



onto items which are listed as problems to be solved from the 2012 round and focus on the implementation guidance, and then looking ahead at the work plan and initial reports and how we expect this to be produced over the current timeline or expanded timeline.

So we will wrap up with any other business. Does anybody have any questions or comments regarding the agenda for today? Okay, thank you. We'll move on then. So if anything has stirred up in the last couple of weeks regarding any changes that you might have to reflect in your statement of interest I'd be grateful if you could come forward and let us know at this stage so I'll open up the mic for anybody to speak.

Okay, so we'll move on to Item 3. Now apologies, I was unable to join the last call but listened through, understand it's a good idea for us to focus on the problems from the 2012 round which came under discussion in the last meeting. The main emphasis here is to identify real problems that were observed and any experiences that we can draw from so that we can look at trying to look at solutions that could respond to those specific problems.

So one of the key things that we want to trigger off today is creating a list of those problems. We have heard of quite a few so we'll kick off with some examples but if I can make sure everybody is just focused at this stage on what were the problems and then any examples that they can provide to support the experiences of those problems, and then once we've created that we'll then explore what potential solutions can be provided to that.

Now based on email conversations exchanged this last week or so, we'll also have an opportunity to look at the sort of current treatment of noncapital cities and this is where we're trying to focus exactly on that area because that's created quite a lot of discussions and different opinions that we need to really gather together and see where we can actually move forward with that discussion.

So this – looking at the types of problems we'll be focused on noncapital cities. If we could just move the slide on, and I can give some examples. So some of the things that we've heard so far are lack of timely response from governments and public authorities when requesting a letter of the authority or non-objection, some uncertainties about which government or local authority to go to and seek that – or to contact with.

Another issue that has been raised before is where there is a change of use after delegation, so particularly where we're talking about non-geo use that perhaps it's used in its generic term because it matches the same as a place name or it could be a brand. But after it's been delegated and potentially a couple of years on, the use of that TLD changes and expands out. So those are some of the items that we've picked up in previous conversations and correspondence.

So that just gives you a flavor and some possible solutions that have been presented as well during the conversations that we've had. But if we move on to the next slide, and we can come back to this because this is where we really need to add to that list, so for, again, looking at problems, and looking at it from the perspective of applications for noncapital cities, what we want to do now is to look what concrete problems were experienced or observed with the laws or the processes in the last round.

And when you do speak up, it would be great if you can give some specific examples to support that particular issue that you're raising, and then we need to look at what is that root cause that created that issue and the impact of the problems perhaps to the applicant or other stakeholders. So if we go back to the last list, just to trigger – so we can go back to the last – thank you.

I'll be very grateful if we could start to consider this and open up a queue for comments or if you're unable to speak to add comments into the chat. So I shall open it up. Anybody have anything to offer at this stage? Kavouss, you're the first hand up. Please go ahead.

Kavouss Arasteh: Yes, good morning, good afternoon, good evening everybody. Are you still on the first question, issue lack of timely response from government authorities or not?

Martin Sutton: That's not a question, Kavouss, that's just an indication of what has been raised before so it's an example of a problem that has been experienced related to noncapital city applications...

((Crosstalk))

Martin Sutton: ...so what we're trying to do here is just trigger off thoughts...

((Crosstalk))

Kavouss Arasteh: That is the question I have – I think suggestion if that is the question, lack of timely response. I have a suggestion if we are that. If not, I wait until we come there. Thank you.

Martin Sutton: Please, if you'd like, please provide a suggestion on that one and then I'll move onto the next in the queue.

Kavouss Arasteh: Can I make my suggestion?

Martin Sutton: Please do, yes.

Kavouss Arasteh: Yes, we are discussing that and different occasions of this lack of reply or timely reply from governments. What I suggested that ICANN ask all governments whether they are concerned about timely reply or they are not concerned. It could indicate what area they are concerned in release of what they are concerned? If they are not concerned of anything they could indicate that we are not concerned at all on anything therefore there is no need to consult them.

If they are concerned then it would be asked that the question and reply would be the deadline, extends whether 60 days or 30 days. And the third question is that given that 30 days or 60 days, do you wish to have explicit reply or implicit reply? Which means explicit reply is they don't reply means they agree; implicit reply means if they don't reply during that deadline, they agree. So this could at least resolve some of the lack of reply from some governments. I am just dealing with the first question but not second question, which government we have to contact. I'm just dealing with the first question. Thank you.

Martin Sutton: Thanks, Kavouss. And we'll probably return to that as we go through the process here. So the next in line I've got Olga.

Olga Cavalli: Thank you, Martin. And thank you, Kavouss, for your comments. My comment goes a little bit to the general problem. People tend to think that governments are more (unintelligible), it's not the case. Governments have different parts, different municipality and then the state government and then the national government. And then into one of the different organizations, governmental organizations there is also – there are also divisions. So that is a challenge in how to reach the real part of the government that would deal with such an issue, which is in general, new for cities and new for governments.

I speak from experience, I've talked about – with several members of the government about new gTLDs, it's a concept sometimes difficult to understand, so this is another difficulty that we may face, it's not only reaching the government but reaching the right person in the government that would deal with such a thing that sometimes is new and they need perhaps more information and more details. We should have that in mind.

And of course there are candidates that don't even – don't participate in ICANN so that's another layer of complexity. Thank you, Martin.

Martin Sutton: Olga, can I just picking up on that then, do you think that that is a separate problem, because the way the example is worded on the Line 2 here is more about the applicant having uncertainty about which government and public authority to contact. Are you suggesting then that we should add in another problem which is that the governments and local authorities themselves may not know and have experience of dealing with these? So...

((Crosstalk))

Olga Cavalli: It's a new thing, yes.

Martin Sutton: Yes, so I think okay so that's great so we'll add to this list that we've got from the applicant's perspective but also from the government public authority...

Olga Cavalli: Yes.

Martin Sutton: So just to emphasize here, this is whether – this is only when we're talking about an applicant having to – or wanting to seek approval or non-approval for something; we're not yet going into the realms of the current treatment of the noncapital cities. We'll save that for after we've listed all these problems.

