

**Transcription ICANN62 Panama
GNSO: Subsequent Procedures PDP Working Group Face-to-Face Session 3
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Jeff Neuman: All right, everyone. Welcome to the third session of Subsequent Procedures PDP Working Group. I know it is in the afternoon on the last day and I know we are several people down but we still have a lot of people here, all the diehards are here. Cheryl Langdon-Orr will be back in about two minutes hopefully and so I think we're ready to get started. Just looking around, okay.

So if we want to just start with the agenda slide, I don't know do I have control of this? No...

((Crosstalk))

Steve Chan: You can if you want.

Jeff Neuman: No, that's all right, you guys keep it. So what we're going to do today is really spend most of our time on Number 2, which is a review of the report redlines and then if we have time, well, I mean, we'll do a wrap up anyway but if we

have time then we'll talk through some of the next steps including some of the lessons learned from our two sessions earlier in the week.

So just to see who's here from at least the leadership team. I'm looking around the room so obviously myself and Cheryl Langdon-Orr as overall co-chairs. We have Christa Taylor and Sara Bockey.

Hi, Sara, from Work Track 1. From Work Track 2 I know Michael had to leave a little bit earlier. Work Track 3 we have Robin I see and I know Karen had to leave. And Work Track 4 I see Rubens and Cheryl. So Work Track 5 as well there's a few – oh there's Martin, I saw Annebeth earlier, there's Annebeth. Javier is in the ALAC session and I believe Olga would be with the GAC. Yes? Okay.

So want to move to the next – actually I probably covered the next slide so two slides ahead. Okay, so where are we? I guess it's almost been a week and a half ago we sent around a version or maybe even two weeks ago now we sent a version of redlines for the draft initial report.

We have asked for all comments to be in by today. So far we've received a few comments on the mailing list but we have said to everyone we would have this session to go over some additional redline comments to the report.

The intent is still to release the report I will say the 3rd, so that would be Tuesday. They keep saying "ish" but I'm looking at Steve because I know he will meet that July 3 deadline. So they'll go out for a period of at least – for 60 days so we'll end it somewhere around September 5 timeframe so may actually be like 61 or 62 days, if we get it out the 3rd. If we get it out the 5th then it'll be 60 days.

So with that said, on the timeline, we will do a section by section – just I'll look around the room and see if people have comments on the different sections,

hopefully by now you've all had a chance to read it and digest it. And before I do that I see Jim has his hand raised.

Jim Prendergast: Yes, thanks, Jeff. Jim Prendergast. Just back on the timeline, could you maybe clarify some remarks that you made when you were presenting to the GAC about extensions to the GAC? I thought I heard the GAC wanted until Barcelona they could get it, so could you maybe just put some color around that?

Jeff Neuman: Sure, so this was on – I'm getting my days – this was on Monday and the GAC basically said that they'll do everything they can obviously but it's a short turnaround. And the message that I sent there was pretty much that, you know, look if they're going to take until Barcelona to get their comments into us we're not going to turn it away, I mean, we can't just turn those comments away.

Obviously we're going to submit a letter to them asking for all the comments to be in by the same deadline as everybody else. Realistically though if they come back and say, we need to wait until a face to face to get you back those comments, we're not going to say no. So that was pretty much the message but we are still trying to get all the comments we can in by that 60-day deadline.

Jim Prendergast: Can I just follow up? I mean, I think one of the frustrations and challenges we all faced in the previous round was that the community as a whole completed the work and then the GAC came in and weighed in and threw a lot of it up in the air. What you just described sort of almost presents a similar issue. If – unless we're going to sit and wait for the GAC to finalize their comments.

Jeff Neuman: So we'll be spending at least if you look at the latest work plan at the time, we'll be spending most of the fall, if not into the months of November, looking at comments. So we should have plenty of work to do even before the GAC comes in.

So I see this as a little bit different. So yes, their comments may come in a little bit later than we hope from the rest of the community but they should still be in time for us to analyze along with all the other comments.

Jim Prendergast: Got it, okay. So we won't be done analyzing the comments before the GAC comments come in, got it.

Jeff Neuman: Right. Sara please.

Sara Bockey: Just one question. If the comment period is extended for the GAC, does that mean it's extended for everybody or just for them or...?

Jeff Neuman: So I think let's cross that bridge when we get there, if we get there. We are going to ask – we're going to send a letter to the GAC along with the report asking them to have comments into us on the same date, the September 5th timeframe as everybody else.

Just looking ahead, we could foresee them asking for an extensions. And, you know, under the principles we'd rather have them submit comments and be able to consider them while we're considering other comments, you know, we're trying to operate in a form of inclusion. If they do formally ask us to wait until Barcelona to present we're not going to say no.

Cheryl Langdon-Orr: If I can jump in there. I think the point – Cheryl for the record – the point is literally they asked us for an extensions, not we extend the process.

Jeff Neuman: Cheryl, thanks, you – sorry, Jeff Neuman – you said it better than I did, thank you.

((Crosstalk))

Jeff Neuman: Anybody else have any questions on the general timeline before we jump in? Just looking around the room, looking at Adobe. Great, so let's go to the next slide. So these slides are all just pretty much empty except for the names of the sections because we only received a couple comments on the mailing list and when we get to those sections we will discuss those. We received comments from Jamie Baxter and from Anne Aikman-Scalese. Is Anne in the room? I don't see Anne. Okay.

But to date those are the only two sets of comments we received. But if you have comments on these sections now is the time. And don't worry, if we get through this without comments that's great, we have plenty we can do afterwards.

So the first Section 2.2 deals with all of the overarching issues so this is the question of whether we should continue to have subsequent procedures, new gTLDs, the predictability, the models that we put in there, we talk about community engagement, clarity of the application process, assessing applications in rounds, categories of top level domains, application submission limits and what we now call the RSP preapproval program. Does anyone have comments on that section, on those redlines? Great.

Cheryl Langdon-Orr: Be a quick meeting.

Jeff Neuman: Yes, well now we have plenty to cover after that. So why don't we go to the next slide? Okay, 2.3 addresses – yes, Kristina, please.

Kristina Rosette: I apologize, it could be exhaustion or lack of caffeine. But the report – the redline that I've been reading doesn't have a section like the Section 1 is all the original content. Are we assuming that the new content is going – that the introduction is Section 1 and that everything that's in the redline that I'm reviewing if it was 1.5.1 it's actually 2.5.1?

Jeff Neuman: Yes, sorry about that. Because we have an intro section, the preamble, which is Section 1, everything that was formerly, as you said, everything that was formerly 1.3 is now 2.3. Sorry, I probably should have said something at the beginning. Okay?

So this deals with the competition, consumer choice, consumer trust, the global public interest, which by the way, didn't really say much because we're still waiting for that final report, global public interest, application freedom of expression, universal acceptance. That's great. You guys are all comfortable, good. Fantastic.

2.4, this is the prelaunch activities, sorry, Christopher, you were getting up to the mic, I didn't mean to cut you off early, sorry.

Christopher Wilkinson: The call that several of us have indicated on the list that the freedom of speech of the applicant should be balanced by freedom of speech of the registrant. Thank you.

Jeff Neuman: Yes, thanks Christopher. And that's certainly a good comment, that'll in public comment period and on that section so that would be the right section to respond to and thank you for that. Anybody else on 2.3?

