

**ICANN
Transcription
Review of all Rights Protection Mechanisms (RPMs) Sub Team for Data
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Coordinator: Recording has started.

Michelle DeSmyter: Great. Thanks so much. Well welcome, everyone. Good morning, good afternoon and good evening. Welcome to the Review of All Rights Protection Mechanisms Sub Team for Data call on Wednesday, the 18th of July, 2018. On the call today we do have Rebecca Tushnet, Susan Payne, Kristine Dorrain, Kathy Kleiman and Michael Graham. We do have two guest speakers today, Greg Rafert and Stacey Chan from the Analysis Group.

If anyone has joined the audio bridge only, would you please let yourself be known now? Thank you, hearing no names. We also have no apologies. From staff we have Julie Hedlund, Ariel Liang, and myself, Michelle DeSmyter. And as a reminder, if you would please state so it appears clearly on the transcription. Thank you ever so much and over to Julie Hedlund. Please begin.

Julie Hedlund: Thanks so much, Michelle. And thanks, everyone, for joining today. So given that Susan can only join for the first 30 minutes, what we have today for the schedule, I see the agenda, is to go through the revised surveys that have been provided by the Analysis Group and thank you, all, for the comments that you've put into the various Google Docs.

I'm going to suggest that we start going through the comments in the Registrars' Google Doc just to maximize the time that we have with Susan. And let me know if there's any objections to that approach.

((Crosstalk))

Susan Payne: Actually, I'm really sorry but there's not much point from my perspective because I'm afraid I haven't looked at it. This – I'm so sorry but I have kind of dropped the ball so I'm not really in a position to go through the Registrar Survey.

Julie Hedlund: Oh okay. Well there's a number of comments in there, they're not from you. I think Kristine had a number of comments in there. But not to then put you on the spot, Susan, but to give you the opportunity to provide your input as we go through the comments that others have made, would you mind if we started with that Registrars? And again, saying not that you're leading it and not that we're looking to you for guidance on it but just to make sure that we give you the opportunity to comment on anything that people have noted in the survey.

Susan Payne: Okay, sure.

Julie Hedlund: All right. Thank you very much for that. So everyone, since as we've done in the past, this is a difficult really to show the Google Docs and shared screen, we do have the links to them here if you look in the agenda pod. And so if you would like to go ahead to that survey, the Registrar Survey in the Google Doc. And what I'll do is just do what I've done in the past which is go to each of the comments where it looks like there needs to be some discussion and then – then we'll just proceed in that way forward.

So I'm looking at the Registrar Survey right now. And noting that the first comment is from Kristine Dorrain on Question 2. And I see Kristine has her hand up so please go ahead, Kristine.

Kristine Dorrain: Thanks. And this is actually not even on Question 2; this is going to Stacey's comment in all of the surveys that it will take 15-20 minutes and they think it might actually take longer. I've been through all the surveys and I'm not sure how much we can cut. There was one survey where I thought we might be able to cut a little. So my suggestion is to people's expectations appropriately. We'll take, you know, approximately 20 minutes. Get rid of the 15, say approximately, don't say an average because (unintelligible) redundant, average, approximately, just say approximately 20 minutes.

I don't know what else to do. I mean, maybe it'll take people 30 but if you're willing to commit 20 I think you're willing to commit 30. But I think if you say 15-20 you set the expectation that 20 is the outside rather than just setting it at 20 and if people are willing to go in for 20 they'll go in for 25. That's my only suggestion here because I just don't what else can go. We've already just sort of limited as much as we can, open to debate or discussion on that. Thanks.

Julie Hedlund: And thanks so much, Kristine. I have Michael and then Greg and Stacey. Michael please.

Michael Graham: Yes, Michael Graham for the record. Sort of on that point as well in going through the various surveys, one challenge, especially as a trademark owner, again is that information that I'm being asked for is not necessarily information that I have at my fingertips. But as I come to each of the questions it's information that I would then have to turn to either a file, a computer or to a service provider to get that information.