So I've got Greg in the queue next and then Kavouss and Javier. Greg, please go ahead.

Greg Shatan: Thank you, Martin. Greg Shatan for the record. I think – I'm curious first, a question for a fact finding issue is whether, other than Spa, or dotSpa, there were any applications which were considered applications for noncapital city names and which did not seek to use the string for basically a geographic purpose – did not seek to use a string in connection with the city or a city by that name. There is the handy list that I posted which I think has gone unvisited by most of all of the geographic cases. And I'll go back and look.

But I can't think of any, I mean, there were other – obviously other geographic or there were other terms that were also coincidental geographic terms that were caught up in geo disputes such as Tata but that's a province and not a noncapital city. But since right now we're trying to think of the problems that actually occurred in the 2012 round, rather than talk about hypothetical problems or solutions to the problems, which I understand of course we'll talk about eventually, but since right now I thought we were engaged in fact-finding I'm trying to look at the facts.

I think Spa may be unique in that regard, but we should certainly take a look at the list of what were considered to be geographic term applications or those that raised a geographic issue and see whether any of the other ones fall into the category of a noncapital city string or a string that also represents a noncapital city being used for an unrelated purpose. I assume there aren't. Obviously Spa is a problem and Katrin put that in the chat. And, you know, we should probably look at that in more detail so we can understand, you know, what the problems were. I don't think there's just a single problem in that situation and it would be helpful to know what went on throughout the process. Thanks.

Martin Sutton: Thanks, Greg.

((Crosstalk))

Martin Sutton: ...clarify the problems listed here do not necessarily relate just to those where there is occurrence of the name being a noncapital city but used for another purpose, so this could actually be for where it is going to be used as a geographic use case. So these problems still existed and emerged I think early on through the discussions that we have listed so we drew these out already rather than try and reinvent a new list so we were just leveraging what had been said before.

I think separately, you know, the problem of Spa then – what are we saying is the root cause of the problem related to Spa would be a good one to tease out. And I think we have got some previous correspondence we could draw on to populate that, but happy if anybody wants to speak up now. Katrin, that'd be great so have a think about that and in the meantime I'll go to Kavouss. Kavouss, please go ahead. Or is that an old hand?

Kavouss Arasteh: Yes, yes, Martin. I'm sorry, maybe I am not following the discussions. I think we jumping from one point to the other point. I was talking about kindly response from governments then people talk about capital, then people talking about the city. There has to be at least one issue at one time but not all the issues. I know all of them are important and I know capable to make every point. But still on the governments issues that the government need to work a little bit more because it is a complex situation. I think GAC should work more to ask the governments who are the focal point for any reply for any strings because governments have different section and different people responsible.

Sometimes the request may not reach the appropriate or proper focal point so we have to have this – I have this experience elsewhere outside the ICANN that we always ask the governments to please specify who is your focal point and anything is beyond that is not acceptable. So it is not that we send something to some of these say yes or no. So you will be totally (unintelligible). So that is the point of these letters, finish this government issues first to see the reply, you know, who is the focal point and so on so forth. And then that is very important.

Inside the government we should not intervene that cities authorities, state authorities, province authorities, this is internal matter to the government. We have to ask the government who is responsible for what question, so there should be a list and asking them, this is something that could resolve some of the problems. Thank you.

Martin Sutton: Thanks, Kavouss. And we're moving on then to sort of ideas for solutions. If I could just go forward one slide please? I'll just remind us what we were trying to achieve here. So we were looking at brainstorming for any concrete problems that were experienced or observed in the last round relating to noncapital city names so that was identifying the problems first ideally with examples demonstrating the problem and then looking at what caused that problem and what impact that had.

Then, if we then have a list where we have the problems we've identified, agree that they are problems because we have examples and we've determined the root cause we can better prepare a solution. So Kavouss, that was the idea that we were going to go through and say populate a list, extend or change the list that's been started on the other slide and then we'll go through one by one trying to work out, you know, what's the best way or ideas that we can put forward as solutions to those problems.

So that's fine, I think we can do that if there is no further – we can move onto that stage if there's no further problems to add to that list. Excuse me. And then that will help us I think cobble off some of these issues that have been raised before. So thanks, thanks for that input.

If we move back to that list and so on this list still we've got the lack of timely responses, uncertainty about which government to contact. A slight variation on that to be added to this list is what Olga mentioned about it's not – it's not easy for governments, public authorities to themselves identify the relevant contact and they have – and many have not had any experience with this in the past at all.

And the other one here listed was changes of use post-delegation. So that's – the last one there is more – I don't think we've got any evidence of that; that's sort of speculative as to what may happen so it's been a concern raised so we wouldn't have examples potentially of that being flagged at this stage but

in anticipation that there could be a concern there we've added that to that list.

Does anybody else have any comments? Great, so we've got a queue forming. So I've got Christopher, Greg and Dev Anand, so Christopher please go ahead.

Christopher Wilkinson: Yes, Christopher Wilkinson for the record. I have no objection to this exercise of course but clearly it's significant. For the previous round that at most dealing with a handful of cases of which Spa is down the road from here, is an example. It may be unique, I have no idea. I think it would be helpful if the staff would do some analysis of the large numbers of existing TLDs to see how many fall into this basket.

But my main point is that first the – insofar as we are envisaging much broader opening of geographical names to TLDs, the situation in many countries in many places will be different and untypical and I doubt that the examples from 2012 will cover the whole spectrum. I would also add to the list changes in – excuse me – changes in the position of the public authority concerned. These change especially in democracies, and I think the agreements should have a term and there should be in general there should be agreements, if only to – I don't want to use the word “lock in” but in – if only to stabilize the points of view of the relevant public authority.

Martin Sutton: Okay thanks, Christopher. So that sounds again similar to the last point where it is something not experiences we mentioned but perhaps needs to be thought of and we can look at that as well. I think we might have to end up looking at these where we've got concrete examples from the last round and can focus on the solutions for those and then what we anticipate may be a concern in the future to work out potentially impact on how to improve on what we've got.

