only on the audio bridge would you please let yourself be known now?

Okay, hearing no names I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I'll turn the meeting back over to Chuck Gomes.

Chuck Gomes: Thanks, Michelle, and welcome everyone to our meeting today. Does anyone have an update to your statement of interest? Okay, not seeing any hands, I'll assume not. And we'll move right into our agenda. So if we could bring up the slides for this meeting that would be great.

As you can see, and as usual, the agenda is in the top right part of the Adobe room. And our first item is to deliberate on a list of criteria that make purposes legitimate for processing. We talked about this in a large part of our meeting last week and what the leadership team has done is to put up a list of criteria that some of which we have had up every week for a while, but also some items that have come out of discussions the last few weeks.

Still, looks like people do not have scroll control yet. Could we give everyone scroll control please? Or at least I don't. Okay. Then at least can we go to Slide 2? Okay, is it just me or is Adobe...

Michelle DeSmyter: Chuck, you can use the arrows at the bottom of the slide to go forward.

Chuck Gomes: Oh this - oh okay. A new way to do it. That's slow. Oh okay, there we go. Oops, is it going again? Hold it. I've got to hit pause then every time? That's awkward. How do I - oh there we go, back. Okay, there's Slide 2, so I guess that's true of everybody, huh? Not sure I'm fond of the process, but I suppose I can get used to it.

So we have the agenda on Slide 2. I guess I have to hit pause. Oh I see, probably how to do it. Okay. I got on 3. So what we have here on Slide 3 is a list of criteria for making a purpose legitimate for processing data. Now the first thing we need to do though is talk about a definition of processing now. We have been separating our discussions by collection and access and focusing just on collection.

But we're going to broaden it a little bit and use the term "process" or "processing." And you can see a definition that we have put for processing and that's right from the GDPR. Now I fully recognize that the GDPR is just from one region of the world and we're not restricted to that region, but as everyone knows, the GDPR is alive and drawing a lot of attention right now in the ICANN community for justifiable reasons. And so we're going to use their definition for at least for now. And notice what it says, "Processing means any

operation or set of operations which is performed on personal data or on sets of persona data whether or not by automated means such as collection, recording, organization structuring, storage, adaptation or alteration, retrieval, consultation, use disclosure by transmission, dissemination or otherwise making available alignment or combination, restriction, erasure or destruction.”

Okay so for the sake of our work today - I hope everyone can accept that definition of processing. Now, the question in the middle of the slide then asks, “Now do we decide whether any proposed purpose is legitimate for processing registration data?” We’ve talked about that question in some form or another the last couple meetings at least. And so what the leadership team wants to do is to propose the list of criteria as the ones shown - the six elements at the bottom of Slide 3.

So a purpose is legitimate for processing registration data if it is in support of ICANN’s mission or if it is a legitimate interest pursued by the data controllers or controller, depending on what case may be. If it is necessary for the fulfillment of a contract; if it is inherent to functionality of the DNS, that’s something that came out I think pretty clearly last week, maybe a little bit the week before too. If it’s in the public interest, and this is something that has come out of some of the documents from GDPR and the Hamilton memos. And then last of all, Item F, if it’s necessary for compliance with a legal obligation.

So what we’re going to do now is see if there’s agreement or at least rough consensus for those on this call for those criteria, for determining legitimacy of a purpose for processing registration data. So I’m going to open it up for discussion and see if anybody wants to comment. Do you support these six criteria? Do you object to any of them? Do you think there are any criteria that are missing? And if you’d like to comment, please feel free to raise your hand. Okay, Maxim, go ahead.

Maxim Alzoba: Maxim Alzoba for the record. I have a question about disclosure by transmission. I see that we assume that the data is not inclusive over, yes, when transmitted. And it's not always the case. Thanks.

Chuck Gomes: Yes, Maxim, I apologize but I didn't get all of your point. Could you restate it, please?

Maxim Alzoba: Yes, in definition of procession, we have disclosure by transmission item. And data being disclosed only if transmitted in unencrypted manner. But - for example, escrow data is transmitted to escrow operator in encrypted form and using, like, not very old algorithms, it's supposed to be more secure so no disclosure - the transmission doesn't bring disclosure itself, that's what...