And I'm just wondering, and I'll put this out there for Greg and Stacey as well, if you found a means either using a worksheet or something else that would enable people who are taking the survey to go, oh, this is the information I need, let me go and get it. They get all the information then they do the survey.

Obviously it takes a little bit more time, but especially when that information that we're asking survey takers to provide is not necessarily the tip of their tongue or their mind, you know, I see that as sort of a challenge both in time and in providing the correct information and then also in the frustration level of getting into a survey, having these questions and I keep having to go outside of the survey to get the information; I get frustrated and it just put it aside and don't answer it. So maybe if you all have any suggestion I would be very, very happy to hear that. Thanks.

Julie Hedlund: Thanks, Michael. And Greg, Stacey.

Greg Rafert: Yes, this is Greg for the record. I can kick it off and Stacey of course you should feel free to chime in. So I think that's a really good point. I mean, you know, I – so as the survey kind of currently constructed they can come back to the survey but they would have to start at the beginning which obviously isn't ideal. If we have specific contact information for that individual then we can give them a password that they can use to access the survey and then they can enter it into the survey multiple times so that might be – that's at least one possibility.

I'm sure there are others. I think I'd want to think a little bit more about it and we can circle back with you all but I do realize that could be an issue. I mean, I think like I said I think the easiest fix is just providing each respondent with a password so that they can come back. But we can think about other potentially more creative solutions. I mean, just in terms of the length of the various surveys, so and obviously not every individual is going to have to answer every single question in the survey depending upon how they answer the specific questions.

But just as an example, so the trademark survey, there in theory are some trademark owners that would end up answering 56 questions, you know, if you assume – and some of those are open text fields, so if you assume about

a minute per question, that's almost an hour for the survey, which is an incredibly long survey. So I think that's our concern there.

And like I said, not every single trademark – or respondent for the trademark survey obviously is not going to have to answer all 56 questions, but even if they only saw 40 of those questions that's still probably something like a 40 or 45 minute long survey which I would be surprised if many people actually make it through especially if they're having to kind of go back and, you know, identify information that they may not have readily available.

The Registry Survey, in theory, some registries could have to answer 40 questions, which once again is a pretty long survey. The Registrar Survey I think is a little bit more contained. The max number of questions there is about 33 so I think that's a little bit better but I think in the Registry and – for the Registry and Trademark surveys, they're still pretty long and so I recognize kind of the interest in asking all of the questions and getting all of the data but I think our worry is that just kind of given the current length you're going to see a lot of dropout.

Julie Hedlund: Well thanks, Greg. And I'm just noting a question in the chat from Kristine is, "Why not make a PDF of the questions and allow respondents to preview the questions?" And actually I see Kristine has her hand up. Please go ahead, Kristine.

Kristine Dorrain: Hi. This is Kristine. You know, I take your point, I mean, even if it doesn't take a full minute to read the questions, even if it takes 20 seconds to read and click yes or no, I mean, there's still 40 questions is a lot and your brain is like why am I doing this? We're at a – we're between a rock and a hard place. Our commitment to the full working group is that we're going come back with this data and they're going to beat us up if we come back with just yes or no questions that don't have any follow up.

So we have to ask. So I don't know the best way to do it and we're probably pretty far down the path to think of this, but I don't know if there's a way to think about – a different way to order questions or breaking it up into smaller surveys, you know, pieces, you know, surveying some people on claims and some people on – for trademark owners because there's so many, you know, can we – do you want to take a claims survey or do you want to take a sunrise survey? Maybe you can split it up? I don't know that that does to the cost.

But I think we – I think there are brand owners out there who desperately want to contribute information if we make it easy enough for them to do it. And I think that's my question is are there ways that we can creatively ask the most important questions first, so if people drop out we get those answers first. You know, all the yes or no questions are first and then we're going to – now we're going to dive deeper in follow ups. You said yes, what did you mean?

I don't know if there are ways to be creative about that. I see Lori say if we can support the yes or no it's worth the beating. But you know as well as I do, Lori, that we're going to think we can support it and there will be 10 people clamoring to tell us that we're making up data and it's false facts and we are just making it up and we need actual hard numbers from a survey, even if we believe we can support it; that's my concern. Anyone else?

