

**ICANN  
Transcription  
New gTLD Subsequent Procedures Working Group  
Monday, 30 April 2018 at 15:00 UTC**

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Coordinator: Recording has started.

Michelle Desmyter: Great. Thanks, (Pen). Well welcome, everyone. Good morning, good afternoon and good evening to all. Welcome to the New gTLD Subsequent Procedures Working Group call on the 30th of April, 2018. In the interest of time today, there will be no roll call as we have quite a few participants on the line. As a reminder to everyone, if you would please state your name before speaking for transcription purposes and if you would please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this I will hand the meeting back over to Jeff Neuman. Please begin.

Jeff Neuman: Thank you, everyone. Welcome. It is as she said, last day of April so we're starting to make our way through the report. Everyone should have the agenda. It's pretty much the same as it's been for the last couple of calls. It is – we'll go over statements of interest changes and then pretty much work on this initial report, and then we'll spend a couple minutes on – I'd like to spend a couple minutes on the ICANN schedule, ICANN 62 since we do have at

least some times that have been blocked out, and some of you may have seen the GNSO has released their first block schedule so we should include a couple minutes for that.

With that we are still on WebEx, at least for a couple more days, hopefully, knock on wood, by the time we have our next call we'll be on – back on Adobe Connect maybe. I say that with a question mark but hopefully we will be back to using our friendly Adobe. Until then we will get through using WebEx.

With that said, let me see if there are any questions on the agenda? Okay, I am not seeing any, just doing a quick scroll here. And then all right any updates to statements of interest? Okay, not hearing any statements of interest changes, we can jump right in. I'm just looking at the chat, I think – okay so good so people can hear me, it's just Jonathan Robinson is having an issue, so hopefully we can take care of that in a minute, although Alexander says that he can't hear anything. So Rubens, apparently he says he can still hear me so until I see someone say, "Jeff, we can't hear you," I will keep going.

Okay, so we sent out, as you should notice, we sent out Numbers 1.5 and 1.6. And if you look at the WebEx right now, actually can we turn the page just so I can go over what those items are? Great. So 1.4 is the pre application stuff dealing with the Guidebook, communications and systems. And – oh sorry, we already did that. 1.5 is – that just went out – is the application fees, variable fees, application submission period, applicant support and terms and conditions. There's a lot of stuff in there. And those mostly correspond to Work Tracks 1 – well and the applicant terms and conditions are Work Track 2.

And then in the application processing, 1.6, that relates to application queuing, which is –was work done with Work Track 1. We hope to have out this week 1.7 relatively shortly so look for that in the next day or two. Just

looking at the chat, there's any other business, so I apologize for not asking for that earlier but if we can – if we can put that as any other business what Jim has there, the cover letter.

Okay, so what I want to do on this call is I want to go back to – and thank you for the people that submitted comments, by the way, on the mailing list. But I want to go back to Section 1.2 because we didn't finish that the first time. Last time we did 1.4 and for that - but 1.2 we didn't finish and then we'll jump onto 1.6 which was on Friday and then if we have time we'll jump on to talk a little bit about 1.5.

Now remember, these are all open for comments from the working group, so we – our plan is to go through each of the sections as we roll them out, get comments from you all and then we'll do a second read through all of them and hopefully we've captured all of your comments by the second time we send around these things. All of these documents – and Steve correct me if I'm wrong – but all of these documents should be on our wiki page. And of course all of them have been sent out in email. But if you're losing track like I do as to where all of these things can be found it's on the wiki.

So and I don't know, Steve, did you post the link of the wiki in case people don't have it? But they pretty much should after by now. Great. So the link is up there. All right...

Kavouss Arasteh: Jeff?

((Crosstalk))

Jeff Neuman: Yes. Steve?

Kavouss Arasteh: No, this is Kavouss. Just I wanted to inform you that I'm on audio at least for the time being just this – thank you.

Jeff Neuman: Okay thanks, Kavouss. I believe we captured everybody else that's just on audio?

Aslam Mohammed: Yes, I just got on here, Aslam Mohammed, I had a bit of difficulty trying to connect to the URL which Terri sent.

Jeff Neuman: Okay, thanks, Aslam, but you're on now? Everything's good?

Aslam Mohammed: Yes, so far so good.

Jeff Neuman: Okay. All right, so if we turn it to Section 1.2, and some people are saying my audio is a little choppy, so let me just – is it any better now? Okay. Why don't we go them to – since I'm not seeing anything, why don't we go to Page – I think we were on Section 1.2 and I believe we had stopped somewhere around the community engagement clarity of application process, which if I'm not mistaken is on Page 11, is that right? Let me double check, because I think this is before we put page – we sent this out before we put page numbers on it and I apologize for that.

So on our next version – on all the other documents we sent out we do have the page number, it's just on Section 1.2 when we sent that out it did not. So it's on Page 11. What you'll notice for community engagement, again this is all organized the same way, all the different sections, community engagement was one of those topics, if you remember back from the issue report, that dealt a lot with how are we going to ensure participation in this PDP itself.

And so we basically – there's no recommendations that come out of this section because we've already implemented what we have to get people to engage, which includes this public comment period but also includes the way we've set up this PDP, and includes, for example, how we set up Work Track 5 to encourage more people to participate and lead in that section, which we know is a community wide focus along with the community comment Number

1, community comment Number 2 and everything else. So that's why you don't see any recommendations for 1.2.2.1, community engagement.

Any questions on that? Okay, moving on to Section 1.2.2.2, the clarity of application process. And there are two recommendations from the original GNSO report that relate to this section along with one of the implementation guidelines. And the first recommendation is one that provides for fairness, transparency and nondiscrimination as well as a clear and pre-published application process using objective and measurable criteria and finally an implementation guideline that called for the development of a predefined roadmap for applicants that encourages applications to be submitted.

So how do we implement this? We implemented this through the Applicant Guidebook and we discussed more about this particular topic on clarity in the predictability model and in the – when we talk about the Guidebook itself, which actually is in Sections 1.4, well the predictability model is in this 1.2, but the Applicant Guidebook is discussed in Section 1.4 of the initial report, so we'll get to talk about those in more substance.

