

**ICANN
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GNSO: Review of all Rights Protection Mechanisms in all gTLDs (1 of 3)
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Julie Hedlund: And again, this is Julie Hedlund from staff. So we're recording this session, yes and that's confirmed. And again this is the Rights Protection Mechanisms Policy Development Process Working Group. This is a face to face meeting session. And momentarily staff will turn things over to two of our co-chairs to - Phil Corwin and Kathy Kleiman, and so we'll turn to them as soon as they are ready.

Kathy Kleiman: Greetings, everyone. This is Kathy Kleiman. I'm one of the three co-chairs of the Rights Protection Mechanisms Working Group. I'm here with Phil Corwin and we'll be joined later by our third co-chair, Brian Beckham, who is still going to be in the GAC for the first part of the session.

So today we are talking about data that we're receiving from the URS Sub Team, for those who don't know, the URS is the Uniform Rapid Suspension. It's one of the new gTLD rights protection mechanisms - special rights protect - to protect trademark owners in the new gTLDs so you're probably familiar with the UDRP, the Uniform Dispute Resolution Policy, which we're not talking about here, that is in Phase 2 of our work coming up in about six months or a year, but right now we're talking about the Uniform Rapid Suspension. We've had three sub teams meeting to look at three aspects of the 800 or so Uniform Rapid Suspension cases that have been filed since 2014.

And we had a Practitioner Sub Team which went out for a survey, which you'll hear about in a second, which was a survey of practitioners, complainant and respondent representatives in the URS proceedings. We had a URS Document Sub Team that looked at the various decisions of various sorts, and tomorrow we'll be talking with the URS Provider Sub Team that went out and talked with providers. I see some providers in the room so thank you for joining us today and we look forward to talking with you tomorrow.

And then also tomorrow we'll be talking a bit about procedure and returning to some of the Trademark Clearinghouse mechanisms that we discussed earlier as a working group and we'll be talking about those tomorrow and maybe today if we have time.

So I'll hand it over to Phil before I introduce Jason Schaeffer.

Phil Corwin: I'll be brief. I'm Phil Corwin for the record, one of the other co-chairs of this working group since its inception. I want to welcome everyone both in the room and remotely participating in this session. Our working group has mostly been working through sub teams working quite intensively with multiple meetings per week over the last three weeks to be prepared for ICANN 62 and to continue to stick to our timeline. We're going to be discussing at this meeting several topics.

Tomorrow we're going to have a session in the morning - we're going to have a second session tomorrow talking about the results back from the Provider survey and we'll have representatives of all three URS providers either in the room or participating remotely. We're going to have an initial session discussing the consensus decisional process that we will start to be engaged in as of next month so we've really - are nearing the end for at least URS of our research and our data gathering. We'll be starting to discuss which decisions we'll make for any policy or operational changes of URS now,

which issues may be deferred to Phase 2 of our work to be decided in conjunction with UDRP matters.

And then later in the summer we'll have results back from an extensive survey related to the Trademark Clearinghouse and related RPMs. ICANN has funded that survey, it's being professionally taken, we're just - we've been working with the survey taker to finalize the questions. So the second half of this year we're really in a decision making mode to deliver an initial report for public comment by late this year or very early in 2019 so we welcome your participation and your input and I'll stop talking and we'll get to work. Maxim.

Maxim Alzoba: Maxim Alzoba, small procedural question, is it possible to share URL of the Adobe because scheduling is not working, we cannot get into the Adobe.

Phil Corwin: Well good, then I'm not the only having that problem. It makes it difficult to co-chair a meeting without access to the room.

Julie Hedlund: This is Julie Hedlund from staff. Yes, we do realize there are some issues with the schedule so we'll go ahead and send the URL to the slides around to the list. Thank you.

Kathy Kleiman: So today - this is Kathy Kleiman again - today there's actually probably - can you go back to the other slide - because I think there will be a change in the agenda based on the availability of Brian Beckham and Sub Team, URS Document Sub Team 2. So we're going to start with URS Practitioner Sub Team, probably move, as a heads up, to Sunrise and Claims RPMs data collection, this is what we called the Trademark Clearinghouse Data Sub Team, so just a heads up to that sub team, you're probably Number 2. And then we'll make URS Document Sub Team Number 3 when we're hoping to have Brian Beckham with us.

Let me introduce Jason Schaeffer who has been the URS Practitioner Sub Team chair and helping us with - I mean, working, guiding through a lot of - all the sub teams have spent a lot of time but the Practitioner Sub Team has spent a lot of time as well. So over to Jason. Thank you.

Jason Schaeffer: Thank you, Kathy. Jason Schaeffer here for the record. I want to take a moment to thank our diligent sub team members that worked hard to prepare, collate and get this questionnaire together, Scott Austin, Greg Shatan here, Georges Nahitchevansky, Paul Keating, Petter Rindforth, Kathy Kleiman has been instrumental in helping us. And our group worked to do a couple of things. So by way of background, before we jump into the presentation, there may be some question as to how we reached this point, I want to just be clear, we did two things. One, we looked at a group of practitioners that are familiar or participated in the URS proceedings.

We took a fairly scientific approach to look at how many practitioners exist in the world and then looked at having a - trying to get a subset of practitioners that actually did the work and could respond. We prepared a list of 38 practitioners that the survey went to, we received 14 responses from those 38 practitioners, of which I believe one or two had been involved as respondents' counsel, the remainder were really only involved as complainant counsel. So while you may immediately jump out and say, hold on a second, we only have 14 responses, I'd like to alert you to the fact that of those 14 responses the majority of those practitioners handled 10 or more URS proceedings, so that put the subgroup responses - the representative sample is about at least 100 or more URS cases. And if you're not aware we only have about 800 or so URS cases in existence so that representative sample is a decent sample for us to examine.

Okay. I guess we can start with the slides.

Julie Hedlund: Let's just...

((Crosstalk))

Julie Hedlund: Yes, we were...

Jason Schaeffer: Yes, I know, we jumped ahead.

Julie Hedlund: That's okay.

Jason Schaeffer: Okay so this is the Slide 1?

Julie Hedlund: Yes. Or we can - this is the - these are the - that's the agenda.

Jason Schaeffer: Right okay so as you can see from the agenda here we are to discuss the results of the survey and then have a discussion about our next steps of what to do with this data set and how it can be utilized to help us move forward in examining the effectiveness of the URS and how we move forward for Round 2.

Julie Hedlund: I'll just go to the results and we can come back to that.

Jason Schaeffer: Yes.

Julie Hedlund: Yes.