Julie Hedlund: I see Lori's hand's up. Lori, please.

Lori Schulman: Hi. Can you hear me?

Julie Hedlund: Yes we can.

Lori Schulman: Yes, hi. It's Lori Schulman for the record. Yes, so I was just about to write into the chat, and I'm going to be as direct and honest as I can be. I have made these interventions throughout my recruitment to this group verbally. I'm not

sure, do I need to write (unintelligible) in writing, I don't know. But I am super concerned that we have fallen down the same rabbit hole that we fell down with the CCT RT. And I'm speaking on behalf of INTA fully now in that we were asked to gather very involved, very complex data. We went out of our way to support what we thought the intention was of the working group.

While there were certainly some flaws in the design and execution of the actual survey, I do believe that some of that was absolutely due to feeling that we were bound to, you know, the working group. But if the working group interests do not produce usable results, we have to challenge – we have to challenge the working group assumptions. And I've been saying this all along, that I have a super concern about the detail of the questions, the length, what we're really trying to get at because what we're trying to get at in so many cases is just un-gettable.

And I particularly feel this way on the trademark side because we know from our experience with the INTA survey that trademark owners are not keeping records in a way that supports the detail that ICANN asks for. And in terms of the registrants' answers, which I have expressed I think two or three calls ago, that how we're actually going to sort the world out into registrants who can competently answer these questions I just do not know absent engaging registrars who can have the surveys, you know, sent to people who have just received a claim notice.

I just – I'm doubting this whole methodology. And while I support what we're trying to do and the multistakeholder model and the spirit in which we're trying to find this information, I still find myself in a very cynical place. And I think that – I get Kristine's point, if we go back with yes and no, the working group is going to say we're subverting the mission. Carry out the mission the way we've been instructed, I don't see us getting good results. And I would like to hear Analysis Group argue with me and tell me I'm wrong because right now I'm not even hearing that.

Greg Rafert: Yes, this is Greg. I think you're right, Lori.

Lori Schulman: So now what do we do? I mean, that's a big problem. And now is the time I think for real leadership here. And again, I'm trying to think of creative ways. I think looking at the questions prior might be very helpful, that if people agree to take the survey we allow them a few minute to look before they're actually in the survey environment. That could be helpful. I absolutely think we have to prioritize these questions, we have to decide what is the most important to the working group. Without that prioritization I think we're going to end up, again, with people dropping out even if they've seen the questions.

Julie Hedlund: Thanks, Lori. And I have a queue here. I have Michael, Rebecca and Kathy. Michael please.

Michael Graham: Thanks. Michael Graham for the record. I take your point, Lori, and I think it's accurate. There are a couple ways to think about it, one of which we haven't really thought about. And again, I guess I'd be interested in Greg and Stacey's opinion of it. But it's something that I know that we do at Expedia when we send out the user review requests, so after you take a trip you get one of those obnoxious little emails that says hey, what did you think about the trip and asks you give a number of stars.

And it sort of creates two paths. One, it creates a path of people who are just going to do the star and if that's all you're going to do and you're not willing to give more information, fine, we'll take the stars. If you are willing to give more information it goes into a more extended survey. So that's something that we have not done looking at these questions, which ones can we limit it to yes or no. And if there's a way to invite the survey takers to self-elect, are you willing to do a full survey or do you just want to give some yes/no answers.

That would provide more information in terms of participants. Obviously it wouldn't give as much information as if they answered all the questions but I wonder if that might be a course to think about. Of course then all of us who

have one of these sections would have to go back and take a look and see how that might be structured. Thanks.

Julie Hedlund: Thanks, Michael. Rebecca, please.

Rebecca Tushnet: Rebecca Tushnet. Thank you. So I have limited opinions on the trademark owner survey. I just want to object in the strongest possible terms to the tarring of the registrant and potential registrant surveys. Lori's objection is clearly at least in part to the idea of having that survey at all. And first of all, it's a lot shorter – you may have noticed that the objections were not raised as to the length of that so I think that's a false comparison. Right? These are very different surveys.