And then what are the recommendations? And the only real recommendation here is to make sure that we follow the predictability – sorry the predictability framework when we do any changes either to the Guidebook or to the program. And we also say in here, as a recommendation that there should be a mechanism to provide refunds for applicants if there are changes which impact applicants in an unforeseen way. So I'm going to stop here for a suggestion – sorry, for a – to see if there's any questions.

I see some things in the chat. Oh, Christopher Wilkinson has his hand raised.

Christopher Wilkinson: Hi, good afternoon, everybody, can you hear me?

Jeff Neuman: Yes, we can hear you.

Christopher Wilkinson: Yes, Jeff, just to say that I've already posted to the list a fairly thorough commentary on this part of the document so I shall not repeat myself in any respect on the understanding that those comments are read and included. But on this section I'm beginning to have a problem with this assumption that there will be multiple applications from a single entity. First of all, if one of our objectives is to diversify, to improve the conditions of competition and to provide services, DNS services to areas of the Internet which are not properly served today, I think there should be a priority for entities which have not got any prior TLDs.

I have never seen a decision that authorized incumbent registrars to apply for more than one TLD. I have a general reservation about that in terms of concentration, in terms of the undermining of competition between registrars and frustrating the objective of diversifying the DNS. So I just wanted to put down a marker on that because it crops up over and over again in these documents. Nobody has ever decided, as far as I can see, that anybody had the right to apply for multiple TLDs. Thank you.

Jeff Neuman: Okay, thanks, Christopher. So a couple things on that, Number 1 is there is a section that deals with this and Rubens just posted it, Section 1.2.5 which we will get to, which is application submission limits. So that's Number 1, so we'll get there. But Number 2 is also what we're trying to do here is to see whether this initial report reflects the discussions that have taken place so far. Your comment at this point is a...

((Crosstalk))

Jeff Neuman: Oh, can everyone please mute their phone?

Kavouss Arasteh: Jeff, I have a comment. Kavouss.

Jeff Neuman: Yes, hold on, Kavouss, hold on. So let's just hold onto that substantive comment for 1.2.5 and in addition what we're trying to do here is we are

trying to see if this initial report reflects the discussions that have taken place so far. If you have something new of substance, those are encouraged to be submitted during the comment period. I have a couple people in the queue, Kavouss, so let me go to Jim Prendergast, to Anne Aikman-Scalese, and then to Kavouss. If everyone could please mute their phone? So Jim, please.

Jim Prendergast: Yes, thanks Jeff. Jim Prendergast for the record. So one question I have is on the section where we talk about providing appropriate refunds when there's a change in the Guidebook after people have applied. I can't recall but does appropriate include the potential for a full refund? Because I think one of the problems we had in the last round is once you click Submit you already lost money, there was no opportunity to get, I believe, 100% refund one you've done it. You could get up to 80% and then the number changed over time depending on how far you went in the process.

But I would think that if you have a situation you know, like which just happened with the name collision impacted strings where they got a full refund, I think there needs to be some sort of opportunity for a full refund. So I'm not sure if that conveys that to the community or not, the language that's in there.

Jeff Neuman: Yes, thanks Jim. So what we have in this so far we used the term "appropriate" because I don't think we've had a discussion at least on this particular section whether it's full or part. But there are a couple sections where we do talk about – and name collision may be one of them – but there are other sections when we talk specifically to types of changes that may occur. I think we do ask a question or mention full versus partial. But here I think we just used the term "appropriate" because it's not relating to a very particular change. So I hope that explains why we used something like "appropriate" there. But if not, let's make sure – we'll note that down and make sure it gets addressed.

I have Anne and then Kavouss in the queue.

Anne Aikman-Scalese: Yes, Jeff, thanks. It's Anne for the transcript. Just a question, are we currently in essentially a second reading of these sections because I guess I may not have been following if the agenda said that, I apologize. Or what – we're looking at things that we've commented on before and some changes have been made, but are you saying that we are today...

((Crosstalk))

Anne Aikman-Scalese: ...second reading of those provisions?

Jeff Neuman: Yes, can we mute – sorry, Anne. Can we mute the other line? Thanks. Anne, no this is a first reading of 1.2, we just didn't get all the way through it.

Anne Aikman-Scalese: Oh okay, sorry. Sorry.

Jeff Neuman: Yes, that's okay. I probably should have made that more clear. So this is still a first reading.

Anne Aikman-Scalese: Okay thanks.

Jeff Neuman: After we do a first reading of all of these then we'll come back and incorporate all the changes, so you'll notice that there are no changes that have been incorporated in this section yet.

Anne Aikman-Scalese: okay, thank you.

Jeff Neuman: Sure. Kavouss, I have you next in the queue.

Kavouss Arasteh: Yes, do you hear me please?

Jeff Neuman: Yes, I hear you.

Kavouss Arasteh: Yes, yes. I have a question and one comment. First on comment, I fully agree with Christopher with respect to the equitable access to the DNS that means that multiple application priority should be given for those who does not have anything at all and they should not take them at the same time, so we should – I fully agree with him to have this priority.

Second, you talk about multiple, what does it mean “multiple?” Five application is multiple? Ten application is multiple or 20 application is multiple? What does it mean? Is there any limit for that? Perhaps you don't want to put any limits, but I understand that for the process processing fee you have a flat fee usually, I hope if I'm not mistaken. So what does it mean? Is somebody asking for 10, 20, do you pay the same flat for all those 20? Does it mean that we will have some sort of (unintelligible) or some sort of warehousing? Or the processing price should increase with respect to the number of applications because you should allow the others to apply. If you apply for everything then you more or less block the application.

So these are the questions that I have already raised two times. There has been no answer. I hope that this time will be recorded. And the last question and comment is that what do we mean by “community”? There are social motivated community, economical motivated community, political motivated community, religious motivated community, what we mean by “community”? Is a very, very (unintelligible). I also raised this question three times and no answer is given. Please kindly consider whether on the first or second reading, this is the question to be answered. So I hope you have kindly taken not of my comments. Thank you very much.

Jeff Neuman: Okay. Thank you, Kavouss. So this is a first reading of Section 1.2, the entire 1.2. On the multiple application front, this section is only dealing with the clarity of the application process. So if in fact multiple applications are allowed, what this section is saying or that we talked about was having a mechanism to manage multiple applications and so that's what was discussed.