Jason Schaeffer: Okay so I'm on Slide 6 now. Here you will see a - on the right side of the slide a list of practitioners. Many of these practitioners you will recognize, they may either be from law firms or brand protection firms and in the case of a firm we may not know who the actual participant is. We did conduct the survey in a blind manner so that we did not couple results with the actual practitioner and staff only knows who said what.

As I - go ahead.

Kathy Kleiman: And we want to thank the Forum for helping us reach the practitioners at the email addresses that they had and direct them to the survey that was posted. Thank you.

Jason Schaeffer: As you can see here on this first slide, Page 6, final list actually was 34 practitioners. We had the survey open for a period of three weeks. As all of us get many emails a day, you can imagine that many practitioners probably had a tough time deciding whether or not to respond so we do thank those that chose to respond. As of June 14 when the survey was closed we had the 14 responses that I previously referenced.

Next slide.

Julie Hedlund: Yes.

Jason Schaeffer: This slide, Page 7, you will see the percentages and the number of cases handled. As you can see, as I alerted you before, the majority of the practitioners handled greater than 10 cases in the URS. You can see there two that handled between 6 and 10 cases; 25 and 50 cases and six instances they handled 60 plus cases. So clearly those in that category have an understanding of how the process does or does not work.

Julie Hedlund: I think George has comments particularly on this slide. Do you want to do that now or move ahead?

Jason Schaeffer: Oh we can move ahead.

Julie Hedlund: Okay.

Jason Schaeffer: Next slide. We can ask for comment? Yes, is there any comment on - before we move into the substance, is there any comment or concern or question regarding the nature of the respondents and the cases handled?

Julie Hedlund: Staff notes that George Kirikos has his hand up.

Jason Schaeffer: Go ahead, George.

George Kirikos: Hi, George Kirikos (unintelligible). There's an echo. Yes, I have a very - there's an echo. Can you mute on your side?

Julie Hedlund: We're not hearing an echo here.

George Kirikos: I'm hearing the echo. Hello?

Kathy Kleiman: George, this is Kathy. Are you going to be talking to the process? We saw that you sent an email talking about the substantive slides; we'll be coming to that in a little bit so maybe you want to work on the echo and join - and see if you can fix that so that we can talk a little later?

George Kirikos: The echo (unintelligible). Let me just talk (unintelligible). It was claimed that this was a (unintelligible)...

Kathy Kleiman: George, now we're having trouble...

George Kirikos: Hello?

Julie Hedlund: George, I'm afraid we're getting some difficulty in hearing you. Perhaps we can ask our tech staff to see if they can help you with that and perhaps we can come back to you.

George Kirikos: Yes, I'm on the audio bridge.

Julie Hedlund: Would you like to try again?

George Kirikos: Hello? That's a lot better. Can you hear me?

Jason Schaeffer: Yes, George. Go ahead please.

George Kirikos: Thanks. Yes, it was claimed earlier that this is a representative sample and that's hardly the case. The slides that have been posted are quite misleading in particular the actual question that was asked on the raw survey results were you know, how many - like are you representing the complainant or the respondent? And all of the responses from the first two slides of the raw SurveyMonkey PDF were from those who are representing complainants.

So it's the equivalent of, you know, doing a criminal law survey that only receiving responses from criminal, you know, prosecutors and not those who are representing you know, defendants in a criminal case, you know, criminal defense lawyers. So to say that this is a representative sample is, you know, very much in dispute to put it politely.

The second point was that somehow the implementers of this survey deviated from the intent of the survey. The actual SurveyMonkey questions contemplated having responses from those who only handled one or two cases, three to five cases and so on, I posted this to the mailing list. However, the implementers of the survey only surveyed those - only attempted to survey those who had five or more responses. And so this further skews the results of the survey because it's only going to help - or at least it's only going to sample those who are more on the complainant side rather than on the registrant side of the disputes.

And so those are my two main points that I wanted to make that this is just another unrepresentative small sample that's highly skewed towards the complainant side. Thank you. Oh if staff could put up the raw results that would be great.

Jason Schaeffer: Thank you, George. Yes, actually to point 1 with respect to the raw data, that is available to everyone to examine. But to your other point, I just wanted to make a note regarding your notation of a lack of respondents' counsel in

responding to this process, two of the respondents actually were respondents' counsel.

One of the things that may be jumping out at you of the 827 cases, be aware that by its nature very few respondents engage in the URS. So unlike the UDRP, which George, you are aware, I'm very familiar with, and I do tend to represent respondents in UDRP cases, so I am sensitive to this issue to make sure there is not bias, I just would caution you to be aware of the difference between the URS and the UDRP and why by its very structure there would be a natural lack of respondents' position and counsel in these cases.

So your point is noted and taken and we'll invite you to look at that raw data and we will consider your comments as we proceed.

Kathy Kleiman: And everyone's...

Jason Schaeffer: And everyone's comments. Go ahead Phil.

Phil Corwin: Yes, Jason, just further on that, I mean, this - we have a survey here with 14 respondents; it would have been better if we had more but I think there's some useful data here. But I'll ask you now, you're a well-known participant in UDRP cases, generally representing domain registrants, you just won a RDNH decision that was reported in the press in the last 24 hours.

Any decisions on URS, do you feel based on your - from your perspective and based on your participation on this working group, that when we get to the decisional stage that domain registrants, despite the small percentage that actually respond to URS notices, are adequately represented and have a sufficient voice in this working group to so that any decisions we make will be - that you're confident that we'll have a reasonable balance of views in making those decisions.

Jason Schaeffer: Thank you, Phil. And thank you for noting my victory, I appreciate that. It's always nice to be at an ICANN meeting and get domain press on something that you accomplished so I appreciate that note. But, yes, Phil, to answer your question, I know that in this room alone there's - I represent the respondents' position, if you will, I also do represent a complainant side as well, I'm balanced, fair and balanced as well know that term.

But there's also Zak Muscovitch here, Jay Chapman and others that do care about respondents' rights and take it very seriously. So we are representing the interests of respondents and making sure that we believe it is a fair and balanced presentation because at the end of the day the whole - the entire goal of why we're in this room is to make sure we have an effective and fair mechanism.

Nobody in the respondent's counsel bar would like to see infringement increase. I invite you to look at my cases, I tend not to represent infringers; we represents cases are a good faith dispute. And you let it go to a panel to make that decision. I can't speak to other counsel but I would say the respondent counsel that I know take it very seriously and only look at cases that are genuine disputes and a fair case that we can have a reasonable dispute on. So I think we're all here to do a good job. Obviously all travel and spend a lot of time working on this so I assure you, George, that your voice is heard and that any respondents' voice is well represented here.