In terms of the numbers that were affected, there was quite a lot of geographic terms and noncapital cities that applied in the last round. So I know Spa was given as an example but there were lots that went forward that were absolutely fine but may have had some problems with trying to seek the letters, the appropriate letters or find the appropriate authority. So that's why we're adding these to the list; it's not always – we're not just focused on non-geo use of noncapital cities, so this is encapsulating anything that falls into this noncapital cities treatment, so just wanted to clarify that.

Okay, and, Greg, I have you next.

Greg Shatan: Thank you. This is Greg Shatan for the record. First, I'd like to suggest that if we are going to engage in a fact-finding exercise we might actually – might actually be better to seek facts or seek – to do a questionnaire or something or survey of the applicants, now registrants, many of them, who applied for what were considered to be geo terms or strings coincident with geo terms because I don't know, you know, how much any of us knows about any particular situation. So, you know, in several other working groups I've been involved in recently we have, you know, gone out to those with the facts to ask them to get back to us with, you know, issues or concerns or just to explain their circumstances. So we might want to consider that.

If we're going to move from the actual to the hypothetical, as you indicated the last one on the list there is currently hypothetical, I would also suggest the problem or – of dealing with – potentially with multiple unrelated governments of multiple cities as we've, you know, discussed more than once. There are clearly many city names that are shared by cities across the globe. And even if you are applying for a geo use, let's say, for Birmingham, Alabama, would you need to go to Birmingham, England to get a clearance? We don't know that. So that's a potential problem in dealing with this.

And I think, you know, we should look, as you indicated, Martin, into whether the – those who intended to use the – use it as a geo TLD, you know, also

experienced issues in dealing with cities. I'm not sure how much of that is in essence ICANN's problem versus a business problem if there was an intent to kind of be in business with them. But there's, as far as I know, there was no firm requirement that the city, you know, have any ongoing relationship with the registry, although I think in nearly every case there's some sort of relationship.

But I don't if we know the range of different relationships or if it's important for us to know that, but, you know, clearly there are some that are actually run by the city and some that have a much more tenuous relationship. So clearly there are issues in kind of, you know, setting up the right business model and model of working with the city that would need to be worked out but not sure again if that's necessarily an ICANN issue unless the problem is that the – even if it is a geo use the registry did not intend to have any contact with the city and in essence was forced to and then, you know, kind of had to suffer through a contact that it wished it didn't have to happen at all.

But if there is a desire to essentially partner with a city and there are problems the experience in dealing with that city that may not be within our scope. Thanks.

Martin Sutton: Thanks, Greg. And I think to one of your points there about multiple place names that are the same and whether or not it – a requirement is to need their approval or non-objection is something that I think we'll come onto in a short while, after we've tried to analyze it further problems, but don't lose that thought because I think we'll come back to that as well. I'm just trying to work out what the problem, as we listed it on here, would be from the points you made there. If you could just help me out or put something in the chat that could just encapsulate the actual problem that you're trying to raise here for noncapital city (unintelligible).

Greg Shatan: Sure this is Greg again. I guess I would – if I were to encapsulate it in a few words I guess it would be you know, problem, you know, or possibility that one needs to deal with multiple cities for a single application.

Martin Sutton: Right. Got it. And that's not just through application but could be ongoing. Okay, thank you. I get that. And I think that's probably – probably goes into the sort of hypothetical part as well.

Okay so I've got Dev Anand and then Kavouss. Dev.

Dev Anand Teelucksingh: Thank you. This is Dev Anand Teelucksingh. So one of the things with the 2012 round, perhaps it was not so much related to noncapital cities but it did relate to geographic names and that the applications that were – well were clearly (unintelligible) of the protection of geographic territory names. So I think Google had applied for two or perhaps three of those names and they turned out to be protected names of the ISO 3166 (unintelligible) standard.

So that got me thinking as to well, that perhaps at the time of application when the round began and the application round has happened, there perhaps needs to be a way or mechanism to be designed in the application to, one, flag when a string is a protected geographic name currently the country names and permutations thereof, and capital cities and the state names of the various countries and territories. So that's – so, one, there probably needs to be some mechanism to say – give a warning saying, this is a geographic name. We have the appropriate support and if they say yes then the application is considered to be filed.

The second thing, perhaps that could also happen would be that if they were – because that might give the applicant a heads up that oh, I was not even aware that there was a conflict to begin with and I need to now respond – talk to the relevant government authority to...

((Crosstalk))

Dev Anand Teelucksingh: ...to resolve the application, before it's filed.

Martin Sutton: Yes, I mean, that's kind of (unintelligible) in terms of when you're form-filling you can't enter in something that they don't want you to – that you're not allowed to use, so there can be some helpful ways to do that particularly where I suppose for some of the other categories that we've explored before where there is – where you can't apply for them at this stage. So that would be very welcome I'm sure, and a good idea for certain categories.

For noncapital cities, the difficulty may be here that it is more of a cautionary note that could be provided if known because I suppose that some of the other issues here is, you know, knowing all of those noncapital cities – and I'm trying to think of the language requirements for this one, I can't remember what they were, but having all of that knowledge and availability of information. It could be explored, I suppose.

The – one of the things to bear in mind though is that these may be used for non-geo purposes, so in the current treatment there is no restriction if they've got other ideas for usage of a name that matches a noncapital city name so that starts to become harder I suppose as those variances are introduced. But I think that that's a useful thing overall anyway for applications. And I wonder if it's – if it's flagged in the work tracks – other work tracks because that's like an application process. If you've got things that are restricted and not available to apply for, it should not allow you to complete that string in the application in the first place.

Let's take that away just to make sure that, A, it's covered in a broader sense beyond just geo terms. There are other strings that are not available to apply for. If anybody is aware from the other work tracks if that's covered elsewhere that would be helpful to flag now. We'll find out after the call.