((Crosstalk))

Chuck Gomes: Because of the encryption? Right. Okay...

((Crosstalk))

Maxim Alzoba: ...done properly according to standards and things like that.

Chuck Gomes: Yes, good point, okay, and probably this definition could be refined to address that. Because we took it straight from the GDPR my suggestion is we go ahead and use it with the realization that it's not perfect but at least it's a definition we can use for our work in this meeting and near term meetings until such time as we think it needs to be refined if it impacts in a negative way our ability to move forward. So if that's okay, let's use this definition right now, but keep in mind Maxim's point.

Now back to the - I'm looking at the chat, sorry. Yes, notice the mission is at the bottom of the slides like it has been for the last several weeks so if you want to look at that. So Criterion A in support of ICANN's mission, you know, that covers quite a lot. We recognize that and that's why we keep copying the

mission so that you can see that. And some of you may want to refer to that as we move forward on this discussion today.

So let me break some of the questions I asked earlier down. Is there any of these criteria that anyone objects to? And note that the criteria are not - it's not that a purpose to be a legitimate purpose for processing data has to satisfy all six. But it would at least need to satisfy at least one of these to be considered legitimate. Is there anyone that objects to any of these? Can I assume that there are no objections to any of these? Are there any criteria that are missing in your opinion?

Okay, well then the big question I'm going to ask then is, can we say that there are no objections to this list of criteria for determining whether or not a purpose is legitimate for processing registration data? And again, keep in mind, we're talking about processing registration data at a high level; eventually we will have to look at what data elements, but for right now just at a high level. Any objections to accepting these proposed criteria as stated on Slide 3 at the bottom?

Okay, then I'm going to conclude that there were no objections for those on this call. Oh, we have a hand up. Maxim.

Maxim Alzoba: Maxim Alzoba for the record. It's a small note, we need to understand that making something legitimate from our point of view doesn't make the process legitimate from the personal data protection law point of view, just a side note. Thanks.

Chuck Gomes: Okay, thank you. But you don't - Maxim, you don't object to this list of criteria, is that correct?

Maxim Alzoba: No, I think we need it and I don't see something - actually it might be seen a bit wild from the regulator's perspective because we have unlimited number

potential and negative number of contracts with, yes, all kinds of inclusions.
But we need to build upon something so. Thanks.

Chuck Gomes: Okay, thank you. Stephanie.

Stephanie Perrin: Thanks. Stephanie Perrin for the record. These are reasonable criteria but it's all about the definition of them when you get to the details and the how. So for instance, necessary for the fulfillment of a contract, what contract? Which contract? And what is in the contract? If you have a contract that is - that violates data subject's rights and that is disproportionate, then fulfilling it, and I would suggest to you that the current RAA (disclosed) that description - then fulfilling it is not a reasonable criteria. I mean, it should be but it isn't, you know? So it's just not this easy.

In the public interest, A, ICANN hasn't really defined public interest and we're all over the map on it right now. As long as it's not defined and circumscribed it could mean anything. Necessary for compliance with the legal obligation, well, again, which legal obligations? And how are you interpreting that and the who - if it's a disclosure how is that disclosure being made? Thanks.
Sorry to be tedious but I just want to bring up those caveats. Thanks.

Chuck Gomes: And you're right, Stephanie. This is Chuck again. Let's start with the last one, necessary for compliance with a legal obligation, I think it's fair to say that it depends on the jurisdiction that comes into play. But it seems to me that it would be - that's a legitimate reason for - for example allowing access to certain data elements if it's necessary to fulfill a legal obligation applicable to the information the registrant, the registrar and so forth.

So you're absolutely right, there needs to be understanding of what these are and we may have to pursue that further down the road. But I'm going to suggest that we not get hung up on those, like you pointed out, ICANN community and ICANN the organization have struggled with the term "public

interest” for years, in fact it’s kind of an interesting issue for me personally because one of the reasons it’s so hard to define is the public is so diverse.