Kathy Kleiman: And as we go onto the questions I wanted to add that we could have provided you with the raw data and we thought about it and we had thought about everybody falling asleep. So the raw data is out there, what this sub team has gone on to do, what the other sub teams have been asked to do and they have more data so they'll be doing it probably at a later date, is what are the issues rising to the top from the data that we've collected?

Obviously it is still a small survey but what information - what insight does it give us and to what's bothering practitioners or what's working for

practitioners? So hence I will hand this back to issues identified and possible actions. We're not telling you anything, we're just the sub team, we promised we'd kind of analyze and report back and let you know what we're seeing bubbling up to the top and we look forward to your ideas as well and again, if people want to go back to the raw data feel free.

Jason Schaeffer: Thanks, Kathy. So on slide - Page 8 we have the substantive issues question, "Have you encountered problems with the implementation of the relief awarded during a URS decision?" You'll see here 12 responses for four yes, five no. The responses, you know, reflect one, the relief was inadequate. In some cases a losing respondent is able to re-register a domain once it becomes available. That point actually gets to a later question as well and something that is - something that will come up with respect to how registrars implement and how we address the future of the URS.

Number 2...

Kathy Kleiman: Do you want to talk about what the relief is that we're talking about?

Jason Schaeffer: The suspension?

Kathy Kleiman: Yes.

Jason Schaeffer: Right, so for those of you that may not be aware, the URS is different than the UDRP. In a URS proceeding, the mechanism is a suspension of the domain name; it is not a transfer to complainant, so in that case we are asking is this effective, has it worked, have you encountered problems? Naturally, as we're well aware this varies from registrar to registrar in implementation. We did see later results involving Chinese registrars that may be potentially problematic, we want to delve into that further as to why that may be, it may be a case of inadequate education and communication. So we will address these points as we move forward. I see a hand is up.

Alan Woods: I'm Alan Woods from Donuts. All right, just that kind of confuses me just purely because as a registry we are the body that implements the URS decision, not the registrar, the registrar doesn't implement the suspension. So I'm just a bit confused as to why we would be looking at Chinese registrars specifically in that. I know they would add the additional year potentially but that would be the only thing I could think of.

Jason Schaeffer: Yes, so that true, and your point - correct. One of the issues is there seems to be a potential lack of good communication between registries, registrars, and these are the issues. I don't know what your experience may be and maybe you can shed some light on that, not here today at the moment but you may have better experience as to what's going on. Okay.

And one of these points, let's not over emphasize that point, 2/3 of the respondents were satisfied with the results. We were highlighting that there was some negative response but to be fair, 2/3 said it worked just fine. So I will - I take some comfort in that.

Page 9, identified possible actions, right, so this gets into the issue I was highlighting earlier regarding the Chinese registrar. One of the responses indicated that as you noted, we're dealing with an implementation issue which really is in the purview of the registry operator. So again, there's an educational component, right, and that's the issue is, right. We have to educate registries, registrars, registrants and I think there's - that's incumbent upon all of us in the community to make sure everybody understands how the mechanisms operate.

Okay, Question 5, "Do you believe that the relief provided by the URS is adequate?" Again, 12 responses, one strongly agreed, three agreed and then we had seven disagreements and one strong disagreement. The issue is, the winning complainant should have an option of either a transfer of the domain to complainant or a right of first refusal. Number 2 would be a transfer or annulling the domain name, a cancelation. So these are the issues that are

not surprising to be coming out of the surveys. Many were satisfied, others are pushing for a different remedy.

The only issue here that I would like to raise and to George's point is respondents' counsel being accurately represented or respondents, I would say that, you know, this question is opening the door to basically do we change what the URS is and become the UDRP, which is not supposed to, right they're two different mechanisms for obvious reasons, and all of you that were here when we went through this years and years ago know what that is, but again, it's a question nonetheless that is worth addressing.

Some issues are can the cyber squatter renew the domain later, and then it - in their opinion it turns out to be a worthless remedy.

Julie Hedlund: Berry has his hand up.

Jason Schaeffer: Berry.

Berry Cobb: Hi, Berry Cobb with GNSO Policy staff, and just to complement that slide, when the Document Sub Team returned some of their data analysis back to the working group one particular part of that analysis will specifically look in detail as to the - what we're labeling the disposition of the domain so it's kind of a snapshot of how many of the 1861 domains - what their current status is, you know, some have been protected from brand protection, some are still in suspension, some have dropped and are available for registration, so it'll complement that and we'll get more later. Thank you.

Jason Schaeffer: Thanks, Berry.

Kathy Kleiman: Still has his hand up.

Jason Schaeffer: Oh.

Michael Graham: Hi, Michael Graham for the record. Just a quick question, and this may be in the raw data. On the criticism that after suspension some of these of course are available for re-registration by the previous registrant, do we also have the figure of how many of those actually were re-registered or is this just a fear?

Jason Schaeffer: So our survey - this survey doesn't have that data but we may have that information from a different result. Phil, or...

Phil Corwin: Yes, just to speak to that, and I think it's something we can look at when we get to the decisional stage, I believe that - I don't remember the exact numbers but Berry's review of all the cases shows that - Berry Cobb of ICANN staff - shows that in some cases the offending party, the cyber squatter, did re-register. Of course we don't want that to happen; that in other cases the complainant was able to register the domain when the suspension ended, which some might say, you know, why are we prohibiting transfer?

But I know that the domain investment community is concerned that permitting transfer would be - make it too easy to abuse URS for domain hijacking purposes. But I think our challenge is to see if there's some middle ground that can deal with the reality of what we're finding and not permit abuse of the process but also not permit bad actors to re-register the domains. And we can debate that out when we get to that stage. Thank you.

Jason Schaeffer: Berry.

Berry Cobb: Thank you. And just to capitalize on what Phil said, so again the - it's a preliminary analysis but in terms of the original registrant re-registering the domain, I only saw one domain where that happened and looking at that particular domain it could be argued that it might be legitimate use. There is a small subsection of those where a different registrant re-registered that domain that was from the original case and again we'll get to more details when we submit the analysis back to the group. Thank you.

Jason Schaeffer: And further to that point, you know, I think it is important that all of us take a look at what our own concerns may be and what the data actually shows. And one of the things I know unrelated to this, I can say I was a participant in reviewing a subset of the cases, right, to look at whether there was concerns of abuse in terms of how the panelists were handling the cases. And although I came to the review thinking perhaps there might be a problem in the cases, I came away generally thinking that no, in fact panelists are doing a fairly decent job. So I invite all of us to look at hardly at the data and then determine whether or not the concerns that you have and you think may be problematic may in fact not be.