And second of all, as I think has been repeatedly pointed out, this – the registrant and potential registrant survey is a standard consumer survey methodology designed to be aimed at potential consumers, right, which is accepted, you know, both internally and by courts, and to the extent that she's objecting to the idea of asking people not at the point of receiving a claims notice about what they would do or what they have done, I want to defend that in the strongest possible terms. Now is not the time to re-litigate that decision and in fact there is no basis for doing so. Thank you.

Julie Hedlund: Thank you, Rebecca. Kathy, please.

Kathy Kleiman: Yes, okay, we've talked about this before. And at this point we've spent months, months on these surveys, months on these questions. It's time to get them out. My sense is if we've used enormous amounts of the Analysis Group's time. I really appreciate what Greg and Stacey have given us. My guess is we're way over budget on that. So if we want to get these out, let's go.

I'll note that the registries and registrars have a special reason to answer, right, they're contracted parties. And regulated industries, and don't quote me on this, but these guys are kind of regulated industries, they're quasi-

regulated industries; they're regulated by contract through ICANN. They've got an incentive to do it. You know, we look at regulated industries and talk to them a lot in other areas so they have an incentive to answer.

As Rebecca said, the registrant survey is short, sweet, I mean, it's very targeted. So it's the trademark owner survey, so let me suggest this, would this work, that for the trademark owners before they go into the survey – I'm not sure I'd give them a PDF because you know, they may look at it and want to turn around. You know, part of it is being guided through these things, right?

Maybe put in something targeted like which – what type of trademark owner – what type of counsel should answer this? And what type of facts should they bring in when they come to answer these questions so that they have a checklist up front of what they should be bringing. They're still invited to come in if they don't have it but what would make it easiest and fastest for them to go through? What facts will they need as they come into the survey so they can come out the fastest?

But we you know, if we're going to use any of this work from all the last few you know, from the last many months we've got to get these surveys out so we can get them back into the discussion because we're on a time crunch from the Council. Thanks.

Julie Hedlund: Thank you, Kathy. Susan, please.

Susan Payne: Yes thanks. Hi, it's Susan. Yes, I just – with regard to providing a – some kind of a version up front or some ability to see how many questions you have to answer before you weighed in, I actually – I sort of am going to slightly disagree with you, Kathy, I can see what you say and if you can see how many questions you're going to be asked it can be off-putting and you might turn around and go. But I can assure you that from having done these surveys multiple times when I've been in in-house counsel, that I'm extremely

put off by starting a survey and then realizing that I can't go forward and see how long it's going to take me.

You know, if someone says to me, my survey is going to take 10 minutes and I'm sort of 8 minutes in and I can't see any light at the end of the tunnel then that's the point at which I just bail out. And so I really think it's important to be able to see how much time you have to spend on this and to be able to take your own view own whether, you know, whether you can start this and get it done or whether you need to come back to it at another time, I really do.

Julie Hedlund: Thank you, Susan. And Michael, please.

Michael Graham: Yes, Michael Graham again for the record. Yes, I do think that it's important that we have some sort of guidance on the questions. I'm sort of going a different path, Lori, than you insofar as I think the questions we're asking here at least on the trademark owner side – and that's really the one I focused on so I'll limit my comments to that, are more general or doable type of information that we were asking, which was extremely specific in terms of financial figures of trademark owners for the CCT RT survey.

So I think this is a little bit less difficult or intimidating. But I do agree with Susan that I really need to see these especially having had the explanation from Greg that once you enter the survey if you leave it to get that information you have to start at the beginning. I'm not going to do that. Once I leave and I come back and find out I've got to do it all over again, that's it, I'm going to be going away. So I think we need to provide the opportunity for survey takers at least those where we have the more specific information that we're seeking to actually look at that ahead of time, be able to put together the information and then when they go through they're just filling in the blanks, they're not having to analyze it. So thanks.

Julie Hedlund: Thank you, Michael. Rebecca, please.

Rebecca Tushnet: My apologies, old hand.