So what might be in the interest of some subset of the public might not be for somebody else, so it’s complicated. And if we try to resolve that we’ll spend all our time on that and not be able to move forward. So I’m going to suggest we kind of realize that some of these terms, some more than others, need more definition with regard to fulfillment of a contract that you mentioned, really most of us aren’t involved in a contract related to registration data; registrars are, registries are, ICANN the company, the organization, is. So that one wouldn’t be very useful for a lot of people in the community.

But for now, rather than spending weeks on defining these things if there’s no serious objection, I’d like to suggest that we move on and accept these criteria as they’re stated right now without detailed definitions of everything to move forward in our deliberation. Are there any objections to that?

So what I’d like to ask Lisa to do now is to put in the chat a proposed working group agreement with regard to what’s at the bottom of Slide 3 so that - and then I’ll reconfirm the question I’ve asked or the conclusion I’ve reached, that there were no objections by anyone on the call to this proposed agreement. So notice that Lisa has done that, and - again, seeing it in writing now, is there anyone that objects to a proposed working group agreement that we’ll test via a poll this week, anybody objects to that proposed working group agreement?

And I’ll read it, “Criteria to be used to determine whether any proposed purpose is legitimate for processing data are,” and then you can see A through F there. I won’t read through all of those. Okay, thanks for the checkmark, Alex. But nobody is objecting. Okay, and so please watch for the poll. We’ll get it out as soon as possible after this meeting, maybe a little while because it’s the middle of the night for some of us, or it will be. And I see - notice Lisa is suggestion, put a green check if you agree or a red X if

you object. I don't see any red Xs so I'm going to conclude that there were no objections and I also gave opportunity for people to object previously.

All right, any unfortunately because there's so many factors involved in everything we do it's pretty hard to avoid the possibility that something may change in the future. We may discover something that forces us to. So and if people had to give a final say on everything we do right now most people wouldn't even vote because there's so many other factors that have to come into play.

I see - okay, let's go on to - I'm going to go onto Slide 4, I've now figured out how to do that in Adobe without having to pause it using the forward and back arrows with the little bar on them, in case somebody else - you probably all had that figured out before I did.

Okay, so what we have on Slide 4 is a list of possible purposes that we've been talking about for I think a couple of months. We had some drafting teams work on each one of these. Actually one of them, the Criminal Activity and DNS Abuse, which we've focused on the last couple weeks, was actually broken down into three parts, investigation, notification and reputation, so we're listing those separately.

So we have 12 possible purposes for processing registration data. I think everybody is aware that we've covered - we've spent quite a bit of time on Number 1 and on Number 3 and actually came to rough consensus agreement that those two purposes are legitimate reasons for - we didn't use the term "processing" at the time, we actually used "collection some registration data." And we even discussed some data elements in that regard.

The last couple weeks we've talked about Number 5, domain name certification and then Number 10, investigation of criminal activity or DNS abuse. So what I want all of you to do now is to look at that list of possible purposes, the 12 purposes listed there, and then look at the five - excuse me,

the six criteria that are listed, A through F. And the question that I'd like you to respond to, sorry for doing it in a negative way but I think it'll move a little faster that way, but are there any of the purposes on the left, the 12 purposes, that you think don't connect in some way to at least one of the criteria on the right?

If so, please identify any purposes on the left that you think wouldn't match up with at least one of the purposes on the right? And hope you don't mind a little creative silence but I'd like people to - I realize that people need to think through this so bear with us while we wait and let everybody kind of go through the list on the left and the list on the right and see if there's any of them that don't have at least one match. And then we'll talk about that. Or if you have a question about this exercise, of course as always, feel free to ask that.

Chris, I'm not sure what you mean in your comment, "Academic or public interest research would need some kind of approval," and so on. Could you maybe explain that a little further for those of us in California, 2.7 earthquake is pretty small; for those of you who live in places where you never experience earthquakes, this is a different story, I understand. Sorry about the digression, but it was in the chat so - being a Californian I couldn't help but comment. So. Again, bear with us while we pause and let people think through this. I don't want to rush this because it's a really broad question that I'm asking, so take a look, think, if you have questions, ask.

While you're continuing to think, again, our plan would be, and you can see this on the agenda that in Item 3 which we have jumped to, and I didn't clarify that, we will test this - any conclusion we make from this in a poll following this meeting. If you need a little more time to think through this, would you put a green check in the Adobe please? And I'll pause longer.