If for whatever reason, we do only allow one application or give some sort of priority, which I'm not saying we are or we are not, that is not what's addressed in this particular section. That would be addressed in – staff help me out because I don't have the table of contents up in front of me as to which section talks about application limits. But that is – that would be addressed in a later section that we will get to. So please reserve all of your comments on whether someone should be allowed to apply for multiple applications to a little bit later in this call.

This section only deals with the requirement that we should be clear in what the application process entails and in the deliberation section we have a part which I think is what you're all referring to which talks about streamlining the process for when multiple applications are allowed. So I'm just going through the comments here because it seems like there was some good suggestions. Wow, a lot of comments here.

Okay, there was a question to the Work Track 1 group from Jamie, "Does the reference to all associated processes include specific acknowledgement to the evaluation processes, for example community priority evaluation process was not formalized until applications." And then there are some comments on vertical integration. Jamie is asking about Section F of 1.2.2. So let me just go to that right now.

And I believe the answer is yes, it's supposed to relate to – everything is supposed to be known up front, so any time – and that includes community priority – so sorry, includes the evaluation processes, it includes testing, it includes all of that. So as Christa says, "It was a Work Track 1 topic and should be covered there." So okay so I hope that people are capturing the notes, ICANN staff, it's very hard with WebEx to follow both and the chat.

So Christopher, your hand is up, I don't know if that's a new one or an old one. Okay, I'm assuming it's an old one. Okay, any other questions on 1.2.2.2?

Kavouss Arasteh: Jeff, my last question was not answered, definition of community. Please.

Jeff Neuman: Oh okay, Kavouss, the definition of community in this section – I'm trying to see where it is used so if you can help me for a second to find that? If someone can – or is this relating to the question itself that Jamie asked?

Cheryl Langdon-Orr: Cheryl here. I don't believe community is used here. I think this was a question that Kavouss has stated he has raised several other times. I was just typing in the chat that we're not up to a section at all which discusses community or any definition thereof in this call at the moment.

Jeff Neuman: Thank you, Cheryl. Okay, so Kavouss, why don't we get to the definition of community when we get to that in one of these sections, which I believe doesn't really come up for probably not until next week so I think we're not there yet on the definition of community. So hold onto that question. Okay...

((Crosstalk))

Kavouss Arasteh: ...this meeting that these questions remain to be answered at a later stage. It should be (unintelligible) and reflected in the minutes. Thank you.

Jeff Neuman: Okay, thank you, Kavouss. We will get to that. Let's just try to get to the topics that are in front of us in this orderly process so we can get through it. Our goal is to get through this first reading, and I believe your question was actually a question on someone else's question so let's make sure – we'll get there but just not at this point. Maxim says, "Can the cost can rise with RSTEP or other..." okay, I'm going to go – there's a lot of chat in there so staff is capturing that but I'm going to go to Section 1.2.3, applications assessed in rounds.

So if we can go to that section on WebEx please?

Steve Chan: Hi, Jeff. Sorry, this is Steve. My audio chopped up a little bit, which section were you looking for?

Jeff Neuman: Sorry, 1.2.3, applications assessed in rounds.

Steve Chan: Okay thanks. All right, thanks.

Jeff Neuman: Okay, this is a pretty substantive section here when it comes up. This is dealing with how we should introduce new TLDs in the future. And what you will see in here is that the initial recommendation from 2007 was that it should be assessed in rounds until the scale of demand is clear. That was again the recommendation in 2007, 2008. How was it implemented? Well, we did a round. We did a fixed application submission period after which no further applications were accepted.

And then what are our recommendations? So again at this point the working group – and we'll change this language pursuant to the last call where we talked about not using such delimitative terms as "recommending" but we will fix that language. But again this was a document that was released before we had that discussion. But essentially what the working group discussed was that the next – the very next introduction would be in the form of a round. And then what we do here is say that we have not reached any kind of consensus on how TLDs should be introduced after that but we have options.

And we also believe that it should be premised on the fact that we should make it known prior to the launch of this next round when the next round will be either in terms of a date certain or in terms of specific events that occur which lead to the next round. So for example, we have an example here, that prior to the launch of the next round, ICANN should say something like, "The

introduction of the next round will occur on January 1, 2023,” of course that’s just pulled out of a hat right now, that’s just an example.

Or it could state something like, “The next round, or the subsequent introduction of new gTLDs after this round should occur – will occur,” sorry, that should say “nine months” instead of “none months” – I apologize for that. So it should be something like “Nine months following the date in which 50% of the applications from the last round have completed initial evaluation.” Now that is just an example, that is not meant to be a recommendation. Nine months was just used just to pick something so we could make the example clear.

What you’ll see in the questions on here, and the options, are different ways that we can conduct the introduction of new gTLDs after this next round and you will see a number of questions that refer to what are some of the criteria we should use to make the decision as to how those should be introduced and what these events could be in order to determine when the next round or first come first serve or whatever it ends up being when that one should start.

So the rest of this section you will see goes through the different options, goes through the positives and the negatives or the pros and the cons, and then ultimately asks questions on which of the models are referred or preferred, sorry, not referred, are preferred. So Jorge says, “I don’t see any of the pros and cons under D.” So the pros and cons should all be under the different models in Section D but on WebEx we can only show one page at a time. So if you have the full version in front of you there are a number of pages that go through the pros and the cons.

Obviously we don’t expect to review that on this call but if you see any positives or negatives that we have forgotten, any pros or cons that are not in here that were discussed, please submit them in comment. And Jorge says, “Thanks, learning to use WebEx.” Jorge, we’re all going to figure out how to

use WebEx and then it's time to go back to Adobe so it's okay. We're all trying to figure it out.

Kavouss Arasteh: I have a comment.

Jeff Neuman: Okay, Kavouss, you are in the queue. Let me just check to make sure...

((Crosstalk))

Jeff Neuman: ...if anyone else. Okay, Kavouss, you. Please.

Kavouss Arasteh: Yes, okay. My question is that who decides on this final process of the pros and cons because pros and cons do not have equal weighting. One con may balance three or four negative ones. So is very difficult to say that somebody decide on – my question, first, who decides on the process based on the pros and cons? And if we count the number of pros and cons, they are not equally having equal weighting because it is not possible to (unintelligible). So my question is that how we decide on the process based on the pros and cons? And who will decide that? Thank you.