Page 11, here is the discussion regarding highlighting a second response and revisiting the remedies. Again, we're going back to a request for an all-out transfer of the domain name as opposed to the suspension. And then in some cases Council is aware and the survey did reveal that of course there are scenarios where negotiated transfers occur. One of the requests would be to look at the suggested remedies to see if they actually go in line with the history of the URS and how we got here.

Okay.

((Crosstalk))

Jason Schaeffer: Oh, this is a continuation. Page 12 is a continuation of the earlier slide, as you can see, there...

((Crosstalk))

Jason Schaeffer: Yes, right of a first refusal was the request so that complainant would have a right of first refusal to register the name. Question 6, "Do you believe that the existing word limitation for filing in a URS proceeding is appropriate?" Of the

12 responses, seems to be agree or neither disagree was the consensus. There were four that disagreed saying that 500 words was not sufficient.

Again, this - it's not surprising that some counsel would say, I don't have enough words to articulate my claim but again, I remind everyone here that this is supposed to be a very efficient quick remedy that panelists are not spending a significant amount of time on and the forums can speak to that as terms of how they handle this. Again, this is not the UDRP, this is not litigation, this is a quick fast way to take down what would objectively be, we hope, an infringing domain and not something other than that. So if you have to think for a significant period of time then perhaps it's not appropriate.

Moving on. Question, Greg.

Greg Shatan: Thanks. Greg Shatan for the record. Sorry this question is a little bit out of order, but there seems to be some confusion in that and also in my own mind with regard to our kind of criteria for which domain name practitioners we chose to survey. It said on the slide that we surveyed practitioners with five cases or more, but I believe in fact that we had at least on the respondent side specifically went lower than that in order to try to get a better you know, group. Obviously the group is only 38 in any case but can you remind me of, you know, what we came to because I think that slide isn't correct and now it's causing a bunch of things being built on that.

Jason Schaeffer: Greg, you're correct and I do remember getting on those calls with you and looking at the data and making sure that we would get respondents. I know staff I think Julie can answer that question better than I can as to what the ultimate issue was, so.

Julie Hedlund: And thank you. This is Julie Hedlund from staff. So the sub team did agree and we can look back at the notes and pull those out for those who are interested but the sub team did agree to look at those practitioners who had handled cases that were five or more cases, but it is true that there is a

question in the survey that has a lower number than that and we do actually have the survey respondents who answered in the 3-5 range. But in selecting the list of 38 we did agree to look at those cases with five or more as being more representative. And by "we" I mean, the sub team, not staff.

Greg Shatan: I also saw one that - respondent - responding arty who said they had zero cases, and I think they were an experienced UDRP practitioner and perhaps on the respondent side, don't recall exactly and don't want to break anybody's anonymity in the survey, but I think they were included again to try to broaden the net. The problem as you mentioned before is that there are very few respondents' counsel and very few repeated respondent's counsel, almost none. So it makes it a difficult to do but at least we had, you know, 14 over 38 responses, which is a pretty good percentage for any kind of survey. Thanks.

Julie Hedlund: And again this is Julie Hedlund from staff. So there is also inconsistency in the responses themselves. I mean, it's not something we could control, I mean, and that is where we were asking if you were a complainant's representative or the respondent's representative. Then in one instance they said that we had none and in another instance we had two, who, you know, there was inconsistent responses but that's the raw data. I mean, if you look at the data that's the way the data reads. We didn't do anything with it, that's simply inconsistent.

Kathy Kleiman: This is Kathy. We were experimenting with different formats here, whether to give you all the data, whether to go through it, or just to give you the summaries. It looks like there's some really good questions and we'll be back probably with the rest of the - with the original data and some of the bar charts so that everybody can see all the raw data that we're looking at. And so that we're not guessing about the summaries that we're working. So what you're seeing here really is the summaries kind of a few questions that we pulled out but we will probably be going - in light of this discussion going through the whole survey stay tuned, it will probably be one of our line discussions.

Jason Schaeffer: Okay thanks, Kathy. Julie, move to the next slide please.

((Crosstalk))

Jason Schaeffer: Okay this is a practical issue question, as you see it gets into the existing limitations of submitting evidence in a URS proceeding. Is it - for the submission of evidence appropriate, limitations on the submission of evidence. Here you'll have one strongly agree, seven agree, one neither agree nor disagree, and a small disagreement. Responses indicated one indicated that often exhibits are required to prove a point that cannot be captured in a 500-word submission.

Two was regarding the submission of evidence, allowance should be made for evidence of cybersquatting beyond what may be known in the resolving website that is evidence of other bad faith. And then we need a clearer way to submit such evidence.

Move on. So the summary here is that it appears there should be some consideration of procedural changes. We should - should not be particularly objectionable to be easy fixes, the does that make sense to make it a better URS process rather than an entirely revamped URS process. Procedural changes that note could be increasing the word limit to 1000 words, allowing exhibits and accommodation of additional evidence of bad faith, that would eviscerate the purpose of the URS but make it a little bit easier and more fair to articulate the claims.

Julie Hedlund: Yes, it comes to the end of that.

Jason Schaeffer: Okay and that as wrap up of the summary. And as Kathy mentioned...

((Crosstalk))

Jason Schaeffer: ...we will be sharing with you the full results and you'll be able to review that material directly. So that leaves us where next steps, one we have the discussion with our full working group here in looking to agree on possible next steps, actions in order to prepare the initial report. Any questions, thoughts, regarding the summary and where we go from here? Phil.

Phil Corwin: I was just thinking that it might - since we have a Provider session tomorrow that some of the things suggested that might put additional burden on the providers like higher word limit, more exhibits, we should get their feedback when we're able to as to whether they could handle that for the current fees or whether that gets - starts getting too close to being a UDRP type procedure. Thank you.

Jason Schaeffer: Thank you, Phil. And again that's...

Phil Corwin: It was Phil Corwin for the record.

Jason Schaeffer: Good point. Susan.

Susan Payne: Yes, thanks Jason. No it's just a question really, aside from what you've presented already, did any of the other questions really illicit information about sort of procedural or practical issues that the practitioners were encountering that are something that we might want to think about or is what is on the slides the extent of that?

Jason Schaeffer: Right, so just so you're aware, the way this summary was prepared was based on where there were responses that had substantive additional comment. Yes, we have questions regarding procedure but they didn't add comment. And again, I echo Phil's point that as I've stated earlier I think we have to just be cautious with the data, not to impact the Forum, the panelists, and have a - be cognizant that the URS is what it is and understand why it exists and not take too many steps to move into what would appear to be UDRP light as that I think would - that's an entirely different discussion and I

think our purpose here is to see is the URS working and how can we improve upon it. Any questions, anything else for - until we wrap up? Okay thank you all for participating. Julie.