Okay, Tim, you can have it. Well pause a little bit longer because I'm asking a really broad question, I know that. So bear with the silence please. For those

of you who are talking in the chat about 10, 11 and 12, do you think that any of those three do not match up with at least one of the criteria over on the right? If so, please raise your hand and explain.

Lisa, could I ask you maybe to explain the question I'm asking in your words so that everybody doesn't just have to rely on the way I expressed it?

Lisa Phifer: Sure, Chuck. So the reason - this is Lisa Phifer for the transcript. So the reason that we've stepped back here to revisit what the criteria are and then to try to look at the list of possible purposes and identify any that may not fit any of the criteria is that as we started to step through the purposes one by one, we kind of got stuck on the third purpose, third and fourth purposes that we deliberated on. And it appeared from poll results that part of the reason that we got stuck is that working group members may have been using different criteria to answer the question of whether domain name certification, for example, was a legitimate purpose.

So this is the reason that we stepped back and tried to nail down the criteria and then would like to solidify the list of possible purposes that we'll then deliberate on further. Once we do that, we'll go back and actually look at the individual purposes and how these criteria actually apply to each of those purposes and give us a chance to then flesh out the required data for the purposes and whether they are in fact purposes for accessing data.

Chuck Gomes: Thanks, Lisa. Any questions on that? So while I ask maybe one or two more questions just to try and zero in on this, make sure people are all on the same page, I'll ask Lisa if she can formulate a possible working group agreement and put that in the chat and that assuming there's reasonable agreement on this call we'll test that in a poll as well.

So the question I had - the silence or lack of response I'm concluding, and I want you to tell me if I'm wrong, that everyone on the call thinks that each one of these possible purposes would map to at least one of the criteria or

could be mapped in certain situations to at least one of the criteria on the right, one of those six criteria on the right.

David makes a good point, we don't have to assume that any possible purpose always satisfies at least one of these criteria but in cases where they do is - it would make it legitimate. Keep in mind with RDAP we will have the ability if we so decide to differentiate based on various parameters.

Rod, maybe you want to respond to Tapani's question about the slash in the items 10, 11 and 12. I could take a guess but I think it's be better if Rod did or someone else from the drafting team that worked on criminal activity and DNS abuse. Okay so notice he said "and/or." Hopefully that's okay on that. Okay, hopefully everybody is following the chat on that. Thanks, Tapani, for the confirmation there.

So Lisa, do we have a possible agreement that everyone could look at in the chat? This one's probably considerably harder to put into a concise statement but it looks like Lisa is doing it anyway. We ask a lot of her and she always comes through. So you can see the agreement there, "The following purposes for processing registration data satisfy at least one of these criteria," and then the six criteria. Wait a second. I may be reading it wrong. What's listed there are not the criteria but the purposes. Oh, "The following purposes satisfy at least one of these criteria," I guess we should word it like "satisfy one of the six criteria," and we probably ought to -and maybe in parentheses list the six criteria to make it absolutely clear, and then the purposes, the 12 purposes are listed.

That's fine the way you qualified it there. Obviously in the poll and especially for those who are not on this call we'll need to be real clear on that. So looking at both of Lisa's entries in the chat there together, is there anybody that disagrees with that possible working group agreement? Stephanie.

Stephanie Perrin: Stephanie Perrin for the record. Yes, I'm sorry to keep (unintelligible) but and it refers actually to the substance I was on so I've already made this point. If you are answering the basic question that is being under the GDPR, why does ICANN as a data controller ask the data - the registrars to gather the following data elements, one reason is certainly not for academic or public interest research. These are secondary uses.

And, you know, I'm not here to apologize for how badly the Europeans drafted their legislation. But you can tell in the document that described the determination of whether a purpose is acceptable that they do look at it as the entire processing activity, are we gathering data for the purpose of academic or public interest research or do we merely allow the release of data once we've gathered it and once we've processed it for our main purpose which is to register a domain name, in a way that supports the stability and security of the DNS.

So I just hate to go through all of this effort coming up with parallel lists when they don't really suit the purpose of delineating what the purpose is. Am I making myself clear or is this a 1:30 in the morning explanation?