Great, 2.4 is the – are the prelaunch activities so that's using the Guidebook as a tool for receiving the applications or for providing the instructions for getting the application in. Communications, which covers the tools used on both the outreach and getting the word out there and on communicating anything during the program, support issues and all that good stuff, and the systems, anything? Sorry. Kristina, thank you.

Kristina Rosette: Sorry, Kristina Rosette. So I have my comments in the actual document so I'm kind of scrolling through, so I'm a little behind. I do have a comment on what is now I think 2.2.2.2, the clarity of application process. And in particular Question E1 and although this wasn't actually a redline it struck me as I was

coming to it that as written the question – and this is one of the – what specific questions the PDP working group is seeking feedback on. The question is currently phrased as, “To what extent is the ICANN Organization designed to scale to accommodate application volume?”

And I’m not sure that’s really the question that we need the answer to because it kind of doesn't matter how it’s designed and whether it’s designed to scale if it is nonetheless capable of scaling. So I would seem to me that the question I think we – the better question that's going to give us the type of answer we're looking for is something along the lines of whether ICANN is capable of scaling to handle the application volume and if not, what would have to happen in order for that to happen? Because kind of saying is it designed this way, yes or no, doesn't really get us anywhere.

Jeff Neuman: Thanks, Kristina. I’m looking over – okay, thanks. Okay, this is Jeff Neuman. Thank you, Kristina, we’ll make that change. That is the intent of the question so I think that’s a good change. And I know that just in talking to GDD staff this week I know that they do plan on responding to these questions so that’s certainly a good one that they will hopefully, I’ll knock on wood, respond to.

And so, Kristina, if I’m going to too fast because you're scrolling, let me know. Okay. So back to – I think I did a call for 2.4, I know I did but let’s just ask again so we’ll give Kristina a minute. And by the way, we really appreciate you going through this and others going through this, so, see, I thought I would delay a little and...

Kristina Rosette: I’m actually still on 2.2. Under 2.2.4, different TLD types, I have a suggested revision to the current redline for E – I think it’s E1, it’s actually a bullet point, not a numbered question. And that’s the – as drafted it says, “The working group did not reach agreement on adding any additional categories of gTLDs. What would be the benefit of adding a further category/categories? Should additional categories of TLDs be established? Why or why not?”

And it seemed a little odd to me that we were asking all those questions but we weren't actually asking the commenter to identify what additional – like which specific additional categories do they think should be added. And I think that would be a helpful question to include. I would expect as people might actually answer it anyway but in the interest of being complete.

Jeff Neuman: Thanks, Kristina. Anyone have any issues with adding that sub question to that overall question? Okay, should I still fill a little bit or there we go. Kristina, please.

Kristina Rosette: Sorry, same numerical subcategory but Category F, I think, sorry. Yes. I don't even know what page it would be. It's after the chart – the pro and con chart and it's the list of the bullet point list of potential categories. And in the category description for validated registry, I think as it reads now it's validated registry-restricted registries with the qualification criteria that must be verified. I think in the interest of being complete and accurate we should switch out verified with validated because it's – those have different meanings. And some of the registries that do restricted registration eligibility criteria validate, not necessarily verify. Some do both, but all at least validate.

Jeff Neuman: So I'm just trying to find the chart. You guys find the chart, did you find the chart that Kristina is referring to?

((Crosstalk))

Cheryl Langdon-Orr: Julie's shaking her head no.

Jeff Neuman: No. Give us one minute to catch up here. So it's Section 2.2.4, different TLD types, Section F...

((Crosstalk))

Kristina Rosette: Page 32.

Cheryl Langdon-Orr: Page 42 someone tells me?

Kristina Rosette: Thirty-two – 3-2-.

Jeff Neuman: Yes we have a – sorry, we have a different – because we've been incorporating and accepting certain things and so we have a different numbering system. So you good? Oh, yes, Steve, please.

Steve Chan: Thanks. This is Steve from staff. I was actually just going to ask Kristina direct question, do you have these things captured in something we can – afterwards after you provide the comments verbally can we look at it in a version 2? That'd be perfect. Thanks.

Jeff Neuman: Yes, thanks Steve. Sorry, Jeff Neuman for the mic – for the record, sorry. Yes, but do continue to raise them orally so the rest of the group can hear it and we're not just looking at revisions that others haven't seen. But please, yes, if you have a copy that'd be great even if we could just take a photo of it. Okay, Kristina, anything else in 2.2 or anybody else? I mean, I know we...

Cheryl Langdon-Orr: Just jump in.

Kristina Rosette: Okay.

Jeff Neuman: Yes, sorry.

Kristina Rosette: I'll just keep going. Two point – well what was – what I think is 2.2.6, accreditation programs, under sub point – oh where is it now? I think it's F, oh I don't even know – yes, it's in F, it's in all of this text and I'll definitely send it over but as currently written the sentence in question says, "A new RSP must be evaluated prior to the ultimate selection of the applicant to manage one or more specific TLDs."

And I – what I thought we might be saying there is that a new RSP must be evaluated before the applicant signs a Registry Agreement for a TLD. And I wasn't sure if that's what we meant or not because if that's not what we meant I'm not actually sure what we do mean.

Jeff Neuman: From my – sorry, it's Jeff Neuman. From my recollection of the discussion, yes, it was before you signed an agreement. So we will look at your version to find that sentence...

((Crosstalk))

Jeff Neuman: What's that? Oh okay, I'm sorry, yes, Rubens please.

Rubens Kuhl: Rubens Kuhl here. We might be mixing two moments. What was doing on RSP discussion, is that the only way to suggest a new RSP would be for the application process. But an applicant could simply say, I use one approved RSP which will be named by (timely) final agreement.

So both (unintelligible) can be right, one which is the moment when a new RSP can be named for use by any applicants in that procedure, not only one applicant, and the other is when a specific now to become registry points out which registry service provider they will use. So I think this was a comment about not delaying the process by saying, hey, I now will come with this registry service provider but you haven't evaluated that yet so you need...

Kristina Rosette: Oh got it.

Rubens Kuhl: ...to evaluate that registry service provider. So it was an exclusion to that but not – an applicant couldn't say well I name my RSP when I sign that agreement.

Jeff Neuman: Yes, thanks Rubens. But just looking at the context of this paragraph, and I found it, it is in the context of the applicant and it is in the context of prior to –

right now it says, “prior to the ultimate selection” but it – but Kristina’s right, it should say “prior to entering into the agreement,” in this context in this paragraph. Yes. Okay, thanks Rubens. Kristina, anything else in 2.2?

Okay, 2.3.

Kristina Rosette: My next one is in 2.5.1.

Jeff Neuman: Wow, okay, we’re not there yet.

Kristina Rosette: Okay, sorry.

Jeff Neuman: Okay, so let’s – if we can go to 2.5, because we just closed in on 2.4 so if we can go to the slide that’s 2.5? And when we do, let me go through 2.5.1 which deals with application fees; 2.5.2, which deals with the notion of variable fees, different fees for different types of applications; 2.5.3, the application submission period and now 2.5.4, applicant support. And I know Kristina has a comment, I think that was the section, right? Oh, 2 point...

Kristina Rosette: It was 2.5.1 and it’s E and it’s the first bullet point and this is an edit that Steve had made based on a – based on a comment that I had put in. And it currently reads, “To the extent that warehousing/squatting of TLDs has taken place and may occur in the future, what other restrictions/methodologies beyond pricing might prevent such behavior?”