Julie Hedlund: And thank you. So the next - this is Julie Hedlund from staff. So the next segment we're switching to, and as Kathy noted, we were switching the order a little bit is that we're going to talk about the status of the data collection exercise on sunrise and claims and then that will be followed by - and then that will be followed by the discussion on the URS documents.

And I don't know if you would like staff to make this presentation, we certainly can. I'll just note that that Data Sub Team is - does not have a chair so staff has generally been facilitating that group and so I'll ask if the co-chairs have a preference, or if someone from the Data would like to speak also but staff is happy to do it.

Kathy Kleiman: This is Kathy. Probably staff should present as staff has been acting as kind of - in the chairing role of this and then who's a member of the Trademark Data Sub Team, if you could just raise your hand because these will be the enormous, enormous amount of time; it's over many months have been devoted by this group so take a look, people please chime in as the issues go through and so that you'll know who the sub team is and then as well, you know, obviously the working group is to chime in.

This is a survey in progress; these are questions that were passed - as Julie will tell you in a second, passed from the working group to the sub team that are now being passed off to the survey provider, the Analysis Group. So we'll hear more but I cannot begin to tell you how many hours have been spent on this.

Julie Hedlund: Thank you, Kathy. And this is Julie Hedlund again from staff. So just we'll be very brief here because this is an ongoing effort that is just completing, we'll talk a little bit about the current status and the next steps.

So the current status is that we have a sub team from the full working group that has been working for quite some time on preparing questions to aid in the collection of data from a variety of target groups. So these would be draft surveys that would be conducted by Analysis Group which is the vendor that is developing the actual surveys. So the sub team developed the questions, these questions were then reviewed by the full working group and now they are being crafted into actual surveys that would go out in a couple of weeks.

These are surveys that will go to the registrars, registries, trademark and brand owners, registrants and potential registrants with respect to the sunrise and claims RPMs. And what the sub team has been doing in the last few weeks with many, many hours of meetings is to take the draft surveys from Analysis Group to review the survey structure, to clarify questions that may not be clear and to look at how the responses are filtered.

We're now at the point where Analysis Group is producing final versions of the surveys which will also be reviewed and also beta tested. And so here are some tentative dates for completing the surveys, getting them into shape and getting them out. So the surveys will be reviewed in the next couple of weeks and tested and then the surveys will be issued, and the results will be collected and then the hope is to present hopefully not later than 29th August present the full results of the surveys to the working group.

This has been - we should note - an extremely tight and driven schedule to get these surveys in order and we really do appreciate the tremendous amount of work that the sub team members have put in to get us to this stage. And this will be - we should be able to have some very useful data coming out of these surveys as we have spent a lot of time getting them into shape.

So that's just very briefly where we are and I'll just leave it for questions and of course we do have some sub team members here, as you saw, and if they would like to also speak up they are welcome to.

Michael Graham: Michael Graham for the record. And I'd just like to say that Julie, you and the other staff have been tremendous help in this. And while you're talking about the number of hours that we've all had to put in, which was generally four a week at least, or more, you all I'm sure have spent even more and we really appreciate the effort and helping sort of row this boat ahead.

I do have a quick question on the tentative dates, on the issuing surveys, those are the open dates then I presume that once we talk with Analysis Group we'll have a closed date on those, correct?

Julie Hedlund: Yes, that's correct. These are just - so the idea would be that the, you know, somewhere in the timeframe of the surveys would be issued and like I say, the 25 July to 1 August timeframe. And they're not going to necessarily be issued on the same date so the idea is that once we've reviewed the survey, you know, tested it, you know, we'll - they'll be rolled out. So they'll be issued as soon as possible so there'll be a staggering perhaps of the survey responses that come in and a staggering of the opening and closing of the surveys if that makes sense.

Michael Graham: Great, thank you.

Kathy Kleiman: This is Kathy. Julie, can you roll back to the prior slide? To those people who have been coming in and out of our discussions, these - this has to do with the survey back to the Trademark Clearinghouse. For anybody who joined us for meetings we were talking about that before we got to the URS. We're talking about sunrise, the Trademark Clearinghouse, the trademark claims, the Trademark Clearinghouse database, so these questions are very detailed questions going out to registries, registrars, trademark and brand owners, registrants, potential registrants, kind of about their experiences because

what we found was that we didn't have as much as data as we wanted so being data-driven we're going out and it's taken a while to get there.

And this data is designed to come back as we're finishing up our URS discussion and recommendations and moving back to the Trademark Clearinghouse discussions, recommendations, decisions and preparing that initial issues report as Phil mentioned. Over to Phil.

Phil Corwin: Yes, I just wanted to add that this survey we decided on this course for one reason, the GNSO Council the working group is supposed to make recommendations based on data to the extent possible. The new TLD program was not designed with data collection built into it and one of the things we may recommend is ways to systematically collect data going forward for some of these RPMs so that this type of exercise doesn't have to be reinvented for some further review.

But I wanted to note that we - I wanted to thank GNSO Council for approving our request for going to ICANN Organization and requesting funding for this survey. I want to thank ICANN Organization for providing that funding. I don't know given budgetary constraints whether this exercise will ever be repeated but for most PDPs you don't have to collect this type of data from third parties who are not active within ICANN so it's a rather unusual situation. But we've taken this very seriously and we've put a tremendous amount of work into getting these questions as right as we think they can be so that we get back quality results that can inform our decision making. Thank you.

Julie Hedlund: Thank you very much, Phil. Any other questions or comments?

Kathy Kleiman: The final surveys will be shared with the stakeholder group that will be online. And okay so we're moving onto the next topic. And I know this isn't as sexy as the GDPR discussions that are taking place here at ICANN but this is where we are in this process in terms of the data that we're getting back and the, you know, the data that we're talking about. So now we're going back to

the Uniform Rapid Suspension again, this is the Document Sub Team which has been headed by a variety of different people but currently Brian Beckham, our co-chair, who has now joined us, will be providing I believe the status update from the Document Sub Team and a discussion of the data that was collected as well.

Brian Beckham: Thank you, Kathy. And my apologies, everyone, for coming in late, I was in the GAC session where the GDPR was one of the topics of discussion so this is a nice break. So on the Document Sub Team, just to refresh everyone's memory, the sort of genesis of our work was we looked at the list of topics for review of the URS. And if you recall, this was an effort to look at some of the charter questions that were included in the initial charter where there were a number of overlapping issues identified and some questions raised as to fitness for purpose on a - for a number of questions for this RPM Working Group.