Chuck Gomes: Stephanie, this is Chuck. And I think you're clear. But I want to point out that when we use the word "processing" as we have done here, we're not assuming that every possible type of processing is appropriate, okay? So in one case, maybe the one, for example, academic or public interest research, don't conclude at this point that we - because we use the word "processing" that we mean that data should be collected for that reason.

But it is possible that access would be provided and access is another part of processing. And in fact, I think it - in the Hamilton memos they indicated that and even the GDPR I think indicates something about public research and so forth. So again, I know we're staying at a high level. As soon as we ran into tremendous roadblocks when we tried to be very specific, just talk about collection, just talk about - and some people thought we shouldn't even make

that distinction. So I'm sure there's no way to make everybody happy, but to your point we're not saying in this possible working group agreement that academic or public interest research is a legitimate reason for collection.

What we are saying is that academic or public interest research can be mapped and can be mapped to one of these six criteria for something like access, which is I think the point you're making too. Did that make any sense?

Stephanie Perrin: Again I just...

((Crosstalk))

Stephanie Perrin: I have been reading through the various interpretations that some folks are quoting on the determination for (unintelligible) and you will recall that that's a specific question that was directed at us - the - in the discussion of the three models, the interim models. I do realize I'm mixing apples and oranges, we're hearing in the RDS group, we're not talking about that three interim models. But this particular slide - I don't want anyone pointing to it and saying, well, the RDS has already agreed to that in order to buttress up a much broader overall general purpose for ICANN processing of data of registrant data.

Chuck Gomes: So, Stephanie, this is Chuck. Are you talking about the three models that ICANN has put out for dealing with the GDPR in the near term that are out for public discussion right now?

((Crosstalk))

Chuck Gomes: Or are you talking about something else?

Stephanie Perrin: I'm talking about the specific - no, no, I'm talking about that in the specific call for feedback on purpose.

Chuck Gomes: So I don't understand what you mean by three models.

Stephanie Perrin: I'm talking about the Goldilocks models that have been put out as interim solutions for meeting the standards of the GDPR on which we're all commenting by the end of the month, the 29th.

Chuck Gomes: So you are talking about the three models that ICANN staff put forward?

Stephanie Perrin: Yes.

Chuck Gomes: Oh okay, that's what I asked and you said "no."

Stephanie Perrin: Did I?

Chuck Gomes: But I - okay, so now you've answered my question. You are talking about those three models, that's what I wanted clarified, thank you. Alex. And by the way, before - Alex, sorry for jumping in again, this is Chuck. But those three models are - have nothing to do with the RDS PDP Working Group. If aspects of them turn out to be fruitful and the working group can support those as possible requirements we could do that, but we're not in any ways obligated to use any or all of those because that is - that process is not a policy development process as defined by the GNSO, okay?

It's being done because there's an urgent need for - especially contracted parties to avoid fines, but also for non-contracted parties to not be overly impacted by changes come May when the GDPR is going to be enforced. So please, everyone, understand that that process is separate from the PDP, none of that can be forced on us as a PDP working group.

Obviously we want to take advantage of anything good that comes out of that, that thought meets the requirements that we would agree on, but again, we could reject it all and propose something totally different. The only thing that ICANN staff can do with regard to policy that doesn't go through a PDP

and follow all the requirements of that, is to implement an emergency policy and registry and registrar agreements do allow for that. It's a temporary implementation, not a long term solution. The long term solution is the one we are working on.

So let me stop there and go to Alex. Sorry to delay, Alex, go ahead.

Alex Deacon: That's all right, Chuck. This is Alex for the record. I just wanted to comment quickly on the concern that Stephanie raised about, you know, people pointing to the slide saying it's an agreement of the working group, and also to address I think some of the comments that Chris and maybe Tapani and others have made in the chat.

You know, I think one of the tenants, if you will, of this working group is that nothing yet is set in stone, right? These agreements are preliminary, I think that's the word we use. These aren't consensus agreements. And essentially you know, we've always been working under the assumption that things may change, agreements may have to be updated based on further debates. It's not ideal but I think it's just the reality we live in here.