I don’t know that we’ve ever actually defined what is meant here by warehousing or squatting. And that – I think that was my original – one of my original concerns is that we use the term without ever kind of saying what it is that we mean.

Jeff Neuman: Okay so this is on the terms and conditions and Michael’s not here so it’s hard to – sorry, this is on application fees.

((Crosstalk))

Jeff Neuman: Oh okay, good, sorry about that. So Christa, do you know if we – are you able to adjust that and do you know if we define it later on? I'll look in the deliberations but...

Christa Taylor: I had to go through the report to actually see if it's in there but I know we did discuss it in the – when we had the meetings and right off the top of my head I think it was something for the future use of them or the improper use of them, not to be used I guess immediately as opposed to everyone else, but I can pull that and add it to the document to make sure it's there, so thank you.

Jeff Neuman: Yes, Kurt, please.

Kurt Pritz: Hi, this is Kurt. Christa, remember the other day we had a pretty good session over here where we talked about not just not using them but people perhaps taking advantage of the availability to make money off auctions and things like that. So you know, when you're looking through the notes or we could help, you know, just take words like the words that Kristina objected to and just put in, you know, we'll just put in what it is, you know, just put in so people, you know, to discourage the application for making money off auctions, or as an investment or something like that and we'll take out those words that are kind of weird.

Jeff Neuman: Okay, thanks, Kurt. Anybody else on that particular section? Okay, I think we're on 2.5.5, terms and conditions. Okay, 2.6 – and excuse me – application processing so first – it's actually only one section in this 2.6, which is on application queuing. Great.

Two point seven, this one is a pretty substantive section, or many subjects, I should say, they're all substantive. 2.7.1 reserve names, and that would include – well mostly – there's actually not much – there's nothing in there on

the IGO INGO or geographic other than references to other work going on.
But there's plenty of materials in 2.7.1.

Okay, 2.7.2, registrant protections; 2.7.3, closed generics. Kathy, please.

Kathy Kleiman: Kathy Kleiman. For those of us who've been in many of the rooms this meeting, where is the text of this that we're looking at? We seem to be going through an index but where is the text?

Jeff Neuman: Yes, so sorry, yes, thanks Kathy. This is Jeff Neuman. So this is a – there is a document, an initial report so this is the – there's a link to the initial report and the redline on the wiki page for this. And so that's the document we're referring to. I know that this session is a little bit different than the first two we've had this week in that it's really for the purpose of drilling down on the redline so that we can get the report out next – well Tuesday next week. So the document's there.

We're really only right now reviewing the document – well we've been reviewing this document, this draft initial report for I would say a couple months now. And the purpose of the review is to go through the report to make sure that the sections reflected the discussions that took place in the work tracks.

And so each of these has – I mean, the entirety of the report is over 200 pages long so there is a substantial section on closed generics that includes – on all the topics, but on closed generics that include the historically or the policy, the initial policy which in that case there was no initial policy but then, you know, what happened with this issue historically, questions that – or any preliminary recommendations which on this one there were no preliminary recommendations because the group was pretty much divided and a long list of questions in the next section of things that hopefully – answers hopefully which will help the group make a determination on this issue along with some options.

I don't know if you remember when we were going through that there were some options that were presented to the group, none selected, but we want to see if there's feedback from the community on those options and then a discussion of the deliberations.

Cheryl Langdon-Orr: And Kathy, Cheryl here. Just for, you know, logistics, if you can join the Adobe Connect room it's early on in chat but I'll get staff to repeat it again in a minute or two so you'll be able to find it in chat, for ready reference, there's a link to take you to the link, okay?

Kathy Kleiman: Great. It looks like somebody just reposted it, thank you.

Jeff Neuman: Great. Thanks, Cheryl and thanks, Kathy. Christopher, please.

Christopher Wilkinson: Just on the conduct of the meeting, I appreciate the complexities that you have to deal with but it's getting very confusing since the numbers up there are different from the numbers in the corresponding text on the wiki. But on the substance of what we were just discussing, I recall that regarding closed generics I made the point that these should be limited to preexisting intellectual property rights and not relating to closed generic words but no closed generics for general words; you can have a closed generic if you already own the intellectual property to that string.

Jeff Neuman: Thanks, Christopher. This is Jeff Neuman. So as I said before, there's – on this section because there were a number of divergent opinions on this, there really are no recommendations in the report. There's lots of materials on different options and then the deliberation section, and a lot of questions, so I believe your point is captured in the deliberation section. But at the end of the day it's really – we're looking for feedback from the wider community on all of these types of issues and there are many and they are very divergent, so anybody else?

Okay, 2 point – where were we – 2.7.4, string similarity. Okay, not seeing anything on that. Again, there's lots of material under these sections. 2.7.5, internationalized domain names, IDNs. Okay, 2.7.6, security and stability; 2.7.7, applicant reviews, technical, operational, financial and registry services; all right.

And just before I go on, Steve, I am right that when we get to the slides that have Jamie's comments and Anne's it lists that on the slide? When we get to those sections or sorry, I just want to...

Steve Chan: Might as well use the mics for this. This is Steve from staff. It notes them in general wording, it's not verbatim.

Jeff Neuman: Sorry, yes, thanks. Thanks, Steve. This is Jeff. I meant when we get to the sections that they made comments on it's in that slide so I'm not passing anything that they've made? Okay good, sorry for the record. Okay, name collisions, 2.7.8. Okay. Are we onto 2.8? Just wait for the slides. Great. Okay here is where we – well, 2.9, we start.

2.8.1, objections; 2.8.2, accountability mechanisms. Okay, 2.9, which deals with community applications, so Jamie Baxter had a comment on 2.9.1, the comment paraphrased he said that existing community definition may be sufficient to clarification on timing for the community priority evaluation process documentation, CPE provider, contracts and the CPE support opposition review process, so we have this comment. Then there were additional comments that came in from Anne Aikman-Scalese on Sections 2.9.1 regarding the definition of community in the deliberations and a related question.

Is Jamie on the Adobe? Okay. Is – do we have good connection where...

((Crosstalk))

Jeff Neuman: Oh so Jamie, if you are dialed in and want to say anything just raise your hand; if not it's okay too. Let me just give a second for Jamie to indicate whether he wants to weigh in. And in the meantime – oh he's asking how to dial in.

((Crosstalk))

Cheryl Langdon-Orr: There is no information for people to do that.

Jeff Neuman: Okay, we're going to – Jamie, we'll have someone from ICANN figure out a way to get you in and then in the meantime let me just see if anyone else in the room has any comments, so Jim.

Jim Prendergast: Yes, thanks. Jim Prendergast. Just real quick, and when Jamie comes on maybe he'll be able to answer it. The comments that were submitted here, are they in concert or is there any conflict between the comments that needs to be resolved? I can repeat it.

So the comments that came in from Jamie and from Anne, are they complementary to each other or do they conflict with each other and how do we resolve that conflict if there is one?

Steve Chan: Thanks. This is Steve from staff. They're – I think they're largely complementary. I mean, literally I think they plus one each other's comments so I think they're complementary. I think we'll be able to...

((Crosstalk))

Steve Chan: Yes, if there's a problem we'll identify it but I think they should be able to exist in concert. Thanks.

Jeff Neuman: Yes, there was one – and this was the section, Steve, that we talked about yesterday about – yes, so there was one comment from Jamie I did want to

bring up and hopefully he's figured out a way to dial in or will dial in soon. There is one area where he made a comment on something that the evaluators had done in a one very specific case that is still subject to an ongoing action, accountability mechanism.