Dev Anand Teelucksingh: Okay. Just to add one – this is Dev again, just to add one more thing to that. And this has got me thinking that if there could be a notification to the applicant, what could also happen is that go another way, if there is a application that is a – considered to be a string it could include say, noncapital cities, then perhaps the notification could happen towards – when the application is filed so that in other words, I'm trying to ensure that the discussion happens before it goes into a lengthy process and so forth; try to ensure that there's enough dialogue to ensure that the application can proceed or not proceed depending on...

((Crosstalk))

Martin Sutton: So if we are to list this on here then, the problem that we're trying to encapsulate is unawareness of restricted terms or use of noncapital city strings, that there. And then we can capture your ideas about possible solutions under that heading. Does that seem reasonable?

Dev Anand Teelucksingh: This is Dev. Yes, thanks.

Martin Sutton: So I've got Greg and Kavouss in the queue. Or, Greg, is that an old hand? Thank you. Kavouss, please go ahead.

Kavouss Arasteh: Hello? Can I go ahead please?

Martin Sutton: Please do, yes.

Kavouss Arasteh: Yes, first I said I have not a good experience of questionnaire but it was not a general comment. For why that we know to whom the questionnaire goes and what is the likelihood of reply and percentage of the reply to at least be considered representative, I have no problem. But previously we had a very limited number of replies which were not representative and we base (on self) on that. But for this second round and for the geographic names we need to have a good representation. So I have no problem with questionnaire

provided that we know to whom the questionnaire is sent. So if we have that information, no problem; we can do that.

Second, we are talking of noncapital city, have we resolved the problem of capital cities totally? If yes, I would be very happy that we have the resuming afterwards what are the results of that? And now coming to the noncapital city. So I come back again to my first question, we need not to resolve the problem of the words by this group; we just need to identify do we have actual problem in 2012 with the (unintelligible) noncapital cities? If yes, what are those problems and what are the other likelihood of having the same problems similar to that? So we have to structure our questions. Thank you.

Martin Sutton: I couldn't have said it better, Kavouss. Thank you. Yes, we're still trying to identify those problems. I think we haven't got anybody else in the queue to add to that list but I think we should take that away and populate that further with some of the comments today and so that we can then explore further possible solutions. So there's some good ideas that came with the issues flagged.

Regarding a questionnaire, we can consider that and whether that's a separate questionnaire up front or whether we consider that could be included within the initial report as fact finding and asking open questions, that may also be an opportunity as we've seen with the Work Track 1-4 initial report that's recently been published. So thanks for that input.

I mean, what would be great is if anybody has got further problems that they would like to flag with examples they can still do that on the list. I think it's important that we probably move on the discussion today so that we can get through the rest of the agenda, but I think we've captured a fair number of comments in the call and in the chat so thanks for that.

So if we can move on to the...

Steve Chan: Hello, Martin?

Martin Sutton: Hello, Steve.

Steve Chan: This is Steve, sorry, I had my hand up. I was just hoping to jump in before we move to the next topic.

Martin Sutton: Didn't see that in that panel, my apologies.

Steve Chan: No problem, they keep the host separate, just makes it hard on the host. This is Steve Chan from staff. And I just briefly wanted to respond to the points made by Dev, hopefully pronounced that correctly. Just to note that in the 2012 round to the extent where names were restricted and they could not be applied for whatsoever, and there was a defined list, they were programmatically – there's programmatic preventions built into place where the applicant could not actually apply for the string.

So for instance the ISO 3166-13 character strings, those were prevented from being applied for in the first place. And so I think that topic was touched on by Work Tracks 1-4 as well. I'm struggling to remember exactly which topic that might have been for because it probably applies to several situations, one is reserve names, another is perhaps name collisions as well. So it touched on somewhere, I'm just failing to remember specifically where it is in regards to which topic.

There's also a point made by Emily though that noted that for all strings that were submitted whether or not they – the applicant identified it as a geographic name or not, it was in fact reviewed by the Geographic Names Panel regardless for every single string that was applied for. And so actually one separate point is just to – when I think about the problems related to the 2012 round, in my head it seems to potentially be related to a couple situations.

So the situations seem to be when the string is used as a city name and then there could be problems potentially for the applicant and then potentially for the government. And then there's also the case where the string is not used as a city name and then the same could apply where there are problems for the applicant and for the government. So I thought maybe thinking of it that way might help out bring out additional examples.

So if you look at the lack of timely response from a government or public authority, that example would seem to relate to when the string is intended to be used as a city and it would be a problem for the applicant. And potentially the second one about uncertainty about which government public authority to contact, that would also seem to apply to the same instance where the string is intended to be used as a city and also an issue for the applicant. Or the last one is non-use as a city name and potentially an issue for the government. So I'm not sure if that might be helpful to think of in another way to try to identify additional issues but just wanted to bring that to your – all your attention. Thank you.

Martin Sutton: Thank you, Steve. And thanks for clarifying the treatment previously and particularly the reserve names. That's helpful. So, Dev, is that your hand again to respond or add further?

Dev Anand Teelucksingh: Yes, this is Dev Anand Teelucksingh. It's pronounced Dev. So thanks, Steve, for that. But you're saying that there was a program – it was the application form was programmed, yet, various strings were applied for that clashed with state or province names. And I think there were several that were applied for. I mean, I remember dotAND which was Google's application for Android, which was a state in Andorra I believe it was.

So but the application was accepted and then processed and then the geographic panel reviewed it and then said it was a geographic name. So and I think there were several other examples, dotTata I think applied – did a application for that string and I think that was a province in Morocco I think it

was. So it was determined by the Geographic Names Panel that even though you're applying as a brand name, I guess, it was deemed to be a geographic name.

My point is is that you know, some of these things could have been identified right at the application form itself and but and then some sort of consideration could have happened and/or contacts made to the relevant authorities, government authorities, you know, to resolve the application or (unintelligible).

Martin Sutton: Okay. Thank you. I think the main point is, you know, what tools might be available to an applicant to verify these things early on and to have guidance as to what they may need to do in their approach to an application that coincides with these terms so good point taken. And okay, Olga, I've got you in the queue and then I think I'll cut the queue there to move on to discussion.