Jeff Neuman: Thanks, Kavouss. Yes, this working group will be charged with making a recommendation in the final report based on our deliberations and of course the comments that we get during this comment period. I do not expect the working group to do a quantitative assessment, meaning, you know, which one – particularly by the numbers. I expect – I would expect that the group would weigh each pro and con appropriately in order to come out with a recommendation.

So I wouldn't worry about the number of pros and cons at this point. What I would worry about is making sure that we've listed all of the ones that we can think of at this point and then when we get comments back we will take all the comments back and we will have I'm sure several discussions within the working group on which way we should proceed. Are there any other

questions on this section or anything I missed that we want to cover on this section?

So in – one thing I want to call out which is called out in the draft, which I'm not sure will be called out in the same fashion which is kind of a text box which is just before Section G, were some principles that the working group discussed using in order to help us make a decision for the final report. So we should just look at that to make sure you agree with those principles and to make sure that there were not any principles that we missed.

So it includes the concept of not having indefinite gaps, meaning a gap of undetermined length between processing of applications and making sure that whatever we do doesn't negatively impact security stability or impact negatively impact operational effectiveness. So that's important to pay attention to as well.

And as a reminder, this is also, I believe one of the subjects of the CCT-RT, so the review team is looking at so should we get that prior to the delivery of our final report, we will incorporate those findings as well from the consumer trust, choice and competition.

Okay, looking through the queue to see if there's anyone, okay, no one in the queue. Jim asks the question, "Does the limit of 1000 delegations per year also impact this?" Jim, that's a good question. We talk about the delegation limit in a later section, but would this assessment in rounds, I think that's probably a good thing to put in as a dependency.

So if we can just note that, I do agree that the final determination of whatever that rule is will or could very well have an impact on whether we do rounds or first come first serve or whatever we end up doing on an ongoing basis. And as Rubens says, 1.7.6, security and stability, when we get to that section in the report, that will deal with that particular question. But I do think it's a good idea to put that in as a dependency.

Okay moving on to Section 1.2 point – sorry, I got to move myself on here – 1.2.4, no, do I have that wrong? Actually, I'm sorry, wait, I moved too far ahead, 1.2 point – I got turned around here, sorry guys. Give me one sec, 1.2.4, right. Okay, different TLD types. This is also known as categories. There is no policy from 2007 that we believe gives us any guidance on this particular issue.

So but what happened in 2012, we go through a paragraph on there were some categories that were recognized in some form during the 2012 round, whether it was recognized only in the agreement or whether it was recognized in the Guidebook itself, pretty much was limited to things like standard – so the only thing that was initially recognized was standard versus community-based.

But then in the Applicant Guidebook we also had geographic TLDs that were recognized, we later recognized brand TLDs in the agreement, also it was recognized in the base Registry Agreement that certain provisions should apply if the applicant was a top level domain that was sponsored by or applied for by a government. So those are pretty much what happened in 2012.

At this point, the only clear recommendation that we have is that each of the categories that were recognized in the 2012 Applicant Guidebook whether they were recognized explicitly or implicitly, they continue to be recognized on a going forward basis as well as Specification 13, brand TLDs should also formally be established as a category.

We do have a note in here that it's workgroup – Work Track 1 – sorry, Work Track 5 is looking at geographic TLDs but this particular initial report does not cover the activities of Work Track 5, so we note that in this section for the reader, if they're wondering about geographic TLDs.

You'll notice a bunch of questions that we have here on whether we should add additional categories and if we do, if there are comments on adding additional categories why should we add them, what's the justification and how would those categories be treated? And, you know, so are they treated differently during application, during agreement phase, during evaluation phase. We really need to try to get down specific from comments from those that feel like additional groups should be recognized.

I'm seeing a comment in the chat right now – whoever has got – if everyone could please mute unless you're talking? Thank you. There's a comment from Anne back with 1.2.3, on including the name collision study, so we'll capture that and we'll capture that since we're on the next section.

There's a comment that – there's a new hand from Christopher. Okay, let me just – before I get to Christopher, 2.E, what would be the benefit of adding a further category or further categories? Okay, so we should probably – thanks, Katrin, we will add that to the list of questions and make sure that's covered. And Christopher, please.

Christopher Wilkinson: I think I've returned to talk mode, correct? Can you hear me?

Jeff Neuman: Yes, yes, we can hear you.

Christopher Wilkinson: All I was going to say in this – on this point if brands are a separate category, which I don't contest, but they are already extensively protected in the DNS as trademarks, then I think there will be other categories of intellectual property which should also be treated as distinct categories. The – and that will come forward, but there will almost certainly have to be additional categories. Thank you.

Jeff Neuman: Okay thank you, Christopher. That is a substantive comment that we look forward to getting during the comment period. We do not need to get other comments to that right now but we will look forward to receiving those

comments during the comment period. Is there anyone else with their hand raised as I scroll through this chart – through this queue here?

Cheryl Langdon-Orr: Kavouss...

((Crosstalk))

Jeff Neuman: Yes, please, Kavouss.

Kavouss Arasteh: Yes, (unintelligible) to ask whether there is (unintelligible) or recognizing should be in there Applicant Guidebook or the agreement. From legal point of view, Applicant Guidebook is merely a guidebook whereas agreement is the boundaries is more formal. So if we want to put it either should put it both or if we want to recognizing only in one place that should be in the agreement. Thank you, sorry for delay.

Jeff Neuman: Yes, thank you Kavouss, I think that's a good comment and one that should be submitted during the comment period. But it does sound like we should – since the Guidebook is supposed to be kind of a roadmap for everyone, it does make sense to talk about that in the Guidebook as well as in the agreement, although the agreement is signed after the application process is over so if for example a category is only established because it's there to set a priority then it's okay being only in the Applicant Guidebook potentially not in the agreement, but that is certainly a good comment and one we'll need to look into.

Okay, just scrolling down, doesn't seem like anyone has their hand raised. Again, this is not the only opportunity to comment but just – we're just going through to make sure everything makes sense. You will see a fairly extensive deliberation section for the Section 1.2.4. There are pros and cons as well so please when you do read this if you have any comments please look at the deliberation section to make sure that we've captured what you believe took place during those discussions.

And of course are there activities or dependencies? There's the work being done right now with Work Track 5 on geographic TLDs that may certainly have an impact on this question. Okay, thank you.