We may – rather than incorporate it in the exact format that Jamie had wanted it, we may generalize it so is not so specific to one – to the case but more towards a principle and that's why I was hoping Jamie could dial in.

((Crosstalk))

Jeff Neuman: And we're sorting that out. In the meantime, do we want to – Steve, could you pull up the exact – that part of the comment and read that part into the record and then we can talk about that? So Steve's pulling that up.

Cheryl Langdon-Orr: Christopher...

Jeff Neuman: I'm sorry? Oh, sorry, Christopher, please.

Christopher Wilkinson: Not at all. On the organization of the meeting, I would suggest we put the document itself on the screen because the size of the document makes it impossible to download quickly enough to keep up with your discussion. On oppositions just to put on record...

((Crosstalk))

Christopher Wilkinson: ...ongoing discussion in Work Track 5 where several participants consider that the opposition mechanism is not appropriate for geographical names.

Jeff Neuman: Yes, thanks, Christopher. And as the preamble says in this report, we – it doesn't deal with geographic names and the discussion we had on Monday during the first session I think the tenor of the group – the discussion that we

had in the group was that there may be things that are different for the geographic names than exist for other types. It'll all depend on the output of Work Track 5 and then once we have an output from Work Track 5 we'll then come back and see if changes need to be made for other types of strings.

Cheryl Langdon-Orr: Jamie's online now.

Jeff Neuman: Okay, Jamie's on the line. So Steve, can you – do you have the specific comment and then we can ask Jamie to just discuss and then we can kind of go over our proposed solution? Steve.

Steve Chan: Thanks. This is Steve from staff. So Jamie had a couple enumerated points and then also a couple of sub bullets under this point. So Bullet Point 1 was concerns about processes described in the AGB and the CPE guidelines that were not adhered to by the CPE providers or not adhered to as strictly as the language provided for in published materials.

Point A underneath that is verification of support and opposition letters, all were to require – I'll maybe (unintelligible), all were required to be verified, many were not verified without reason. Sub Point B was partly responsible for verification letters was described by the CPE providers in their own guidelines as a responsibility of one of the two CPE panelists but actually done by a CPE support staff.

Point 2, was concerns about the lack of oversight during CPE which resulted in poor performance of the CPE providers. Point A underneath is verification letters were sent to endorsing organizations that contained response date requirements that had already expired. When reported to ICANN no email correction was sent to the affected parties and ICANN instructed applicant to carry the burden of informing endorsing organizations to respond to emails anyway despite the expired due date. Point B underneath is CPE providers falling short on letter verification duties.

Jeff Neuman: Thanks, Steve. So as you can see there are a number of comments there based on a particular ongoing accountability mechanism but, Jamie, if you are on the phone, let's see if we can get you to just talk a little bit about that and whether we can figure out a way to generalize those as opposed to a specific scenario.

Jamie Baxter: Yes, this is Jamie. Can you hear me?

Jeff Neuman: Yes, thank you Jamie.

Jamie Baxter: Excellent. Thanks so much, Steve, for reading out those specific examples. I think it's important to hear them because the description is in the details. The Guidebook was to provide instruction to applicants and then the CPE guidelines that were created after applications were submitted were supposed to provide further guidance as to how applications would be handled. What my examples illustrate is that there was a lot of liberty taken even against the language of some of those guidelines that needs to be addressed.

If the language was written by the providers but not even followed by the providers, that should have been an action that ICANN undertook to correct. And the examples that I provide illustrate just the breakdown in the process that had no accountability attached to it and there was no redress for anyone to challenge it. ICANN continues to make it sound like it's not a big deal but I think in the larger picture words matter and if a CPE panelist was not intended to verify letters, the guidelines never should have said that.

So it's important that this language is correct and accurate and then more importantly followed and adhered to under ICANN's guidance especially since that process was so non-transparent that without clear attention to the detail a lot of these things would have been missed and probably were missed by many other community applicants.

So thanks for allowing those to be read out and illustrated because they're important details to the breakdown in process.

Jeff Neuman: Thanks, Jamie. This is Jeff Neuman. So we added – because – I just want to go back a step. So these are conversations that Jamie had raised in Work Track 3 – yes, Work Track 3, so that's why we're – we're not handling anything new. We did add a question in the redlines that says, "With regards to Recommendation 1, which deals with communities, what does more transparent and predictable mean to you? For what aspects of CPE would this apply in particular?"

I think we're talking about potentially discretion left to the CPE evaluators, is that – Jamie, if we kind of generalize that, I mean, the examples I would assume you would submit back or others would submit back in a comment, as a substantive comment, if we were to generalize the question would we put it in terms of the discretion or flexibility offered to the evaluators on the guidelines that it was provided?

Jamie Baxter: Yes, this is Jamie. I think you're touching on the point, Jeff, because what needs to be balanced is the discretion that is offered to the applicant to understand language in the Guidebook and somehow have the capability of interpreting it in a way that we – that the evaluators were going to interpret it months before they ever even put their process in place. And since there was – the applicants were held to such a strict standard, it seems absolutely fair that the evaluators are held to the same strict standard of the language that it published for use.

Jeff Neuman: Thanks, Jamie. Sorry, Jeff Neuman again. So I know we definitely do have some questions in – an if it's not in this section it's certainly in the Predictability section where we do make recommendations about everything needs to be known by the applicants prior to the applications being submitted. But for this section, I think – and I'm looking around the room just to make sure that this would okay – if we asked the question related to the

discretion of the evaluators to interpret and/or deviate from those guidelines and then gotten feedback on what they thought happened in the 2012 round and what could happen or what could improve that.

I think we're getting to your points, Jamie, without being so specific about verification letters. And all the examples you raised are great but I'm just trying to generalize it so that we can get to the bigger problem that you talked about which is the transparency, the discretion and making sure applicants have predictability.

Jamie Baxter: That's correct, Jeff. As well as what is the process to challenge things that appear to go beyond any level of discretion that should be acceptable.

Jeff Neuman: Yes, thanks Jamie. And we have that last part in the accountability mechanisms section where we propose appeals. So I think we're covered on that. And I think if we talk about the flexibility of the evaluators in the CPE process like we discussed I think we'll capture the comments and the questions. So does anybody have any objection to that? Great. Thanks, Jamie, for dialing in and stay on, please, if you have other comments, so...

Jamie Baxter: Sure I'll hang on.

Jeff Neuman: Okay. Yes, thanks, Jamie. Let's go to – let me just see if there's any other comments on 2.9. Kristina.

Kristina Rosette: Sorry, I'm still behind. 2.8.1.F.6, sorry, I didn't write it, footnote 219 or at least what was 219, while it's super flattering that there's a footnote to a letter I wrote to JJ on behalf of my then client, Patagonia, I think if – given the point that we're trying to make what would actually be more useful would be a citation to the decision in the independent objector's community objection – well a citation to the decision issuing out of the independent objector's community objection to the dotAmazon applications in which the panelist actually found that there was a conflict of interest.

Jeff Neuman: Thanks, Kristina. That seems like a pretty – if you give us that citation I think that sounds like a pretty easy change. Looking around the room, are there any thoughts on – looking at Robin since it was – yes. Andrea, please.

Andrea Glandon: Thank you. Jamie Baxter has his hand up in the Adobe.

Jeff Neuman: Jamie, please.