So we created a chart where we looked at the - if you remember we had sort of taken those broad based charter questions and put them into more refined categories and so what the Document Sub Team did was look through line by line the categories for those questions and identified places where data could be found that could inform those questions.

So in a number of places what we did was actually flag contingencies for the providers and the practitioners Sub Team and the surveys and so we've sort of parked those and we're coordinating with those sub teams to see if there's information that can usefully feed into answering some of the questions in the charter.

If you remember there was a lot of discussion in the working group about how and to what extent to review the URS cases. And in an effort to sort of move the ball forward but not get into the discussion about whether the cases should be fully substantively reviewed or not, we undertook a review of the 14

cases where an appeal was filed as a sort of a test to see what data might percolate up from reviewing those cases.

And so we've conclude that work some time ago. We identified a number of issues where we think we can provide recommendations for the full working group to consider making recommendations in the issues report and we further from the 14-case review we looked at the spreadsheet that was helpfully prepared by Rebecca Tushnet and that's helped inform some of our discussions in the Document Sub Team.

So you see on the screen there that the first point that I was mentioning was the initial review of the 14 cases where an appeal was filed. And some of the other data points that we were looking at primarily from again the Excel sheet that Rebecca Tushnet had helpfully prepared. And then of course we were looking also at the URS providers websites. If we can - so if we can move to the next slide.

So in terms of the - of the preliminary conclusions, we quickly came to the conclusion that there were a number of cases where there were - there was not a great deal of legal arguments that would help an outside reader understand how the particular result was reached, so one of the ideas was to propose a minimum checklist of things that should be include in any URS determination to help people understand why the decision went the way it did.

Some of the other conclusions were sort of waiting to see what comes back from the providers and practitioners Sub Teams and from the surveys there which I understand we looked at earlier during the session today. So what we have planned for the Documents Sub Team is to continue our work in earnest in July.

We're going to roll up our sleeves and look - take a deeper dive into the data in the Tushnet Excel sheet. We'll liaise with the various sub teams to see what learnings we can conclude and so you see some of the preliminary

conclusions that we've reached on the Document Sub Team and we'll pull those together over the course of the next few weeks, present those to the full working group for its consideration and that looks to be the end of the Document Sub Team.

Of course if the reporting up from the Document Sub Team to the full working group indicates that there's further work to be undertaken we can of course take a look at that and see how best to proceed, but we're hopeful - we're mindful of the work that's been going on in the other sub teams, we're mindful of the broader timelines, we're mindful of the TMCH discussions that we need to come back to so we're hopeful and optimistic that the Document Sub Team can wrap its work up during the course of July and feedback into the broader working group and get us back on a track out of the sub teams.

So that was really it. We didn't want to go too much into detail in terms of the preliminary recommendations that the Document Sub Teams had identified, we just wanted to give a very quick snapshot of where we had been in the past, where we're going to go in the course of the next few weeks and we'll be happy to report back to the working group in due course.

Are there any questions on the update from the Document Sub Team?

David McAuley: Thanks Brian. David McAuley speaking. And I just wanted to mention, it's not a question, it's a comment. I wanted - in line with something we've heard already, and as a participant in the Document Sub Team I wanted to thank staff for the work they did. Berry did an incredible amount of statistical work and it was very - it was invaluable. Thank you.

Brian Beckham: Yes, thank you, David. I surely would like to second that. It's been a tremendous amount of help from Berry and from the entire staff team so we're really, really grateful for that. Any other questions on the Document Sub Team update?

Phil Corwin: This is Phil. Julie, can we - the slides not - we can't control them. Can we go back to the previous page; I just want to take a look at that. Okay, so the only preliminary - Brian, the only preliminary conclusion right now is that certain - to suggest that right now the - I forget the exact wording of the URS language for what the examiner is supposed to provide in terms of a rationale, but I know we have seen some decisions where the examiner simply said, you know, I find that the domain that the registrant had no legitimate rights and that the domain was registered and used in bad faith, that satisfies the higher burden of proof clear and convincing evidence.

But other than stating that there's no - there's not another sentence or two saying why that conclusion was reached, so that's the rationale for that preliminary conclusion that we see at the top of this page, is that correct?

Brian Beckham: That's exactly right, Phil.

Phil Corwin: Yes, and I would - just a personal view I would think we could - if it's the will of the working group to require what should be in a decision with more particularity that requiring an extra sentence or two to that effect would not be particularly - place an unreasonable burden on the examiner or increase the time of issuing a decision by more than a minute or two, so I think that's probably reasonable way to go.

What other - if I can ask since we have some time here, without getting into it, other - can you tell us any of the other proposals that might be bubbling up as you do further refinement of the data to give us a preview of what issues might be touched upon.

Brian Beckham: Yes, thanks, Phil. And this is Brian again. I think one of the conclusions that the Document Sub Team quickly came to was that notwithstanding a few areas where there were likely to be suggestions for improvements was that the URS was working as intended. If you remember it was meant to be a lighter weight complement to the existing UDRP so some of the questions

about, for example, the minimum elements checklist, of course going back to the history of the development of the URS.

There were even discussions at one point about whether it should be a tick box decision and so really there was a kind of a decision made in terms of balancing the goals of efficiency in terms of time and cost with the need for legal dispute resolution and so maybe in developing the URS that was one area that was slightly overlooked or the dial was turned back a bit too far so this is one of the areas where there might be a recommendation, but overall the sense of the sub team was that the URS was working as intended.

I'm going from memory and so I'll see if anyone from the sub team can refresh my memory a little bit better but I believe there were other recommendations one was regarding the language that was used for the providers to communicate to the registries and the registrars, there was another area in terms of language of the notification of the complaint itself, there were some notions about the appeals and the timing so looking at whether appeals were invoked after, if you recall there was a six month window during which appeals could be filed.

And I believe most of the appeals were filed in that window so looking for example at whether it's necessary to extend that, whether that's sufficient, whether it - if the appeals were filed for example in the first two weeks, if that six months is in fact needed. I'm just looking at David, I don't recall all of the sub team members off the top of my head, but those were some of the initial conclusions that I think we'll look to refer up to the full working group off the top of my head.

Phil Corwin: Any sub team members that have anything to add to that? David, David McAuley.