1.2.5, unless anyone's got any questions on that? Okay, 1.2.5 application submission limits, I will note that we've had some discussion on this call on the substance of this, but the way that the leadership team as well as ICANN staff have interpreted the discussions was that although some people did talk about having limits on the number of applications either in total or number of applications submitted by one entity, we did note that the discussions – during the discussions the group could not agree on a feasible mechanism to enforce any form of restriction or limit.

So therefore, we note that there were no existing policy recommendations on this, there were not limits that were imposed in the Guidebook and there really – the only recommendation here is that there really was no consensus on a decision or on any mechanism to limit. So Kavouss, your hand is raised.

Kavouss Arasteh: Even there was no recommendation, some opinion could be put on the paper saying however it was mentioned that every effort should be made to avoid (unintelligible) or warehousing, therefore there might be a possibility to put more cost and charges for certain number of application beyond X so we specify X and then beyond that you should pay and exponentially for the number of application.

I don't think it is fair that people they have money and they have the financial possibility they make multiple application and block the other for years. And then they come and they have difficulty because this is not correct, so we have to find some way. We have to express some opinion. Perhaps we will get some views from the public comments. Thank you.

Jeff Neuman: Yes, thanks Kavouss. Let's make sure that that's reflected in the deliberations, so ICANN staff, you have that note. And we can make sure that that's referred to. I think when the group was discussing this issue the real difficulty was how to figure out – there were a lot of ways to play around with whether it's the same entity that's applying or whether there are different entities and how to prevent any kind of gaming on that.

And then so that's with how many applications by an individual entity or the leadership, so I think that's what the discussion was, not so much that we couldn't think of ways if we could feasibly tie applications down to the same entity, I think what you mentioned is a certainly conceivable way you could limit the applications by an entity if – but there's a big assumption there, that we could figure out whether it is truly the same entity applying or not. So I think that was the discussion of the group. And we will make sure to make that clear in the deliberations section.

I'm seeing a comment from Maxim says, "The number limit will be gamed most probably with the purchase of winners after the agreement is executed." And Christa does that the pros and cons reflect some additional insights on Kavouss's comments. Great. Thanks, Christa. Okay, any other comments on that section? Okay, just looking through.

Christopher Wilkinson: I have a hand up.

Jeff Neuman: Sorry, Christopher...

((Crosstalk))

Kavouss Arasteh: ...a follow up question.

Jeff Neuman: Okay, Kavouss, hold on, Kavouss, let me get to Christopher and then Kavouss.

Kavouss Arasteh: Okay. Okay.

Christopher Wilkinson: Hi, I'm back online? Thank you.

Jeff Neuman: Yes you are.

Christopher Wilkinson: Jeff, the – I've noticed in several parts of these documents references to the problem of speculation and warehousing of TLDs. That is most surprising because I know quite a bit about cybersquatting and warehousing of domain names but the idea that there are entities out there who are prepared to invest \$185,000 US per TLD by the score, if not the hundred, baffles the imagination.

But if that is really happening, then please anticipate that there would be a major backlash if anything like that happened in geographical names. The geographical names must be registered by entities which are in the geography of the name concerned or with their agreement. The very idea that large companies could, yes, cyber colonialism is not an excessive term, could speculate and warehouse geographic names on the scale that we have been seeing described in these documents I can promise you that will produce a political backlash worldwide of enormous proportions. It must be stopped. We must say that that degree of multiple applications is absolutely off the map. Thank you.

Jeff Neuman: Okay, thanks, Christopher. That's going to be a comment for Work Track 5 where they're discussing those issues especially...

((Crosstalk))

Paul McGrady: Jeff, this is Paul. I'm sorry.

Jeff Neuman: Hold on.

Paul McGrady: Can I get in the queue? I'm in transition – I'm in transit so can't lift my hand.

Jeff Neuman: Yes please. Okay so just yes, just I have Kavouss and then you, Paul. But just let me finish up and just say that geographical names are with Work Track 5 so I'd rather not get into a substantive discussion on that. And in terms of warehousing, it does come up in a couple different sections especially will come up later on when we talk about fees. We'll – let's deal with it when we get to those sections.

Okay, Kavouss and then Paul.

Kavouss Arasteh: Yes, Jeff, it seems to me that here people try to what – American said, through the monkey to the shoulder of others. Multiple applications has nothing to do with it to Work Track 5. Multiple applications we could say for particular geographic names but the issue should be discussed here. I fully 100% and more than that agree what Christopher says, there should be a principle. Those people who have sufficient millions of dollars of possibilities and try to make this a speculations or warehousing or squatting and so on so forth, we need to address this point. We should not put it on the shoulder of Work Track 5, this is multiple application, must be addressed under the chapter of avoiding warehousing and speculation and squatting of the gTLD.

In general I say in particular it might have a worse dimension or a severe dimension when it goes to geographical names. But we should address it here. I don't think that we should (unintelligible) here under Work Track 5 so I request you to kindly put a flag or raise a flag put here that this is a matter that the principle of which should be discussed here the application of that with respect to the geographic names will be further pursued in Work Track 5, but multiple application is here and we have to do that one and there is a possibility.

And then coming to your previous question saying that it was not possible to identify the identity applying there, it is possible, we have done it elsewhere.

There are people in country A, they go and encourage country B to put something on their name, but after (unintelligible) found that the country B is just used and a broker and the issue coming from country A or entity A, so it is not difficult to find the entity who is behind that.

So I don't agree with this argument that it is difficult to identify the identity of those who apply. Is it possible in this work of today with all these clear and all these transparency and all of these media it is not difficult to identify. So please kindly if possible change that comment that you make that it is not possible. It is possible, but it requires effort. Thank you very much. Thank you.

Jeff Neuman: Thanks, Kavouss. Let me go to Paul first and then I'll address those comments. Thanks. Paul.

Paul McGrady: Thanks, Jeff. Paul McGrady for the record. I just wanted to say for the record that those of us that are not interjecting substantive arguments at this point or responding to substantive arguments at this point but are going along with the spirit of the session of actually digging in and making sure that the document reflects what's been discussed rather than engaging in substantive debate now, we don't want our silence to be taken as assent on these substantive topics that are being thrown in today.