((Crosstalk))

Olga Cavalli: ...a brief comment to I think Dev made an interesting point. There were some geographic names that were not reviewed by any panel because they were not considered as geographic because they didn't fit into the list that were included in the Applicant Guidebook. And that should have been done at the beginning and was not. And then they became objections and problems and all that. So that – we should have that example in mind not to repeat those conflicts. Thank you.

Martin Sutton: Thanks, Olga. And I noticed when I say I'll cut the queue, Javier jumps in.

Javier Rúa-Jovet: Martin, just quickly, there's still comments, Javier Rúa for the record. There's a comment by Katrin on the chat, it's directed at Steve but I think it would be good to look at it. She says, "It would be helpful if ICANN Org could provide more details about the Geographic Names Panel work, for example, how did they identify a geo name? What happened if they identified the string as a

geo name? Did they inform someone?" And that's what Olga was talking a little bit about. So it'd be great if we had more insight into the workings of that panel.

Martin Sutton: Okay, well we'll take that point away because I think that – it does have a wider feel but it will be useful to clarify and see where there might be some gaps to fill as improvements for the next round. And Steve, is that an old hand? I've got – and Olga, are those both old hands?

Steve Chan: This is Steve. Mine's actually a new hand. It was just an intent to respond on the fly to Katrin's question.

Martin Sutton: Go ahead please.

Steve Chan: Thank you. So in the instance where the applicant did not identify their string as a geographic name but the panel did determine that it was a geographic name where government support or non-objection was needed, the applicant was informed of course and then they were allowed some time during initial evaluation to get the requisite support. If that was not provided in the time, they had additional time allocated in an extended evaluation. And so my understanding is, you know, the instances would be the ISO 3166-2 list where it's territories, those are things where things like Tata came up and Bar and things like that, those where it was explicitly required regardless of usage, support or non-objection was needed.

And so as I said, the applicant was informed and then they had an opportunity to get the support or non-objection that was required, so hopefully that's helpful. Thanks.

Martin Sutton: Thank you, Steve. Okay, so if we can move on probably a couple of slides now because I think we've covered some of the next slide already so if we could – yes, if we could move onto the next? I just want to leave enough time to at least start the conversation on something else.

But before we do, the slide presented now is really to try and summarize some of the conversations that have been going across the email list regarding again, focused on noncapital cities and the fact that we've got an array of different opinions and really trying to zone in on what do we do with noncapital cities where we've got the existing, if you like, restrictions or treatment whereby we've spoken that if it's for a geo purpose and there's a requirement on the applicant to seek approval or non-objection from the relevant authorities.

There are some in the group that believe that those restrictions are too much so that there is an opinion of overreach by governments that the context of use must be considered in the application and there's no formal or legal basis to impose these restrictions. It ignores others' rights and freedom of expression and there's no evidence of abuse and confusion from before.

So there is a, you know, a tendency to say, well, actually even under existing treatment of the noncapital cities those should be reduced whereas there are others that want to extend those restrictions where it's deemed to be in the public interest, it's to avoid the potential of abuse and/or confusion, to provide better control for relevant authorities and to protect the interests of local populations.

So that's generalizing some of the exchanges that we've seen and it's whether or not we can see any movement or any need to move one way or the other. It's very difficult because there's probably not a great deal of incentive for many to budge from their existing positions. But if we look at some of the outcomes of this which are listed under name. If we use the existing treatment of the AGB we could still look and explore it, improving the processes and some of that we've already been talking about.

So for instance introducing time limit for responses from governments and local authorities, improved guidance and advice on good practices, so some

of the thoughts there about, you know, how to make it easier for an applicant to understand what can't be applied for and where there might be issues, where to go, that sort of thing so therefore creating types of resources that helps direct those applicants more effectively.

If we shift down to, you know, those that want to reduce the current restrictions, the outcome would be more of managing the lists through the evaluation and objection process in the application phase but also rely on post-delegation controls such as compliance and dispute mechanisms.

And then, you know, approval, non-objection of geo use would only be required from a relevant authority, not all places sharing the same names so that's a point related perhaps to something that Greg mentioned earlier, you know, if you're looking to use a geo noncapital city name for the purposes of representing a certain place but not all of those that share the same name, why go around to every authority? It should only be perhaps the relevant authority that it's due to represent or if it's for multiple, all of those relevant authorities.

And then to the other extreme is, you know, extending those restrictions would be looking at all use cases requiring approval or non-objections from authorities with the same place name and restrictions applicable to all noncapital cities but perhaps over a certain size and population or significance, so I think we've been trying to also listen to some ideas about, you know, how do you gauge that.

So this is just trying to bring together those different thoughts, comments, and exchanges that have been happening during our conversations and on the list in particular. Now, the question probably is then should we maintain the current requirements, treatments and focus on therefore the improving the processes or is there any reasons where we need to really thresh out where to nudge this either down to reduced restrictions or to extend restrictions?

So I'd like to open that conversation up for a few minutes just to see if that is one representative of the sort of debates that are going on, if there's anything to add and then to refine it somewhat but also do we see this shifting at all or are we in a state of acceptance that this may have to stick where it is or what is the strong rationale to shift it up or down the line of restrictions? So happy to take any comments. I've got Olga and Christopher. Olga, please go ahead.

Olga Cavalli: Thank you, Martin. I think that maybe we can focus on the process. It was in the chat I think by Liz or by Katrin that there was some names that were obvious geographic names, but then the involved authorities or regions or countries or whoever were not consulted. So there that could be enhanced. And it comes to the point of having a list or having a reference or having a place where the applicant could check, some names are absolutely obvious and should be considered; and some others may be not so much. The applicant may not know.

So that could be part of the process and the process could be enhanced, not going to the right or to the left as stated in the graph that you're showing. Thank you.

Martin Sutton: Thanks, Olga. Christopher.