Jamie Baxter: Yes, it's Jamie Baxter. I just wanted to confirm that a point was corrected in the deliberations section of 2.9. It was the first bullet point and I had submitted this before but it didn't seem to get captured. The first bullet point should say that "Evaluation procedures for applications were only developed after the 2012 application window had already closed." So I just need to make sure that that is factually correct, because I submitted that before it didn't seem to get corrected.

Jeff Neuman: Thanks, Jamie. I'll turn around to Steve, please.

Steve Chan: Thanks, Jeff. This is Steve from staff again. Jamie, sorry, I didn't actually point out and acknowledge that the other two suggestions you made, those will be integrated as you suggested. Thanks.

Jeff Neuman: Okay. Thanks, Steve. Thanks, Jamie. Okay, still continue on 2.9 after – so those changes from Jamie, the citation Kristina had mentioned, anything else in 2.9.1? Fantastic. 2.10, I think. Great. This is on the – on contracting so the base Registry Agreement and registrar nondiscrimination/registry registrar standardization/veridical integration or whatever you want to call it. Any comments or questions?

((Crosstalk))

Jeff Neuman: Oh, Kathy, sorry.

Kathy Kleiman: Thanks, Jeff. For those of us who are having trouble downloading the document, you did a great summary of closed generics. Could you do a quick summary of this one as well because this is an important area as well.

Jeff Neuman: Testing my memory. Let me just scroll down to it. If I remember – no, I don't want to just go off memory; let me actually turn to it. So on this one the preliminary recommendations were to – there was an original recommendation in the original GNSO policy in 2007 that stated that, “Registries must only use ICANN-accredited registrars in registering domain names and may not discriminate among such accredited registrars.” But then as you go through the history, you note that there's a Spec 11 so there are – and there's a code of conduct so there are – I'm sorry, exemption to the code of conduct in Spec 9.

So it was basically to – the only recommendation is to update the original policy to say, “Registries must only use ICANN-accredited registrars in registering domain names and may not discriminate among such accredited registrars unless an exemption to the registry code of conduct is granted.” And so that was the – pretty much the only recommendation in that section.

A number of questions we're seeking feedback on including whether there should be additional types of exemptions granted for brand registries to other facets of the code of conduct that aren't exempt or sorry, not code of conduct, to other areas of the agreement where I think it's Section 2.9 in the Registry Agreement where some brand registries have made the point that they should be exempt from those requirements as well. So we're asking that question.

And let's see, then there's a question that says, “There are provisions in the Registrar Stakeholder Group charter that some feel disfavor those who have been granted exemptions to the code of conduct. In the preliminary recommendation above would it better to phrase it as ‘unless the registry

code of conduct did not apply' rather than 'unless an exemption to the registry code of conduct is granted'." So there are some citations there. So that's the questions. Okay.

2.11, pre delegation testing, sorry – sorry, 2.11 is registry system testing and a lot of it's about – and pre delegation testing. Comments, questions on that one? Fantastic. We're making good progress here because I think we're on the last grouping, which is 2.12 which is post delegation, so this talks about issues around the rollout, second level rights protection mechanisms and just get to the point there it's completely just deferred to the RPM PDP so there's nothing in that section.

And contractual compliance there are some questions and some recommendations in that section. Questions, comments? Great. I think that covers everything except for the preamble which you all have seen copies of and I don't know if anyone has any suggestions but I just want to be complete.

Preamble basically says that it's from – it's almost like a letter from Cheryl and I basically says that this group, you know, what we did, how we set up and how this working group – sorry, this initial report is a little bit different than other initial reports in the past that we did not take consensus level on each of the recommendations and explains why and it also talks about how we are not covering the geographic issues; we're covering the other issues and finally talks about that the recommendations provided, or where provided, are provided by the work track members that participated in the applicable work tracks but not necessarily the full working group because, again, we didn't take a consensus level within the working group.

I think we are done going through these redlines. So we'll give a last call on any comments or questions at the end of this meeting so that we will get this out for public comment – oh, sorry, is there – oh, Kathy, sorry.

Kathy Kleiman: One more question. Thank you. This is a tremendous amount of work clearly, tremendous body of work. So what happens when this goes out? What do you do with the comments when they come in? And do you then go to an interim report with recommendations? Really what happens when you get all this information back in? How will the comments be treated? And really I'm just echoing questions we were talking about in the Rights Protection Mechanism Working Group a few hours ago.

Jeff Neuman: I was going to say something like a joke, but then I realized we're being transcribed so then – thought it may be taken the wrong way. So yes, we're going to talk a little bit about next steps actually coming up but essentially we are – what we've talked about on some of the calls prior to coming here was that it was our expectation we would divide up into different...

((Crosstalk))

Jeff Neuman: ...I guess we had said three but it could be...

((Crosstalk))

Jeff Neuman: ...different subgroups to look at the comments. Well we'll divvy out the comments based on where they – what sections they apply to, we'll have the subgroups just analyze the comments, see if there's trends within those comments or any changes where we have made recommendations or if there's any clarity where we haven't made recommendations. Ultimately though we will get the groups back together as a full working group to then discuss final recommendations.

Kathy Kleiman: And those will go out as a final recommendation report or as an interim report?

Jeff Neuman: So – sorry this is Jeff Neuman and that was Kathy Kleiman that asked a question. I'd love to answer a question – I guess it depends, right? To the

extent that there was a preliminary recommendation made and the final recommendation is in line with preliminary recommendation, we will – we do not have to – we do not feel like we have to go out for another comment period. In situations where there are either completely new recommendations that weren't contemplated by the initial report or in areas which we've already discovered there are a few new areas we may issue supplemental report so it's not – it may not be the entire report that goes out for comment but it may just be on those supplemental or newer issues. Kathy, please.

Kathy Kleiman: But when you're dealing in the areas that have lots and lots of questions, because there wasn't an agreement in the subgroup, which seemed to be some of the areas that I caught when I was glancing through it, how – what happens to those? If there isn't a recommendation out there, but again, a number of questions, what's the process?

Cheryl Langdon-Orr: Ok, Cheryl for the record. Let me try that again. For the transcript record is my surname, that's actually established now. Cheryl Langdon-Orr for the record. So part of the process in reviewing – and I'm assuming, you know, you're like many people around the table will have been involved in this going through public comment process before. If there's a certain trend that's obvious in the response to a question, then we would take that back to the working group as a whole to see whether that is going to bias towards recommendation or not.

If there's total bifurcation or if there's just a couple of outliers, again, that may or may not result in a recommendation or it simply may end up with a, “and it was observed.” But remember, we'll also have annexes in the final work which will make sure that all of the input is recognized and shows that it has been dealt with, as you do in any public comment.

So we'll be able to show well it's important, it's very important part of accountability that public comments just haven't gone into some black hole of being ignored, that they've been duly considered and that the PDP group as

a whole have either or not, taken the recommendations from the group that analyzes them, and that's not going to be by work track by work track. We're suggesting that we change it away from that particular design just to freshen everything up a little bit I suppose.

So it may be that the reviewing group make a proposal but the PDP working group go, no. That's possible too. It'll all be as part of annexes and appendixes. What have I forgotten, Jeff, because you're chomping at the bit.

Jeff Neuman: I was shaking my head in agreement.

Cheryl Langdon-Orr: Oh, how uncommon.

Jeff Neuman: Thanks, Cheryl. So I know there's a lot of dependencies in there and, you know, obviously we have to wait and see what the comments we get back are, but I see Greg's hand up and let me just see if there's anyone else. So Greg and Rubens.