And we understand that we'll have a chance to address them later in the public comments and we just don't want anybody to be surprised in the future when we do that. But we understand now is not the right time, we just don't want our silence to be used against us later. Thank you. J

Jeff Neuman: Yes, thank you Paul. That's a good point and thank you for reiterating the point that the discussions that took place within the working group over a number of weeks did note that there were some people that did not – or some people that wanted to impose limits on the number of applications either by a particular entity or overall, but the group as a whole could not come up with a

mechanism to feasibly enforce those limitations. And that reflects what the discussions that took place.

There is a deliberation section in here, Section – sorry, Section F, which talks about the pros and the cons and all of the things that have been brought up. And we do expect comments during the comment period. If there are ways that the community thinks that we can implement this, then recommendations can change. The working group decisions can be altered and in fact should reflect the public comment. So this is not the only bite at the apple. At this point in time what we have here is that there were again, some people favored limits, others did not.

Some – and the group could not come up with a mechanism to feasibly implement that. So that's what the report says, that reflects the discussions. And to the extent that there are pros and cons that are not included in here, or mechanisms that we discussed that are not included in here, please submit those as comments and we will include those in the deliberation section.

Okay, 1.2.6, or let me ask, Cheryl, is there anyone in the queue that I'm missing?

Cheryl Langdon-Orr: Janvier.

Jeff Neuman: Okay. No one in the queue, good. Kavouss, we are asking...

((Crosstalk))

Cheryl Langdon-Orr: Jeff? I think you've – Cheryl here. I believe the explanation mark you're seeing, if you look at attendees next to Janvier's (unintelligible) name, JN, is indicating that he's just not showing up as connected to WebEx via the – whatever the dial in or dial out is. So I believe he has his hand up, I could be wrong but that's what I think WebEx means.

Jeff Neuman: Okay, Janvier, do you have your hand up? Okay, I'm not hearing anything. So let's go to 1.2.6. This is the – was formerly called accreditation programs, this is the title it was given in the issue report. We tend to refer to it now as the registry service provider preapproval. So this is the mechanism by which – or a mechanism by which a registry could – or sorry, registry services provider, basically the technical backend of a registry operator can get evaluated and approved prior to the round opening so that applicants could then choose from a list of preapproved registry service providers.

The guidance – the policy guidance in here really is just about just having to do with promoting competition and so that's Principle C. And how this was implemented, applicants were free to suggest anyone they wanted, including themselves, to provide technical backend services and they went through a series of evaluations and testing in order to get approved. And we recommend in Section C there are five recommendations.

One recommendation is to do this preapproval – to use the term “preapproval” as opposed to “accreditation” because accreditation has some meanings attached to the – that word that are not intended. And preapproval we don't believe has the same implications but really connotes applying the same exact standards that you would apply to any entity just at a point in time prior to when the round actually opens up.

The second recommendation is that we generally agree there should be a preapproval process which must be in place at least three months prior to the opening of the application round, that it should have technical requirements equal to the technical and operational capabilities of valuation, but will also consider the – and there's typo there –I guess the word “the” is there twice – the RSP's overall breadth of registry operator support. That means that the process may want to consider things like how many top level domains it's supporting.

Recommendation 4 is that the preapproval process should be voluntary and its existence – so the existence of this process does not mean that an applicant can't provide its own registry services provider during the time of application. And the fifth recommendation is that it should be funded by those seeking preapproval on a cost recovery basis.

Those were the five general recommendations. And there is information on options that were considered in Section – where we talk about deliberations. And then there's a whole series of questions on how we would implement this type of preapproval program, that's in Section E. So I'll give everyone a couple seconds to just kind of look at that, see if they have any questions, make sure that the questions that we ask is clear or are clear. Susan, you have your hand raised.

Susan Payne: Yes, thank you. It's Susan Payne. I wanted to suggest a slight edit to Question 4 in Section C. It talks about this process not precluding an applicant from providing its own registry services. But I think we ought to perhaps also make the point that it's also not precluding a new entrant into the RSP market, you know, how maybe a newcomer but is offering services to third parties as well, not just providing them to itself. So that was my first point.

And the second point was actually just going back up into the last paragraph in Section B, and it talks in the middle of that paragraph about new RSPs including Nominet, Right Side, (Oz) registry, there's a whole list of them. And I don't think, you know, most of them are not really new RSPs. I think what we really mean is they're new RSPs to the gTLD space but they're not new RSPs, I mean, Nominet has been around for ages, as have many of the others, so maybe that just needs a slight tweak.

Jeff Neuman: Okay. Thanks, Susan, those were good points so we will definitely do that in the – so starting with the last comment first, we will make sure that that's clear to gTLD, ccTLD RSPs, because, yes, obviously Nominet (CnNic) and

others have been around for a while. And then in the recommendation section, yes, that was not – Number 4 was not intended to limit that to only itself providing registry services but an applicant could also put forward a separate RSP during the round itself so we will make those two changes.

And as Jim says, some of those RSPs don't exist anymore. And Maxim suggests another one, ISC, and Right Side is not Donuts. So I think we will make it clear it is not an exhaustive list. So we didn't mean to leave people out, we just wanted to provide a couple examples for illustrative purpose.

Okay, anyone else – let me just scroll up and down the list here, see if there's any other comments on this section. Maxim says, "We need to add words that it was example from the application." Okay, we will make it clear that the examples we used were specifically from rounds in 2012 round, they are not all of them, there's just a sample list.

Okay, let's then move onto 1.6, which is a new document that we sent around on Friday. So if we can just give everyone a minute to go to that document and give – great, thank you, Steve. If you're the one controlling it or Emily or Julie, whoever is controlling it, thanks.

So this section really...

Donna Austin: Jeff, it's Donna Austin.

((Crosstalk))

Jeff Neuman: Yes.

Donna Austin: Sorry, my hand...

((Crosstalk))

Jeff Neuman: Sorry, Donna, go ahead. I missed it, sorry.

Donna Austin: No problem. Thanks, Jeff. And Susan has her hand up too after me. Just in the RSP piece which I think is fine but do we need to identify that Work Track 4 is also doing some work in terms of the – and I'm not sure whether this is the case or not but in terms of the possible process or application piece for the RSP preapproval? I'm not – it's a question I don't know the answer to, I just wonder whether we should highlight that there is some kind of dependency there or that that work on what that approval – preapproval process would look like is covered under Work Track 4. Thanks.