Christopher Wilkinson: This is Christopher Wilkinson again for the record. Martin, I think there are obvious attractions to reducing the restrictions. But my main concern would be the stability of the outcome. As you know basically I have the view that the local – the authorities concerned must be consulted and must (unintelligible). And I think that should be encapsulated in a memorandum of understanding or similar instrument.

The registry has to be protected against changes in the position of the public authorities concerned and protected against ex post facto disputes arising, for example, from other cities of the same name. So I don't think that the restrictions – reducing the restrictions is an option. I think on the contrary, as

elsewhere, if we want to have predictability throughout the life of a registry, there has to be an upfront formal agreement. Thank you.

Martin Sutton: So sorry, Christopher (unintelligible), I think we've got some speakers still – okay that's right. So just trying to think there. In terms of predictability and ongoing understanding, I think going back to an earlier slide where there's this potential for, you know, things changing over time, etcetera, could be something that we pick up again then, you know, how do we embed that into contracts? So this idea of using a PIC, for instance and enforcing that could go some way to provide that assurance.

I'm not sure if that's – if that's just sort of an add-on to what we've got now but okay, point taken. Thanks, Christopher. And then I've got Greg and Kavouss. Greg.

Greg Shatan: Thanks. It's Greg Shatan for the record. I think while of course at some point we need to talk about process, it kind of seems premature to discuss process unless we decide what that process applies to. And may not be surprising but I don't agree that, you know, (unintelligible) stuck where it is or that everything that's currently, you know, was listed in the 2012 Guidebook should be restricted in future particularly I think the sub-national place names, you know, dotTata was one unintended consequence but others as well. And I think we do need to revisit whether it makes sense to include that. We haven't really discussed that much, certainly it's not stuck there.

And with regard to strings that were applied for for uses unrelated to a geographic term that they happened to be coincident with, you know, we certainly have not come to the decision that that's anything that we would create a process for; we haven't come to the decision that those are within scope or should be identified as a geographic name just because there is a coincidence.

So I don't know if we can discuss process without discussing what set of strings and what set of circumstances it would apply to. It seems rather a bit of shooting in the dark to do that. Thanks.

Martin Sutton: Sorry, Greg, I'm confused. So this is just on noncapital cities, so looking at what we have got in the Applicant Guidebook as treatment for noncapital cities is what this relates to and has been the subject of exchanges on the email list.

Greg Shatan: I'm referring to the discussion we've been having here on this call which has gone way beyond noncapital cities. I'd be perfectly happy to have a discussion that's actually targeted on point and held into scope but that's not happening here so when, you know, for instance Olga mentions names that were applied for that should have, you know, in her view, had you know, some sort of discussion up front, I don't think she was referring to any, you know, noncapital cities that occurred in the past. Maybe she was but I don't think she's there. But I think we need to decide whether we're, you know, how tightly we're going to try to run this discussion.

I for one would be happy if we ran it more tightly but that would have probably ruled out about 70% of what we've discussed on this call. Thanks.

Martin Sutton: I appreciate that, Greg. And it is always a challenge; I know we try to put, you know, some instructions down, etcetera, but it is very easy for the conversations to move out of the particular focus area that we're trying to look at so we do try and rein that back in but not wanting to hold back on comments that may have relevance to this particular focus. But point taken.

Let me remind everybody then, as is headed up on this slide, we're talking about noncapital cities, trying to encapsulate the conversations that have been going on on list and during the calls and whether or not this is, you know, good representation of those discussions and where if anybody has an opinion if that needs to change. So the question probably smack bang in the

middle is should we maintain the current restrictions given the variations of opinions that are coming through where they don't seem to be any convergence. So Kavouss, I have you in the queue. Hopefully we'll focus on this...

Kavouss Arasteh: Yes. Thank you very much.

((Crosstalk))

Kavouss Arasteh: I see the slides very helpful and I thank the people putting these slides here.

And I just would like to draw your attention to the two columns we have different terms for (unintelligible) relevant authority, local authorities and we say authorities. And we don't know whether now we are talking authorities in general or we are talking about local authorities or if we talk about relevant authorities. If it is relevant who decide that is relevant or not relevant? And if it is authorities, which are these authorities?

And then also we are talking about size and population and significance so we are talking size of the city in the surface or we are talking of size (unintelligible) and population, too we are still on the point of the parts of less than 500,000 or above 500,000. This is just some sort of clarity (unintelligible) but the discussion is going very (unintelligible) on these slides. Thank you.

Martin Sutton: Thanks, Kavouss. Good point. We'll refine this in terms of the language but it was a sort of a summary of the conversations and trying to put that into a concise form and so points taken. In terms of size, population, significance, that was just trying to indicate the discussions had in exploring various ways to identify how a city might be significant for the purpose of trying to apply certain controls. Okay, thanks for that.

Okay so it – Rahul, I've got next, please go ahead. You may be on mute. Unfortunately we can't hear you. If you could type your comments in the chat

that would be appreciated. I'm having some problems with the audio. Thank you.

((Crosstalk))

Martin Sutton: Okay. Is there anybody else that's got comments on this? Otherwise I think this is something that we can refer back to and see where we might want to make any adjustments or, you know, maybe our best area of improvement is to look at the process areas again, a lot of which we've been exploring today.

So I'm conscious of time. We did want to at least introduce the non-AGB terms on the basis that we'd have got through some of the discussions here. I think for the sake of time so that we move onto the other bits, that we'll run through this and perhaps we'll have some homework to explore and start exchanging on the list because I think we've got quite a lot of in terms of noncapital cities to work through and to come back.

And then this is just sowing the seeds then for looking at and exploring non-AGB terms so trying to again come up with these concrete problems that may have been experienced in the 2012 round, making sure that we've got specific examples referred to so that we can actually demonstrate why that was a problem, what caused that problem and what was the impact of that problem, the applicant or other stakeholders in ICANN.

So I would ask that we take the opportunity to begin that discussion on list rather than today because we've got some other items we need to get through on today's call. But please, start to think about that and how we've started those discussions, we can then – we can explore that.