So these agreements that we're talking about today and I guess will go out to be polled, are no different. So I'm not concerned, I don't think we should be concerned about having to, you know, caveat that, you know, these agreements, you know, may change or may need to be revisited based on further definition of terms. And I definitely don't think we should be concerned that people will point to this slide, Stephanie, saying that this is a kind of a confirmed consensus agreement of the working group. I don't see that as an issue. Thanks.

Chuck Gomes: Okay, thank you, Alex. So back to a proposed working group agreement on what we've been talking about on Slide 4, the - what Lisa put in the chat and her two entries earlier in the chat, so the 12 purposes - proposed purposes listed on the left of Slide 4 would each one map to at least one of the criteria

for some sort of processing. We're not saying whether that's collection or access or any of the other elements of the definition of processing that we took from the GDPR.

Does anybody disagree with that possible working group conclusion? If so, please raise your hand and explain. And notice that Lisa, again, put it in the chat so you don't have to scroll back up. I'm not hearing anyone or seeing any hands raised in disagreement. So if we go out with a poll and say that there were no objections to this possible working group agreement on the call in this meeting, that will be an accurate statement.

And I'm watching as multiple people are typing. It probably is a good idea to underline "processing" and we may even want to put a qualifier when we do the poll that well we probably should include the definition of processing and no one should conclude which aspects of that definition of processing might be legitimate. We'll have to - we're going to have to get to that level, okay?

And notice Marika's comment because it's really imp. "The working group will have to confirm which data elements are collected and/or made available for access." Okay. All right. So I think we have at least rough consensus for those on this call with this working group conclusion and we will test that in a poll with appropriate information associated with it like the definition of processing with processing underlined and maybe even a comment that processing does not mean collection.

It might in some cases, in fact we've determined two of the purposes already are legitimate for - specifically for collection. But we're not concluding that for any of the other 12. So for technical issue resolution and domain name management, we have already reached rough consensus conclusions that those are legitimate purposes for collect - specifically collecting some data elements.

And Tapani, it doesn't necessarily mean - it won't be excluding collection in all cases. Again, we've already identified two where we think collection is appropriate for technical issue resolution and domain name management. So okay, I'm with you, Chris, I'd like to move on too. And, you know, I think I've given adequate opportunity for people to object to this.

So Lisa, do you need anything else with regard to the poll questions?

Lisa Phifer: So my understanding is that - this is Lisa Phifer for the transcript, my understanding is that it is the proposed agreement as typed into the chat with processing underlined. And I see a couple of people in chat suggesting that that excludes collection. If we actually use the processing definition that was presented earlier it doesn't exclude collection, it is limited to collection.

Chuck Gomes: That is...

((Crosstalk))

Chuck Gomes: What you said is correct, what you've said is correct. In fact that's what I tried to clarify in responding to Tapani there. It doesn't necessarily exclude collection, okay? And you phrased it even better than the way I did. So collection is one aspect of processing, but we're not concluding just because we say these are legitimate reasons for doing some processing, that doesn't necessarily mean collection. We'll have to work that out. And I think Marika stated that in her chat comment. Okay? Thanks for raising that, Lisa.

All right then, that - now again, keep in mind, we've got a lot more work to do on these things. But at least we seem to have made some progress for those on this call and we'll confirm t. Now please respond to the poll - those of you on this call - to confirm that we got it right. And of course we want to give the people who are not on this call the opportunity as well. And so the poll - you'll have just a little bit shorter time this week because of alternate time of the meeting but we should be able to get the poll out quite quickly and you should

see it not too late in the day - some time on Wednesday, okay, for everybody. Forgive me while I look at Farrell's comment in the chat.

Farell, I'm - I guess I'm missing your point. The - this working group obviously what ICANN is doing with the community right now for the - in the near term for GDPR obviously it relates very closely to what we're doing with this working group, but this working group will not have any - because a PDP process takes so much time to do correctly, this working group really will have no say unless the community and ICANN staff want to use things that we've done, they're welcome to do that, but we really don't have any input into that process other than the fact that everything we do is public and open to them. So I don't know if I'm missing your point, Farrell? If so, please speak up.