David McAuley: Thanks. Thanks, Brian. It's David McAuley again for the record. I think Brian captured it well. We all - I think there was a brief discussion, I don't know that

we would call it a proposal at this stage, for training or a tutorial of some sort, brief and to the point to this is what this means, this is how this is handled, and also I think we briefly discussed perhaps exchanging information this may go over to the providers group, amongst providers for how they could help train examiners. And I don't mean train but just sort of an explanatory tutorial

I don't believe that's at the stage of proposal but it's something I think we discussed at some point. Otherwise I think Brian gave you what we're dealing with. Thank you.

Phil Corwin: Yes, thank you. And I just - for those who maybe in the room who aren't familiar with all the kind of nuances, the subtle differences between URS and UDRP, while URS was created as a narrow supplement to UDRP there are some notable differences. One of course is that the decisions, the domain suspensions is implemented by the registry itself whereas the UDRP decisions are implemented - the domain transfer extinguishment by the registrar.

Another is that in the UDRP while it's technically not an appeal, the losing party can go to a court of mutual jurisdiction where that's available and stay the effect of the decision by having a de novo hearing under the law that jurisdiction whereas the URS is different in that it provides an internal appeal process where the initial appeal can be - there's always the right to go to court where that's available under the statute laws, and there's a nexus for jurisdiction, but there is an internal appeals process where another examiner, a different examiner reviews whether the case was properly decided.

And I'm trying to fill the time here and I have nothing more I can think of saying at the moment. But thank you, Berry, for intervening.

Berry Cobb: Thank you, Phil. And to your point, David, I think that's kind of the first one is minimal elements or a checklist guide, to kind of roll that up together. But

being the data guy that swam through a lot of cases and Rebecca's research and everything I'd be remiss to not mention it again, it was discussed in the plenary working group, it's also been discussed in the Document Sub Team if anything about a recommendation of making the data more consistent across the providers, as George Kirikos has mentioned, perhaps making it available in XML format.

But as an example, like when we reviewed through the 14 appeals, the dates by which the appeals occurred, some of that data was missing and so we only had to be able to rely on what was posted in the actual case for the original case and not necessarily the appeal. So, you know, I think some consistency there will aid in a future-future-future review should that ever happen down the road or, you know, for any other third party analysis. So thank you.

Kathy Kleiman: Thank you, Berry. I'll add myself to the queue. This is Kathy Kleiman. Brian or anyone in the Document Sub Team, also could everybody in the Document Sub Team just raise your hand just so we can see and so we know who to ask questions to? Terrific. There's been references to Rebecca's research, this is Rebecca Tushnet of Harvard Law School who brought some research assistants in to assist. And I was wondering if someone could summarize on the Document Sub Team could summarize a bit about that research which I understand is comprehensive of URS cases up to the end of 2017, question mark, about 800, but I was wondering if somebody could summarize. Berry.

Berry Cobb: Thank you, Kathy. And definitely not speaking for Rebecca, I'm not sure if she's on the phone or not, but okay, well then maybe she can speak to it after this. But when staff and - or when we first learned that her team was going to be doing it, staff had supplied kind of the work that had already been done of exporting the data off of the providers site and the original premise was to look at each of - at the domain level that would also roll up to the case level.

So basically it was the initiation date, when the decision was made, country, it was a pretty minimal sub level of elements.

Then her team went further and as some of you have seen the spreadsheet it goes from column A to column BB or something, it goes out there pretty far. But it's broken out into different sections. First is just kind of the generic details of the case, then they move into some of the domain disposition or, you know, where the domain is at today, then they do some sort of a like a trademark analysis and some other sections. But again, it's done at the domain level and then rolled up into the case, and the reason for that is that there are multiple domains per the case.

From the Document Sub Team perspective it was helpful from their coding exercise in terms of doing the review of the responses that were done which was extremely helpful having to go through - it was 821 I believe as well as some of the - another area that was helpful is looking at the cases I believe there were 59 where the claim was denied. And marrying that with the response data we were able to further split the bucket, so to speak, of looking at cases where a response was filed and the claim was denied versus where the claim was denied and no response was filed.

And again, after, as Brian mentioned, when the sub team reconvenes in July we'll be looking at that in more detail and provide some of the analysis. And if Rebecca's on telephone she's certainly welcome to chime in as well. And the last thing I would note that, you know, there are useful parts of the data for the group some of it is, you know, I think it's most of it is - most of the coding occurred from an objective standpoint although when you look at some of the trademark analysis some can argue that it might be a little bit more subjective, I certainly don't have any basis in trademark law or anything like that. But from the data itself is really just - there's no really substantive conclusions out of that data per se but it has been helpful in moving us forward. So thank you.

Kathy Kleiman: Thank you, Berry. Any other comments. David.

David McAuley: Thank you. It's David McAuley again for the record. And I wanted to comment with respect to what Berry said about the minimum elements and the training and I agree with Berry that there is a - there's potentially a good deal of overlap but they actually are distinct concepts. And I think what we meant - I think what we meant, and I was engaged in this discussion - the minimum elements in the Document Sub Team was trying to speak to the idea that an examiner's decision should meet certain minimum elements.

And the reason for that, and I'm speaking personally here, this is not an idea that's been floated or a proposal that's been made, but I think part of the reasoning behind that was if you go back and recall what some of the dissatisfaction was among the practitioners, some said there's a disconnect here because if they win a case once the suspension period is over the respondent or the - whoever it was - respondent can go back in and re-register the name. That thing.

I think what this minimum element is looking at is possibly laying the ground for some kind of an estoppel remedy or an estoppel process. Now I'm saying that's not been mooted yet, that's not been put out as a proposal, but that's what that - that's what that I believe was looking to is saying an examiner's decision has to be more than this, you know, this claim wins; it has to be more, it has to say something substantive and the job of the group would be what are the minimum elements that it needs to speak to. So I think that there is a difference between that and the training concept or the tutorial concept I should say. Thank you.

Brian Beckham: Thanks, David. And this is Brian again for the record. Just to pick up on Kathy's question, some of the things that we can draw from from Rebecca's research when we look at statistics we can look at those in the URS context and then compare that across the UDRP. So for example coming back to this issue of minimum elements, I think it was identified between 8% and 10% of

the cases this standard wouldn't have been met so that obviously that's enough cases to where that drove the idea for having a minimum elements checklist in these URS determinations.

So we can see in about 6% of the cases the respondent prevailed versus usually about 15%. In the UDRP about 30% of the cases there was a response filed, we can look at the number of URS cases, so there were I think in the past year about 150 versus 450 UDRP cases at WIPO so we can look at the kind of relative attractiveness and draw conclusions there.