Kavouss, the questionnaire, we'll take that back – the discussions with the co-leads to see what might be effective in terms of any questionnaires that could be produced or whether there is an advantage to use the initial report to

ask some open questions for input from the community. But that's something that we'll take away with the co-leads. I just saw your question in the box.

So if we move onto the next slide, I think that we will be moving across and I'll hand you across to Olga, who will lead the rest of the call. Thank you, Olga.

Olga Cavalli: Thanks to you, Martin, and very interesting comments from colleagues. And talking about what Greg was pointing out about the examples for noncapital city names, I think the point the example of noncapital city names and some geo names somehow are – have – are similar so sometimes when analyzing examples we may be – we may have some flexibility in trying to understand the cases and try to learn from the experience.

So what we have been talking about in this call, and thank you, Martin for leading it up to now, is which problems we faced in the first round and what we could learn from there and how can we enhance the process and the next round or we can stick to the rules that we already have. But we all agree that we would like to have less conflicts and less problems. The thing is that we still have very different focus from different views and perspectives, so what we are trying to do is kind of reverse engineering, trying to see the problem and then after we identify what happened try to prepare the rules accordingly to address those problems.

So if we can go to the next slide please, thinking about that we still have like 15 minutes, I don't think we will have time to review all of this, but I would like to mention them to you and perhaps have some time to have the comments and reactions to this list which is not exhaustive but it's what we have gathered from not only from the work of this Work Track 5 but also from our experience in our SOs and ACs.

So some suggestion how could we implement changes or how can we enhance the process? We have been talking about several times about an advisory panel – a panel that applicants can call to assist in identifying if a

string is related to a geographic as well as applicable governments and/or public authorities. One thing that I mentioned is that working for the governments for so many years, these issues sometimes are – it's difficult to decide which is the authority within the government and which is the part of the government that is handling that.

So that advisory panel could gather that information and help the applicant in understanding how to address the concerns to the government and also help the government to find which area, which part of the governmental organization is the one to analyze if this application is okay, or it's not allowed or there some local rules to have in mind.

Also, the role of GAC members' input on geographic activities, so the expertise of the GAC could be leveraged somehow not only during GAC Advice or Early Warning but going a little bit beyond that and profiting from the experience and knowledge that each of the GAC members have in relation with the local rules, with the local sensitivities of some terms, which terms are – could be used as a geographic term or which ones would be problematic for the local culture or for the local sensitivities.

The third one is one of my favorites, we have been talking about this for years, having a repository of geographic names. When we had the first conflict about those geographic names that were sub regions in Latin America, I thought that oh my God, there should be a list, or maybe there should be someplace where the applicant could go and consult. And this list started to become an idea of having this report.

We have been talking about that many times and could be expensive to maintain, could be complicated to prepare, could be good to have, kind of a dictionary of geographic terms which are – who would maintain it, who would fit the information into it? So these are questions which no concrete answer yet.

But the idea of the repository could be something to have in mind and see if it's feasible or not. The issue about – there's a comment about Kavouss, Olga, geographic group should be mobilized to address some of these issues. Yes, I would like to have the time to do that but thank you, Kavouss, maybe we can find someone that can help me doing that in the GAC.

(Unintelligible) similarity, if an applicant applies for a string, that is similar to a geographic term, and this is something interesting in relation with brands because a brand could be a geographic term but the brand has, for example, a usage that has no relationship or seems to have no relationship with the geographic term. Should they consult the authorities? Should they not consult the authorities? The applicant should be required to obtain government support or non-objection or just ignore it because if used in a different way and not (unintelligible) geographic significance. Can we go to the next one?

Online tools for applicants, this is somehow similar to some points in the previous slide, an online tool for the applicant that could help them to find out if the string is eligible for delegation in their rules or not that they should consider. Application research requirement, require that the applicant demonstrate that it has researched whether the applied of string has a geographic meaning prior to submitting the application. This is interesting because we have so many tools at hand today to investigate if a name has another meaning or if there is a city somewhere in the world and we had no idea or if a sub region or a river that has the name and maybe could be good to consult or just have that in mind. So how to organize it in a process so that's a challenge.

Government saying if that is in the repository it should be easy to maintain. Yes, but that's challenging many times, it's many names to put it in. Government involvement at contract renewal. At the end of the contract it could be that the government entity may have an option to adding provisions to the contract that specifies conditions rather than there being an

assumption that the contract may be renewed. That is another possibility somehow export the delegation.

And mediation with (unintelligible) to support non-objection letter, if governments support or non-objection is required for (unintelligible) applications, provide mediation services to assist if the applicant disagrees with the response listed by a government or public authority, yes, it could be one possibility, also offer the government some kind of (mediation) or solution or offering an alternative to just say no.

I don't know if there is more – no, no. So let's go to the previous one. So we have been talking about these different possibilities for several years, I would say. There are different views, the list is expensive, difficult to maintain, the list is necessary, the letter – the tools, but the idea is to see your reactions and to see what you think about these different possibilities. We don't have much time; we have like 9 minutes so we'll go right to the queue. I have Rahul and then Greg. Rahul, can you hear us? Can you hear me and talk?

Rahul Gosain: Yes, am I audible now?

Olga Cavalli: Kind of low but I can hear you.

Rahul Gosain: (Unintelligible) so just to make two points here, I've been struggling with my audio (unintelligible)...

Olga Cavalli: Rahul, honestly I cannot understand what you're saying. I don't know if colleagues can understand.

Rahul Gosain: Are you able to listen to what (unintelligible).

Olga Cavalli: No, it's very low and I cannot understand, I'm sorry.

Rahul Gosain: The point I'm trying to make is that there was a point made by (unintelligible) and the point he made was that while saying that (unintelligible) as well as dot city name (unintelligible) once it goes to market (unintelligible).

Olga Cavalli: My apologies, Rahul, I cannot understand what you're saying, so sorry. This is challenging for my English. So I will give the floor to Greg and maybe we can make – dial out and we can talk on a different line? Greg, go ahead please.