Greg Shatan: Thanks. It's Greg Shatan for the record. So this is a little bit different than comment periods that I've been involved in before because the preliminary recommendations that are going out in this report are really the recommendations of the work tracks not recommendations of the working group. So when the comments come back it would seem to me that the underlying recommendations are all fair game for the working group as a whole whether or not the comments – whether there were any comments on them, whether we agree with the comments or otherwise.

In an ideal world the working group will have agreed – will agree with the work track and the comments will be helpful in either clarifying or changing those and they will agree – and the working group will agree with those changes. In a less ideal world, like the one we live in, the working group may disagree with the recommendations in the work track and may change those recommendations whether or not the comments say – regardless of what the

comments say, or they may change them along with the comments but make other changes.

So I just want to make sure that is what we're understanding here because so far the working group hasn't had a real bite at the substantive apple, only the work tracks, which were wonderful but they're work tracks. And I suppose that is when we'll get that opportunity. So it seems like there really is the possibility that a whole lot, if not the entire report, may need to be sent out again depending upon what the – what happens and there's – unlike this exercise where we're primarily looking for clarity and expression and making sure that we're saying what we're supposed to say and that's – and the like, that that point will be able to pull out the cutlery and go at the substance on a working group level.

Jeff Neuman: Thanks, Greg. Definitely – I actually don't see anything wrong with them. I mean, I'm not – I mean, I know you're kind of putting it in a negative light whereas I know in the ideal and less than ideal, I actually think this is not a bad thing. At the end of the day...

((Crosstalk))

Greg Shatan: If I could just clarify, I don't think it's a bad thing either, it's a process and I think that in other working groups I've been involved in we have put out kind of what I'll call a draft 0.5 which was more questions than answers and more cogitation than final deliberations, and that's fine. I just wanted to make sure that at some point in this process – and I'm perfectly happy – I didn't mean to sound pejorative or negative, I'm okay with what I described and I in fact live all my time in a less than ideal world and I'm perfectly happy with that as well. Thanks.

Jeff Neuman: Yes, thanks Greg. Yes, so the answer is the working group may disagree with the work tracks. I believe that the – certainly the work tracks have had very healthy discussion on all these issues. I would be highly surprised if there

were new arguments raised then that the work track has already addressed but that certainly could happen. And the way I look at it is the subject was so big with so many sub topics or topics and sub topics and sub-sub topics that when you think of the 2007 round, there were 10 – no 12 versions of the Applicant Guidebook. If we have two versions of a report that goes out and everyone adopts it after two versions, that is a huge success. So thank you.

Cheryl Langdon-Orr: Just before we go to Christopher. Something you said, Greg, Cheryl Langdon-Orr for the record again, something you said also, you know, the whole thing needs to go out again. We can put pieces out if that's the case too, so, yes, we have options there. If substantive changes happen, though, back it goes.

Greg Shatan: If I could predict the future I'd be at the horse track right now, not here. Thank you.

Christopher Wilkinson: Just Christopher Wilkinson again. Sorry to come back but just to say on this point I agree absolutely with Greg, we need to be very clear as to what we're doing. And as a practical matter of the 200 pages, I congratulate Steve and his colleagues for achieving that but you cannot say that the PDP as a whole has taken on board the whole of all the work tracks and I didn't say anything about WT5 because that's a black box. And there are many points in the PDP in the initial report which will impinge on geographical names. Thank you.

Cheryl Langdon-Orr: Noting again for the record it is Cheryl Langdon-Orr. And noting again for the record, that Work Track 5 is specifically excluded out of the interim report of 1-4's work which is what we're doing now. Let's go to Rubens.

Rubens Kuhl: Rubens Kuhl. Just in response to Kathy, we do have our rule of last resort that if the working group cannot reach convergence on a topic the 2012 implementation prevails. So we have a rule of last resort if we don't reach agreement. That rule has some issues for instance in closed generics; we

didn't have the 2012 decision because Board pointed that to the working group so we can't apply that rule there possibly. But for most of the issues lack of agreement means 2012 repeat itself.

Jeff Neuman: Yes, thanks Rubens. To reiterate the point, right, that the baseline was the 2012 program, so I think that's exactly what Rubens was saying. Okay, any last call on questions, timing or the report? Great. So I want to spend – oh I'm sorry, Cheryl, please.

Cheryl Langdon-Orr: Just before we go to next steps, because we're probably going to get into timelines and what happens after, I just wanted to make sure that we all remember what Jeff and I said any number of times at this meeting but we've all been in different rooms so we may not have all heard it yet, this is a prodigious piece of work, as you can obviously gather, and is about 100-something questions being asked for example. We're welcoming input on, you know, every word and dotted I and crossed T.

But we'll be annexing out the questions so it's actually easier; you won't have to go through, you know, section by section to find the questions posed, so we're trying to make it an easier logistical exercise as well. I just didn't want to get that lost as we rush off into next steps.

Jeff Neuman: So thank you, Cheryl, that's absolutely right. And I do want to thank ICANN staff for all their help on this and also the work track leaders because they spent a huge amount of work on all of these sections and I think overall we have a really good product and so thank you. Greg, you object to that or you want to add to that?

Greg Shatan: Neither, I just had my hand up before we moved to the next section so I didn't know if you'd seen that, you thought it might be an old hand. Wishful thinking. Question, when you talk about the baseline being the 2012 program, are we talking about the 2012 AGB, or are you talking about everything that kind of got added afterwards along the way not including Digital Archery since

thankfully that was – the arrow was put through that, but what is the stable point?

Because there's been discussion about how far or back we roll things and things came in from various – for various reasons at various times after the AGB and that's kind of question of whether those things are kind of – are part of the baseline or whether they're kind of – we're going to roll back to an earlier version in terms of what we use as our baseline.

Jeff Neuman: So...

((Crosstalk))

Jeff Neuman: Yes, thanks Rubens. This is Jeff Neuman, just to – I'll respond to this and others can weigh in. I actually have two different answers to that. I think if you're talking about what is the baseline when we talk about policy, it's always going to be the 2007 but, when you talk about the program as a whole and what we do in the next round, the baseline is going to be as it was implemented. So it all depends on how you frame the question and what you're referring to.

So if you're saying what is the policy that we are recommending, it'll always be the previous policy, which is 2007, 2008. But if you say well what are we recommending for implementation? It's always going to be as it was implemented in the 2012 round.

Greg Shatan: With all of the subsequent things that got added in spec, whatever it is and RAA this and that and all sorts of fun things like that?

Jeff Neuman: Correct, unless there's a consensus to change it or if the Board chooses at some point to change it, but yes.

Cheryl Langdon-Orr: Paul.

Paul McGrady: Thanks. Paul McGrady here. I'm hoping that we can move beyond what is probably a hypothetical discussion see I don't want to preplan how we are going to nuke ourselves if we're actually not moving down that path. I think we're making good progress in all these things and certainly there's lots more work to do but there's no indication that I've seen from the working group that it's going to, you know, run itself off the rails, so unless somebody feels strongly the other way, maybe we can just move on.

Jeff Neuman: Okay. Sorry, so Jim and Liz, anyone else?

((Crosstalk))

Jeff Neuman: Jim yields to Liz. Liz, please.