But I think just wanted to come back to one idea that was in the air some months ago when we were I think the idea was floated about a sort of a jurisprudential overview of URS cases similar to what we've produced for the UDRP at WIPO. And we have 850 cases behind us in the URS over four years.

And although we can look at the data that's in front of us in terms of the number of responses, the timelines, things like this, and I know there's ad session tomorrow about some procedural elements of how the working group takes its works forward with respect to the URS, but one of the things that we might want to think about is you know, what are that things that we would want to look at in the future in terms of reviewing the URS. There's not a whole heck of a lot of cases to go on right now.

When we produced the first version of the WIPO overview, there had already been thousands of cases and so at each subsequent turn of an update of that there were tens of thousands of cases that were reviewed to draw some jurisprudential conclusions. So again, although we can draw some conclusions from the data in Rebecca's research and what we've seen anecdotally in cases we might want to think about what are the things that we will want to look at in a future review and how do we articulate those in a way that we can take stock better in the future when we're reviewing these rights protection mechanisms. Thank you.

Phil Corwin: Yes, Phil Corwin. Thanks very much for leading us through that discussion, Brian. We're at 14 before the top of the hour when we're scheduled to end. I just want to note a couple things, one, we've been talking about Professor Tushnet's research, this working group is very open to receiving input from - that's not official working group documents but additional information so we welcomed her contribution, we welcomed an earlier contribution from the International Trademark Association where they surveyed some members and gave us I think some useful anecdotal data and we're very open.

It's up to the working group to eventually go through those inputs as well as our own formal surveys that we've been going through with sub teams and decide their value and how to weigh the input in making any decisions we may make for any changes in any of the rights protection mechanisms created for the new top level domain program.

I want to repeat again that tomorrow morning our first session at 9:00 we'll be discussing really the consensus process because you can see we're pretty much done with our URS surveys of all types and we're going to be engaging in decisions about whether any changes should come about in the URS, whether we want to make any recommendations, we're going to start that in July. John McElwaine, who's here in the room with us is going to be helping us in that discussion tomorrow.

John earlier in the year had suggested that we might want to request a - the Council to revise our charter to move URS recommendations to Phase 2, which we'll begin next year, that's the UDRP review. And we really - when we really looked at the words in our charter, once we determined whether the URS has been effective or not and is working in a coordinated fashion with the other RPMs we've satisfied our Phase 1 burden so it's completely discretionary for the will of the working group whether to recommend any policy changes for URS in Phase 1 and in some cases to defer those decisions to Phase 2 so that will be part of our - we have that flexibility on

URS, we will be making the decisions on the other RPMs in Phase 1, Trademark Clearinghouse, sunrise registrations and trademark claims notice. So we've got a very busy second half of the year coming up.

And then our second session tomorrow will be on the results of our survey of the three accredited URS providers, one provide representative will be in the room with us; two others will be on the phone. And we'll be focusing in particular on even though this is Uniform Rapid Suspension, there are some discrepancies in how some of the providers handle some of the requirements for administration of the URS, we're going to be focusing particularly on that.

So with that, we're now...

((Crosstalk))

Phil Corwin: Yes, Paul...

Kathy Kleiman: Paul McGrady...

((Crosstalk))

Phil Corwin: And I was just going to say the floor is now open for further questions or comments and we welcome Paul's and others, we have until the top of the hour but if we don't have enough questions or comments to fill the time we'll give you back a few minutes of your day. Go ahead, Paul.

Kathy Kleiman: Paul is also our liaison to the Council.

Paul McGrady: Thank you. Paul McGrady here. And, you know it's impossible for me to set through an entire hour without saying something so this is my official something. First of all I wanted to say thank you for this hour. I think it was highly professional, I think it was eye-opening and it was good progress so this is exactly where we should be so that's my liaison hat.

Taking off my liaison hat for just a second, my good friend Phil accidentally referred to the INTA survey data as anecdotal and I don't think he meant to say that because it wasn't a series of essays, there was actually statistics inside there so I want to give Phil a chance to clarify that he didn't mean that it was anecdotal. Thank you.

Phil Corwin: Well I'm not sure what the right phrase is but I think there's valuable information in that INTA survey. There was discussion with the working group about whether because of the small number of responses it was statically significant but in my personal view whether or not it met that threshold it's useful information to inform any decisions we make. I hope that's sufficient clarification. And I see Lori Schulman in the room and thank her for delivering that survey to us and for her continued engagement in the working group.

Kathy Kleiman: So this is Kathy. And John McElwaine doesn't know I'm about to call on him, but so a preview of coming attractions, we are meeting in this very room tomorrow at 9:00 am to talk about the Providers survey and some of the data that we're collecting about that? No? No? Oh, procedural tomorrow morning, I apologize and - okay in that case, John, can you tell us a little bit about what we're doing in this very room at nine o'clock tomorrow morning?

John McElwaine: Sure. John McElwaine for the record. So one of the things that kind of came out of the discussion I had about process improvements was to take a step back and let's all better understand as a working group what the next steps are going to be so in terms of preparing our interim report and then our final report. So staff has put together a great set of slides that kind of details what's the typical process look like.

I hope that there will be some discussion where people can fill in some of the gaps because it's not all set out in exact, you know, process. It is sort of the high overview we'll be given and the new can hopefully have some discussion on how we're going to fill in some of those blanks in the process

and work as a group to getting an interim report done and scoping out those types of issues. So I really look forward to seeing the presentation and then kind of getting people's feedback on it.

Kathy Kleiman: Seeing, sharing, absolutely. Thank you, John. So tomorrow is really - at nine o'clock is really part of the multistakeholder process, how we do this ourselves, how we make decisions ourselves. And I'll just say at 10:30 then we go on in this room also tomorrow to the providers' discussion. Maxim, go ahead please.

Maxim Alzoba: Maxim Alzoba for the record. Just a small update, it's not statement of interest update, so far but tomorrow on the third part of or meeting I won't be able to, yes, be with you because I have to fill my duties as elect GNSO Council for the Registries but seeing as I'm not Council until November it's not a statements of interest change so far.

Kathy Kleiman: Congratulations on your new appointment.

Maxim Alzoba: Thank you.

Phil Corwin: Are there - anyone else in the room want to ask any questions about any part of our work or make any comments, now is your chance and if not we can end six minutes early and you can start an early lunch. No hands in the chat room and no hands raised in the room so thank you for coming...

Kathy Kleiman: Thank you very much.

Phil Corwin: ...here. It was, I think, a very useful update session and hope you can all join us for our two sessions tomorrow morning. They've saved the best for the last day of the meeting so hope you see you tomorrow. Bye-bye.

Julie Hedlund: Thank you, everyone.

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