Greg Shatan: Thank you. Greg Shatan for the record. And I can assure you it wasn't your English, which is excellent, that was the problem. It was challenging for my English as well. So I'm a little concerned that, you know, a number of these seem to assume that anything that has a geographic meaning is somehow a geographic term that we're, you know, would be caught in some – in the net here, for instance the research requirement, the repository.

We're clearly talking about some – we should be talking about some subset. We can't just take the entire gazetteer or the, you know, the print – the text part of an atlas and say that that is the restricted zone of some sort. And a number of these, you know, I don't know how they would work if we – if they really, you know, seem to be based on the assumption that anything anybody wants to call a geographic name is so. I think it's, you know, even prejudicial really frankly to use the term geographic term to refer to every string that has, you know, coincidentally a geographic meaning.

For instance, Intercourse, is a geographic term, it's a town in Pennsylvania, but I don't think we would, you know, come to the conclusion that intercourse is a geographic term, unless we conclude that every name that – every string that somehow acts as a geographic term is a geographic term. But that kind of really hamstringing this.

One additional suggestion I'd like to add for implementation guidelines is in essence the flip side of all of this, which is that we need to draw a boundary

outside of which a string that might be coincident with a geographic term, nonetheless does not give rise to any rights, powers, privileges, vetoes, whatever you want to call them on behalf a government authority. And that would also, you know, enhance certainty and minimize disputes. Thanks.

Olga Cavalli: Okay thanks, Greg. And I think your point is interesting. We cannot have full (unintelligible) in the list. Where is the limit in between what is reasonable, what is too much, what is too less? If the list is really slim and very short maybe there will be conflicts, and it's too big then it would be a nightmare to maintain. So that's something that we have to think about.

Time check, how much time we have? Four minutes, okay. Was – who's there?

((Crosstalk))

Olga Cavalli: Oh very, very low, very low. I'm sorry, Rahul. I'm so sorry. Maybe you can write your comment in the chat and I can read it? Okay, we don't have much time, we have only three minutes and I would like to review with you the next steps so we can – Rahul, I'm so sorry, I cannot hear you. Maybe you can send a comment to the list. What was that? Very loud.

So let's try to figure out what are we going to do ahead. So we have to work on a target date for the initial report. You know, we have this document that some of you have been commented on and we are working on that within our leadership team. So we will share some – some dates and some planned activities until the report is finished and available for revision and comments.

And so this is more or less the schedule. I don't know if I'm missing some details, Steve or Terri, about the next steps? Oh, remember that we are having our calls every two weeks and the calls are longer. So the next call will be, help me with the date, 7 of August. Kavouss, your hand is up. Go ahead,

Kavouss. Kavouss, can you hear me? We have like two minutes. Martin, you want to say something?

Kavouss Arasteh: Do you hear me please?

Olga Cavalli: Oh yes, now. Yes...

((Crosstalk))

Kavouss Arasteh: May I respectfully request all distinguished colleagues in their communication if they (unintelligible) email please allow the people to express their views freely and kindly do not attack to their views. Their views are their views. They may be right; they may be wrong. One could say I don't agree but do not other things. So people should respect each other. I have seen in the communication different people that people become emotional and just attacking the views of other people. I mean, views of people should be respected. We may not agree with them but we should respect them. So this is a request to be respectfully addressed to every distinguished colleagues. Thank you.

Olga Cavalli: Thank you, Kavouss. Point well taken. Some passion is always nice. Martin, go ahead.

Martin Sutton: Thanks, Olga. And just to add in terms of the work plan we'll be able to share that soon and it sort of reflects the fact that we are changing to the biweekly 90-minute sessions so we've been able to start plotting how we expect the work to proceed to reach the stage where we can draft and publish an initial report so we'll share that very soon.

But having that change of meeting time, I mean, one of the calls that we do on rotation times has to be altered so we'll advise you of that. It's typically the one I think that is – I can't remember, 1400 UTC, something like that. But because we've extended it to 90 minutes it now conflicts with other meetings

that staff have to attend to. So we will adjust the times for one of the rotating calls but we'll inform you as soon as possible and publish that but just to be aware.

((Crosstalk))

Olga Cavalli: Thank you, Martin.

Martin Sutton: ...got her hand up.

((Crosstalk))

Olga Cavalli: Emily? Yes, Christopher, one second please. Emily, you want to add to Martin's comments?

Emily Barabas: Thanks, Olga. This is Emily Barabas from staff. It looks like we've got some open lines. Perfect, thank you. So just to confirm that currently we have a meeting in our rotation at 14 UTC, the proposal is to move it to 13 UTC to avoid some conflicts on Wednesday at 1500 UTC slot now that we're at 90 minutes. So just letting everyone know that that would make the next call August 8 and 13 UTC. Thanks.

Olga Cavalli: Thank you, Emily. I should have said that. Thank you, Emily and Martin, but 3:00 am time is starting to kick my mind. Christopher, you're the last speaker. Please go ahead.

((Crosstalk))

Christopher Wilkinson: Christopher Wilkinson again. I just wanted to confirm that we are still working with the initial work – initial report working document. I have a print out of the 30th of May and I believe that on the wiki there is an update. I would just like (unintelligible) the staff to make the drafting changes that have been recommended in the discussion particularly when it's a matter of fact.

For example in spite of at least two reminders on my part on Page 23, we still have Brisbane and Sydney as towns in England, Scotland and Wales. I would be delighted to set this – to stand corrected, but that is not the case.

And it would be reassuring that at least on factual points the document as it emerges is corrected as soon as possible and because it's going to receive increasingly wide circulation. Thank you.

Olga Cavalli: Thank you very much, Christopher. Time is up so thank you all for your attention, for your active participation and we are on our way to a very good work. Thank you. Have a nice week and we talk again in two weeks and we keep in touch through the email list. Thank you.

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

Terri Agnew: Thank you. Once again the meeting has been adjourned. Operator, (Grace), if you could please stop all recordings? To everyone else, please remember to...

END