Liz Williams: Liz Williams. Chivalry is not dead. Thank you, Jim. I'm a member of the Work Track 5 group and it'll be no surprise for the members of that group that are here in the room to hear me say what I'm just about to say. But I do want to put on the record that I think we can do better than fallback positions to 2007 policy and to 2012 implementation. In the 2000 round, we didn't have any baseline to go from beyond RFCs. It would have been inconceivable in the 2004 round that we accepted what happened in the 2000 round and there was no precedent for us being able to say, "Yes, that'll do; that's all right, that's sufficient. We've done our job."

I just want to caution us to be a collective really clever bunch of people doing really good work, really robust and thorough substantive work to say that it is acceptable if we can't reach agreement on something that a set of principles which will be a policy principles, which will be 11 years old, and a set of implementation guidelines – and an Applicant Guidebook and an implementation guidelines which will be much – six years old if you just use today's date to say that is sufficient quality for us, no, I don't have –

unfortunately an alternative except more work and more thinking and more discussing and more collaboration with each other.

But I would just like to put that alternative quality control – not to say that people aren't trying to control the quality – but I think we can do better. And I think that it is, as I said in the Work Track 5 group the other day, and it's the end of a long week so I'm going to be un-diplomatic, which is lazy and we can do better, and it's not correct, I think for us to hope that the fourth round of the expansion of the Domain Name System can be run on 10-15-year old rules.

Jeff Neuman: Thanks, Liz. Jim.

Jim Prendergast: Yes, Jim Prendergast. Just to go back a few comments just picking up on all the hard work that Steve and the team and staff have been doing. I want to just put it out there that, you know, as you said, Liz, we're all beat, including staff and there's a holiday next week. So if we – let's not kill the staff to get it out on the 3rd, let's be benevolent dictators...

((Crosstalk))

Jim Prendergast: Okay, I mean, you know, and the run up to this meeting, I mean, we were getting emails at 11:30 at night on a Saturday from Steve, which is a heroic effort but, you know, let's give these guys a little bit of a rest here just to recover from this meeting and a day or two is not going to throw the timeline off the rails.

Jeff Neuman: Thanks, Jim. We've been – I hope I haven't been killing them. But we have been preparing in the background for several weeks on the text that is to go out for comment so they will have a weekend off and several days off; they'll be fine.

((Crosstalk))

Cheryl Langdon-Orr: That wasn't what you said...

((Crosstalk))

Jeff Neuman: Thanks, yes. Okay, as Paul said, let's move on because I do want to – I don't know if we have slides on this but I do want to go over what we did on Monday, okay so the wrap up, we talked about, so one of the first things we do – we have scheduled a call for July 16, that's a Monday, I think it's the 16th. So there are several weeks we have off before we all talk again. We will start talking about the detailed work plan going forward. And I do want to – I think the second – particularly the second session on Monday was very valuable on the five we're calling new-ish subjects.

And I think we had some great feedback in the breakout sessions and a good start on material for a couple subjects, for those subjects that we need to expand on further. So we will make a recommendation as to how we can proceed on those subjects even while we're, you know, while we're waiting for comments to come in on the initial report. We also have the preliminary recommendations from the CCT Review Team.

We would love to have said that we can start considering a final recommendations but as Jonathan Zuck said I think at the first session we had, most of the final recommendations come from those preliminary ones and there really aren't substantive changes to those, so we do have a pretty good idea of what – of the recommendations that will apply to this group. So we will figure out how to incorporate that into our discussions. So we see the next couple months as we're waiting for the comments to come in focusing on those new-ish issues as well as the recommendations in the – from the CCT Review Team.

Kristina, please.

Kristina Rosette: Kristina Rosette, Amazon Registry. I hate to even ask the question but I'd rather ask it now than in three months. How certain are we that there aren't any other new-ish topics? In other words, has there been any effort – I know I haven't done it, I don't know who may have done it, but to kind of essentially cross check the current initial report against perhaps the table of contents or index for the AGB? Just because, like I said, I'd hate to get three months from now and find out that there are topics that somehow managed to kind of fall between the cracks because no one, you know, for whatever reason they just weren't identified.

Steve Chan: Thanks, Kristina. This is Steve from staff. So part of the reason why we did the reorganization of topics is because it fits more in line with how the Guidebook is laid out. And you know, from that you're able to tease out what is missing. And so that's partly why we notice that glaringly auctions of last resort had not been touched on properly or, you know, these other ones that are listed here, application comment, change requests, these things just had not been deliberated properly.

So I guess to the – to your question about whether or not we'd done a true cross reference against that, we have not done that necessarily, I think it's something we can probably do, you know, between now and the next time we meet; we can take a look at that and see if there's other new-ish topics that might be outstanding. And actually I was just going to add one quick comment about just a procedural thing about when we see these new topics, one of the lessons learned we got from drafting this initial report is that it's really hard to go back over two years of records and deliberations and emails and try to come up with an exhaustive report.

So one of the things that we learned from that and that we're already employing in Work Track 5 and we'll do with these new-ish topics and any other ones that are added is to do more of a, you know, iterative and real time update and now that we sort of have an – not sort of actually we have a very clear understanding of what the report is going to look like, we can put these

topics into that report template and have it build off of that and have it as a working document. Everyone keep us honest on how we're capturing those things in a more real time fashion. Thanks.

Jeff Neuman: Yes, thanks Steve. And just to also add to that, I mean, this work is – has actually started – 2014, when a discussion group was created, so if you think back even that discussion group that came up with all the issues that led to the issue report, which led to the charter, which led to – or sorry, which led to the – yes, the charter, all of that builds – it's all building upon each other. So now we can't be 100% sure that we have everything now, but we're pretty sure we have everything at least known from the Guidebook.

I'm sure there will be comments from people from the community that will bring up something that we haven't addressed that maybe wasn't specified in the Guidebook but was a way in which or just something that just happened that we haven't addressed so I fully expect that there will be some additional issues that we add.

I'm just looking over at Steve. Is there any comments from remote?

Cheryl Langdon-Orr: I've still got a hand up from Sara...

((Crosstalk))

Jeff Neuman: From our Sara here? Please, Julie.

Julie Hedlund: So I have a question from Justine Chew and thank you, Justine. So we've tried to capture some of the points that Justine has made in the chat, you know, with respect to some additional edits in the document. But she is asking if she could send all of her notes to us within a day, would that be okay? I mean, we're sensitive to the fact that, you know, we're closing this thing off and, you know, we are doing you best to try to capture these items right now in real time. So just putting the question to you I guess, since I think

we were trying to – going to try to you know, put a hard stop on changes as of today I thought.

Cheryl Langdon-Orr: Let me – Cheryl for the record. I don't believe anything Justine was suggesting was going to be substantive, I think it's a comma and a full stop. She said mostly typographic error corrections, nothing substantive. So you could probably take that as – almost a welcome adjunct or you'd be (unintelligible) up anyway but I don't think it's stretching the friendship too much. Thanks.

Jeff Neuman: Okay. Sara, you have your hand up in the Adobe room, okay.

Sara Bockey: Yes, thanks Jeff. It's actually about the next steps. And it might be a naïve question because I've worked at VeriSign for a long time, but not necessarily on PDPs for a long time. And it's around how consensus is going to be managed for the final report. Now one of the members of the Government Advisory Committee, I think it was on Monday expressed some concern that they may not be able to turn out in numbers and it may somehow negative effect the consensus.