Jeff Neuman: Yes, thanks Donna. We should definitely include a reference to the applicable sections from Work Track 4 that deal with the technical requirements, so we will put in a cross reference. I think Rubens just dropped off so we will figure you which are the appropriate sections to reference so that's a good note. Susan, sorry to miss you. And I see Kavouss's hand up as well, so Susan.

Susan Payne: Thanks, Jeff. Yes, I wonder if we should perhaps ask a specific question about the timing of this? There's a brief discussion in Section F where it talks about most work track members supporting the launch of the program being as soon as practical – practicable, and at least three months. But the three months is in red and I suspect that's because there's been discussion about what is a necessary length of time.

So I think perhaps we should ask a specific question about what sort of minimum timing would be appropriate. I could imagine that people commenting on this section might well if they were likely to be in the market for a new gTLD in a future round and likely to be taking advantage of using a provider who's accredited, they may well have views on what their lead times would be and it would be helpful to get that input.

Jeff Neuman: Okay, thanks Susan. And just to clarify, is it time before – is it – are you looking for a question on the amount of time that the preapproval process

should be completed prior to opening up the next round or is it the time in which the preapproval process starts prior to opening up the next round?

Susan Payne: That's a good question and I'm not sure that – I'm not sure that the document is clear on that actually. I mean, it says "support the launch of such a program as soon as practicable," I mean, if it was the launch of the program and you still needed to be approved three months seems particularly short. So maybe it's both.

Jeff Neuman: Okay. I think that's a really good point so let's – we'll take that back and we will tailor the questions to maybe even ask two questions on it. So let's – we'll take that back and put that – incorporate those questions in there. Okay, I see Kavouss.

Kavouss Arasteh: Yes, Jeff, I have a general comment which you discussed two or three meetings ago and that is what we are doing now. I heard from somebody saying that we should not discuss any comment at all, we just need to ensure that the document reflects the outcome of the work track. I don't share that view. It is not up to me to ensure that the document reflect discussions of the work track. It is by that group or the chairman of the group or the rapporteur and so on so forth. If I have not participated in Work Track 2 or 3, it is not possible to say whether reflect or not reflect. That is Number 1.

Number 2, if we are limited not to make any comment according to that gentleman who says that we should not discuss any of these points, what we are here? Why we wasting our precious time listening to something that we could not have the possibility to comment? He make comment and there was no answer. You try diplomatically to answer in one way or other, I just referring us to the previous section or referring us to the upcoming section in a very diplomatic way, very kind and so a political way or diplomatic way but some other saying that no, we should not discuss anything outside what was discussed at the group.

I do not share that view at all. This is one point. Please kindly for the record put it in the record that this is not the (unintelligible) of this group to be a rubber stamp for what a work track has done or has not done. It is open to our comments even at this stage, whether you take it in initial comment, the (unintelligible) comment or so on so forth. So I do not agree with that, Number 1.

Number 2, with respect to what you're discussing now, is that application will be time and date stamped. If it is manual I disagree with that, it should be electronically time and date stamped so there should be no manual intervention of that. Provide – this is of the first (unintelligible) whether we agree with that or not, that is other issue. But should we take this one, it should be electronically dated and timed as in other organization. In ICANN we don't have any such experience.

In other organizations throughout the world we have such (unintelligible) or 50 years, there always has been this and since it's electronic issue is available now it's exactly timed and the date will be recorded electronically and will be sent back and acknowledged electronically saying that your application has been received by this time and this date in order to ensure that the application has been properly recorded. So this is something very important. Thank you.

Jeff Neuman: Thanks, Kavouss. There is a couple other hands raised so let me go – I know Jonathan, you have your hand raised. So why don't I go to you next and then I will look at the rest of the queue. So sorry for going out of order...

Jonathan Robinson: Thanks, Jeff. Actually – thanks, Jeff. Can you hear me okay? It's Jonathan.

Jeff Neuman: Yes. Yes, we can hear you.

Jonathan Robinson: Thanks. I actually was responded to Kavouss's point. He has got a good point there. What happens if somebody has not had the opportunity to participate in a work track, yet has point of substance that they want to raise or get influence in the deliberations? How do they get that into the document? Thanks, Jeff.

Jeff Neuman: Yes, thanks Jonathan. So at this point the work tracks have spent a good deal amount of time on these areas. The next place to have input is in the public comment period and then of course when we get the public comment period back when we're doing the deliberations. So, you know, at some point we had to have a cutoff time of discussing these issues, that's why we were in the work tracks and the work tracks.

And the work tracks are there so that we avoid having the same substantive full conversations with the entire working group, right? We broke into small groups and those that were interested in working on those subjects were able to self-select which work tracks they wanted to participate in.

But right now, we're just talking about – some of these issues are in fact overall issues so all of the ones that we talked about with 1.2 for the most part, a lot of them, with the exception of RSP approval, the others were addressed as a full working group. So that's why we brought it back to the full working group.

The others may have just been discussed within one particular work track. And we need to make sure that this report reflects all of those discussions. But I think to reopen those discussions now before this initial report is not the appropriate time to do so but remember, this is not – we're not doing a consensus call, we're not locking ourselves into anything. There's still a public comment period, there's still deliberations after the public comment period. We're just putting in a product that represents the discussions that have taken place, provide preliminary recommendations by the work track

where they had recommendations, and to provide questions so that will help us.

When we get this back, when we get the comments back, we will then be discussing each of the comments as they – or when they come in, and we may do breakouts into smaller groups but we will make it very clear what those groups will be, how we're breaking out, we haven't decided yet on the best way to do that. But there will be more opportunity. But I would strongly suggest submitting those comments as public comments simply because we want as much as we can reflected on the record.

I don't know if anyone else wants to add like Cheryl if you want to add anything to that or if anybody else does? I see – well Cheryl, do you want to add anything if you're...

Cheryl Langdon-Orr: Jeff, Cheryl for the record. I think you covered what we've said and I don't think this is the first time we've said it on a number of calls noting from the chat, Alexander's concern where he says so some issues will have less than 10 people deciding the matters and, you know, we only get to make a comment on it so – it scrolled at exactly the time I was trying to quote him, sorry, Alexander. Some work track sessions had less than 10 participants, he states. And he was saying – if the damn thing will stop scrolling, and all we can do is make a comment if we weren't in the work track.