And please, let's not get into the discussion of those three agreements. That's a separate effort. And again, to the extent that anything good comes out of that process, we can absolutely use it if we agree in the working group but let's let that process go its own way and let's watch it and benefit where we can.

And I agree, Alex, let's not conflate the two, but let's keep aware of what's going on because we may benefit from that. Okay, good idea, Farrell. But again, let's not spend a lot of time on our list talking about the models; that'll distract us from what we have before us and we're already seriously challenged to keep things moving in our group. And we could get distracted for the next three or four months leading up to May in that process. And I encourage any of you - and I know some of you are already involved in that process, that's great, but let's not bring that into this working group otherwise we will have even longer delays in accomplishing the task before us. Okay?

All right, let me move ahead a slide. And that brings us to confirming our action item and decision points. So we have an action item to create a poll, the leadership team will do that, primarily Lisa. And the rest of us will take

that poll. Lisa, my suggestion is I think it's pretty clear what we have unless you have serious doubts, and really need the confirmation from the rest of the leadership team, I would suggest that you send it out to the list as soon as possible.

Again if you'd rather not do that, don't, but I'm giving you permission to, if you're comfortable, so that we get it to the working group sooner rather than later. And I know, like myself I will probably not see it until the morning when I wake up, which will be several hours from now. So it's up to you, use your best judgment on that, Lisa. But I am giving you permission to go ahead and send it to the working group if you're comfortable with that. Thanks.

So those are the action items. The action item for all of us is to take the poll and do it not later than Saturday night your time. And we will do that. Our meeting next week will be for - be at our regular time on Tuesday. So please remember that. Now and of course we will review the results of the poll that you're going to be taking this week and go from there.

Now one other thing I'd like to do, the - I'd like everyone who especially benefits from this alternate time zone to put a green checkmark in the Adobe please? That way I don't have to go back and look what region everybody is in. And sometimes people are in different regions than where they normally reside. If you particularly benefit from this time alternate time zone, please put a green checkmark in the chat. Okay. Good.

So should I assume that everybody else would - prefers the regular time than this time? The reason we did this, for those that haven't been in the working group the whole time, is because about 25% of the original membership of the working group was from the Asia Pacific region or region like that. And so we decided to do about 1/4 of our meetings at time that was more convenient for people in that region. But if we're doing this and getting a reduced turnout because it's not convenient for 3/4 of the group then maybe we shouldn't continue doing that. And only one person seems to benefit. David, I thought

you would have liked this time zone, but maybe you like meeting in the middle of the night. And I have known plenty of people that are that way, so.

Okay, Tomslin, thanks. So we got a couple people that benefit. Good. All right, that said, is there anything else we need to cover before I adjourn the meeting early? Okay, let me go back and look at a comment by Tapani. Where is that comment? Did I miss a comment by Tapani on alternate working group agreement? So Lisa, if you can point out the comment. I'm not seeing it very quickly. Did I miss a comment that was related to possible working group conclusion?

Lisa Phifer: Chuck, this is Lisa. And I've just copied it into chat but Tapani has essentially suggested that at least one of the criteria in the list we've been discussing is criteria for making a purpose legitimate for collection.

Chuck Gomes: I'm a little - I'm open to discussion on that but our intent was really to get away from - at this point in time from specifically talking about collection and that's why we used the word "processing" because we got stuck there. So - and I - so unless somebody talks me out of it, I would suggest we defer that discussion until later. Okay, so, yes, let's not go there now. But Tapani, thanks for the suggestion and always feel free to make suggestions like that, they're appreciated even if we don't act on it immediately.

Okay, that said, I think we have come to the end of our agenda for today. And we're going to end about - a little more than 20 minutes early, which may be a record. So thanks, everyone. And remember to do the poll. Feel free to make comments on the list between now and our next meeting. And look forward to seeing good responses and by good I don't - not trying to predetermine your answers but strong response to the poll this week so that we have good data to work with next week.

So I will adjourn the meeting and the recording can stop.

Man: Thank you, Chuck.

Chuck Gomes: You're welcome.

Michelle DeSmyter: Thank you, Chuck. Again, the meeting has been adjourned. Operator, please stop the recordings and disconnect all remaining lines.

END