And you said, well, you know, I seem to remember, and you can tell me if I got this right, well it doesn't matter how many people turn up; it's going to be an issue by issue basis. And I'm just trying to understand practically how that would work and if you've got any examples or insight that you can offer there?

Jeff Neuman: Yes, thank you, Sara. That's a great question. And it's actually come up in a couple different groups, that it came up actually in the session before this one when they were talking about the EPDP. So the way we measure consensus is not by numbers but by – I think I said position, right. So in other words, if there's one person that's from – and I'll pick on Paul – let's say Paul is the only from the IPC, but Paul is expressing an IPC position, the fact that it's only Paul versus let's say there's 500 people, I know extreme, from the

Registry Stakeholder Group, just because it's 500 people from the Registry Stakeholder Group and only Paul from the IPC doesn't mean that because Paul's outmanned, sorry for using that expression, or out-personed...

Paul McGrady: But not outgunned.

Jeff Neuman: Not outgunned, right, just because there are 499 more persons attending than Paul, does not mean that Paul's position has any less value or less weight. So it is really a consensus – what I call consensus by position, I don't know if anyone else has used that term, and I don't even know if that's the correct term to use, but essentially it's meant to convey that we don't do a quantitative vote.

Paul McGrady: Paul McGrady. And then the flip side of that of course is that we had talked earlier about this – the work track, right, having – most of these things have been at the work track level not at the full group level. The flipside of that consensus by position is that there is a baked-in semi-presumption that if people are showing up to the work track that they're showing up on behalf of the Cs and others that they belong to so that when these things go out to public comment and they do come back and the entire working group looks at it, you know, yes, some, you know, yes, in theory everyone is open for discussion; on the other hand, it's not meant to be a free for all because we assume people were showing up on behalf of their Cs and SG, and whatever and participating in good faith.

Jeff Neuman: Yes thanks, Paul. I'm not sure I would go as strong as a presumption but certainly a hope that when people were showing up they were not only expressing their own views but they had some inkling as to the view of either their organization, or the constituency, stakeholder group wherever they came from. So I would put it more as a hope or as an ideal than the ideal world but certainly we can't expect – especially when it comes to Work Track 5, and their GAC members there, they certainly when they speak their mind they

certainly are clear that it's not necessarily on behalf of their government or certainly not on behalf of the GAC.

But yes, we hope that we are not surprised by the comments that we get especially if the comments are from people that participated in the work tracks themselves or the organizations that they came from. But that doesn't mean they have to agree with everything, just hope we're not surprised.

Cheryl Langdon-Orr: Cheryl for the record. Just on that, Sara, I think what's important about the concept of position here is that it all – it also allows Jeff and I to measure what sort of consensus we're reporting on because unlike GAC we don't need 100% agreement before consensus. It'd be lovely if it happened, but there'll be parts of it that that might not happen. If we had two positions, we have two positions. We report that we have two positions. And they may be equally or skewed distribution in support. And we report what the distribution skew is on those things. So that's where that gets picked up and that's where the GNSO guidelines for PDP and the specific that they suggest on the classifications is – of consensus is going to be vital for everyone to understand.

Sara Bockey: Thank you, Cheryl. That's great. Thanks.

Jeff Neuman: Thanks, Sara. That was a great question and we will keep coming back to that question I'm sure as we get further along and as we get to taking levels of consensus. Okay, any – because I know it's been a long week and I know we still have a couple minutes, but it seems like a good natural place to stop. So are there any last questions before we go onto Work Track 5, which follows at 3:15?

((Crosstalk))

Jeff Neuman: Annebeth.

Annebeth Lange: Annebeth Lange for the record. Just to following up actually on what Sara asked, especially in Work Track 5, it is too many individuals listed in the SOI and I think especially in that working group it is important that the members there really report who are they representing. It's difficult to know who they are talking for when they list as individuals, and I would urge everyone to be very honest about who's behind them so we know more than we come to the point where you should do some work on the consensus part. Thank you.

Jeff Neuman: Yes, thanks, Annebeth. And I think it's a great reminder especially for Work Track 5 but as we get further towards the taking of consensus in this group we will certainly be asking more and more pointed questions as to whether – when a viewpoint is expressed whether that's their own personal viewpoint or viewpoint on behalf of a company or behalf of an organization or on behalf of a stakeholder group, etcetera. So that is certainly something to keep in mind.

For the record, I'm listed as an individual because as a co-chair I'm not representing my company or stakeholder group. And speaking of my company, Susan.

Susan Payne: Thanks. Susan Payne. I acknowledge what you've said, Annebeth, and I completely agree with it. But I would say that even where people have put an affiliation in their SOI or, you know, and listed when they signed up for the work track a particular affiliation, you know, they're not coming along if they're in the GNSO and they're in the Registry Stakeholder Group, they're not coming along and speaking for the Registry Stakeholder Group.

It's helpful for people to know they're a registry or affiliated with the Registry, but, you know, they're not speaking for the stakeholder group because we don't have that kind of process where people come along as being a kind of designated representative for their constituency or stakeholder group.

Annebeth Lange: Annebeth Lange again. Yes I understand that and that's especially important also for the GAC members; they are not speaking for the GAC, they are

speaking in the best sense for their government. And but if it says individual then it should be individual but if it says ccNSO, it should be at least the part of the registry you're from. So you have – and if you don't speak for your registry then it's better to have individual so we're more clear about who are you talking for.

Jeff Neuman: Yes, thank you Annebeth. Thank you, Susan. Any other last – Greg, please.

Greg Shatan: Thanks. Just to put a final point on that or an additional point, there has been some discussion in Work Track 5 by some participants that would attempt to diminish or even dismiss the contributions of those perhaps other than GAC members as being kind of mere individuals and therefore kind of no match for the – for someone speaking for the government. So I think this is – it would be disingenuous to think that this question of who speaks for whom is merely a kind of a positional question. So the real question is to what extent does any of that go into weighting even when we're looking qualitatively at who is speaking on what.

And I'm sure that in there I'm listed as IPC, but – and so is Susan most likely but neither of us are speaking for the IPC. I'm not changing my SOI to individual, however unless – because that's not the rule here and it's not a rule here just because something was said at this table, you know, two minutes ago. So if there's a need to really – to drill down on the issue of who speaks for whom and what the value or weigh of any particular participants words are and position, that's a deeper discussion that we're going to take at five minutes into the coffee break.

And I caution that the Work Track 5 is rife with animal farm-like potentials for people being more – some participants being more equal than others. I hope for the best and ideally consensus is formed where virtually everyone agrees and it's kind of more – so overwhelming it doesn't matter; either there's nobody who disagrees or the ones that do whether they represent whoever

they represent they are clearly, you know, so far in the minority that the consensus is obvious.

But there may be situations where it's not so obvious and it maybe that some people will try to effectuate consensus by elevation or diminishment of those on one or other side, so let's be very careful.

Jeff Neuman: Thank you, Greg. And on that note we will have a coffee break and then I'll move over hopefully to Rooms 1 – Salons 1-3 for Work Track 5 high interest topic, or are we in here? Wait, let me just double check.

Cheryl Langdon-Orr: Salon 3.

Jeff Neuman: Okay Salon 3, high interest...

((Crosstalk))

Jeff Neuman: Because Kristina gave me a look and I thought I was wrong. Yes, to Salons 1-3, high interest topic on geographic names.

Cheryl Langdon-Orr: All the way at the other end.

Jeff Neuman: The GAC room basically. Everyone grab some coffee. Thank you.

END