Well that is the downside of breaking things up into work tracks. A number of work track issues of course were also brought back to plenary. That said, you've still got Christopher's hand up and I see Jonathan – sorry you've still got Jonathan's hand up and I see Christopher Wilkinson's hand as well. So I better not monopolize things.

Jeff Neuman: Yes, thanks Cheryl. Let's go to Christopher then Jonathan.

Christopher Wilkinson: Hi, Christopher Wilkinson again. Forgive me for intervening again. On this point that we've just been discussing, I've already made myself clear in the previous conference calls. The – and I do actually share the concerns that Jonathan voiced. I don't want to have to do all this work twice. I'm here to help you to restore a balance in these documents that will improve their credibility and acceptability internationally. And we're not getting there yet.

Now I know that the leadership, from experience, is particularly concerned about neutrality and particularly the neutrality of the coleads who are responsible for the final drafting of such documents. Some of these documents are not neutral at all. This one, it's a real (unintelligible), 1.6, it would be more credible if it was not quite so transparently written by and for the interests of the incumbent registries and registrars. And to illustrate this enormous bias that I see in this document, you have the penultimate paragraph on Page 8, that is a real (unintelligible).

Most of us think that there should be incentives for new applicants and disincentives for multiple applications by the incumbents. And here we have the RySG making a proposal that the working group regards as reasonable. It is not reasonable at all. That would be regarded as ludicrous. Please delete that paragraph. Thank you.

Jeff Neuman: Thanks, Christopher. We can't just delete a paragraph that reflects the discussions that took place. We can certainly say that there are people that disagree with that but I don't think it's fair to – I don't think it's fair to say that this was drafted by the incumbent registries and registrars. All we can do is reflect the discussions, the emails, the comments that we get in. If you think it's biased, well, then you have every right to say that you believe it's biased but I don't believe this section is. I think this section is fairly neutral.

But if you can be specific as to how you can make this more neutral, other than deleting a discussion that actually took place, which is not something we can do, please let us know what we can do to make it seem a little bit more

neutral. If we are missing points of view that are in here, please let us know that and you have let us know that you disagree with this, although I will note that this section, 1.6, refers to how to queue up registrations when you are processing them, it's not about you know, whether in a contention set one would get priority over the other, it's really about after all the applications get in how do you process them through all of the different phases. So if you could please recommend some specific changes that would be very helpful.

Jonathan, I believe you still have your hand up?

Jonathan Robinson: Thanks Jeff. I did actually withdraw it but I think you made it clear. I think you – between you and Cheryl you made it really clear that the point of concern was perhaps valid but it reflects the mechanism that you've worked the group. In other words, you've split things out into work tracks, some of those work tracks have happened in parallel, not everyone may have been able to participate in them, but nevertheless, that is the way in which the work has been done, so not everything is considered by the plenary and therefore when it comes back in the document it may have been dealt with in the work tracks, so I think you helped answer that. I'm not sure it allays everyone's concerns but it's clearly innate in the way the working group is working, so that useful to that extent. Thanks, Jeff.

Jeff Neuman: Okay, thanks Jonathan. I note that we only have five minutes left so rather than go through 1.6 anymore, we should probably talk a little bit about ICANN 62 which is coming up quicker than we think. And so that is in less than – about a month and a half right now. So this is for Work Tracks 1-4. We are going to be having a number of different sessions, three sessions in particular for Work Tracks 1-4. Two of those sessions occur back to back on the first day, on Monday and Monday morning. So if you are planning your trip please plan accordingly that we will be meeting on Monday morning, discussing Work Tracks 1-4. The draft schedule is on the link that Steve has just put up.

And we are also meeting on the last day. We are meeting in the early afternoon on the last day for our third session. We specifically wanted at least a day in between those meetings, we got a couple days in between, that is going to help the leadership take what we learned in the first two sessions and help us plan for a valuable – more valuable third session. We are also having two sessions, I believe for Work Track 5. And I believe that they are on the – I think it's two sessions for Work Track 5, someone correct me if I'm wrong.

I know one of the ones is the very last session on the last day so five o'clock to 6:30 on the Thursday. And Steve or someone else, help me, I think there is another Work Track 5 session, it may be a cross community session? Yes, okay sorry, it's also on Day 1. So for Work Track 5 we have a session on the first day, Monday, and a session on the last day. Both of them are 5:00-6:30 local time. And then for Work Tracks 1-4 we have three sessions, two of them are on the first day and the last one is on the last day.

We know that that's – it's not the best thing in the world to have the very beginning and the very end, but we are doing that because we want to make sure at least for Work Track 5 that we do not have it conflicting with any other meetings that are going on in any other supporting organization or advisory committee. There will inevitably be some conflicts but we're trying to keep it to a minimum. And as Steve says on the chat, the scheduling for the cross community high interest sessions are at this point still tentative. We're still waiting for the SO/AC leadership to get together and discuss all of these to make sure that we have the right sessions.

There is a comment from Martin that says, let's see, Martin asks, "Given the fact that the issue of substantive comment versus report review has interfered with the progress of successive meetings, perhaps the repeated responses and clarification by Jeff and Cheryl should be circulated in writing." Which we can do, thanks, Martin. "There's approximately 50 members joining the calls. It does consume a lot of time that could be used more effectively to review

the report.” Thank you, Martin. Appreciate those comments. We will try to circulate something in writing.

Which brings us to the other any other business, Cheryl and I do owe you some language on the cover report or sorry, the cover letter that will be in this report talking about the methodology we’ve used in coming up with this report and in not – these are not consensus recommendations so we will have that language for you as soon as we can. Our first priority is to get out the rest of the sections of the report before –but then we will also get out this cover letter.

Are there any other last minute questions before we end this call? I’m looking at the list. Do a last scan here. Thank you, everyone, for attending and I know an hour and a half is a long time but we did get some good work done. So thank you very much and we can end the call.

Cheryl Langdon-Orr: Thanks, everyone. Bye for now.

Michelle Desmyter: Thank you. Meeting has been adjourned. Operator, please stop the recordings and disconnect all remaining lines. Have a great day, everyone.

END