Julie Hedlund: Thank you. And then to the questions in the chat, yes, we were starting with the registrar survey and I think we need to get back to the specific surveys to address the comments in them. But I think the, you know, there is a discussion here of the overall length of the surveys, the trademark survey is the longest. And so I think at least the – perhaps Analysis Group could consider the suggestion of having an option to see the PDF up front. I mean, I think we could make it as an option if people want to do it or not.

I know surveys that I've worked on within ICANN and the ICANN community, generally respondents have been in favor of being able to preview questions because they have a better sense of how long it's going to take them even if you say it's 20 minute or it's 56 questions or whatever, the taker is probably in a better position to decide if they have a chance to look at the questions.

So perhaps we'll pass that suggestion over to you, Greg and Stacey. And then there's some – also in the chat, Kathy is saying, "Would it make sense to say who should consider answering a survey for a registry, registrar or trademark owner and say what data they might be – might consider bringing?" And Michael is noting he'd like to be able to reduce the length of the trademark owner survey but need fresh eyes to review in light of the questions we're trying to address. And Kristine, please.

Kristine Dorrain: Hi. This is Kristine. I don't – I just want to throw one more idea into the mix as far as the length of the trademark owner survey because I get it, it's going to be useless if they answer the first 10 questions and then bail because now we've got nothing, which is the same as we started with. So I know – I agree with Kathy that it's time to get going and get them out, but if they're not going to answer anything past 20, that means that means that all of 20-40 regardless of how much time and effort we've put in them are not going to be answered, we'll have zero data on trademark claims. Nothing.

So we've thrown out a couple of options, and I don't know if we need to take this to the list so we can actually get through the survey itself. But one option is to present a preview. One option is to present a full short survey of – at least for trademark holders it'll be sunrise, reserve names and claims but for registry operators it's sunrise and claims and registrars it's sunrise and claims. And then ask people, are you willing to take a second subsequent deeper survey on some of these issues?

The third option that hasn't been floated yet but I'm going to throw it out there now is to say this entire survey could take up to 40 minutes but you can do it in batches and you do allow people to come back. And I know Greg says he'd have to provide a password but maybe you can start with that as a default option. And there are three sections for the trademark owners for instance, sunrise, we're going to ask you what reserve names, we're going to ask you about claims. And so we just ask that you complete, you know, each individual section when you have time. Each section will take 15 minutes.

I think there are opportunities and ways to present it from those three groups of people, registries, registrars and brand owners, that could break it up a little bit more if that's something that's technologically feasible. But I think we cannot just shove the survey out there if we have solid opinions from Analysis Group that people are not going to answer because we're going to be back to square one again with no data which is better than crappy data, maybe, possibly.

Julie Hedlund: Thank you, Kristine. And I see Lori is saying that that suggestion makes sense. Susan is saying, you know, perhaps have an option to click here for questions on claims or on sunrise, something like that. And, Greg and Stacey, let me ask if you can – you have any thoughts on how – whether or not this would be a feasible option to allow the survey takers to take the survey in sections and whether or not we could have an option – I know you mentioned having the password option, but would we be able to set that up

say for all respondents if people did indicate that they wanted to do the survey in batches?

Greg Rafert: So I think we'll need to circle back with the – kind of the online survey provider. But I'm pretty sure that we can offer that as an option. I think it would be kind of a two-step process where an individual would kind of indicate their interest in taking the survey, they would need to email us and then we would provide them with a password. That's probably the easiest approach that would then allow them to come back multiple times and complete the survey assuming that they wanted to do so.

And I think my initial reaction to the kind of the two part survey, so there's kind of the, you know, there's the shorter kind of survey that hits the high level points and then they can indicate an interest in taking kind of a longer form version, I think that certainly sounds reasonable to me but I think to some extent we'll leave it up to the data sub team as to whether or not that's going to get you the information that will ultimately be useful.

Julie Hedlund: Thank you, Greg. And this is Julie Hedlund again from staff. So at the risk of further delaying by doing a complete rewrite of having like a shorter and then a longer survey I'm wondering if the other approach, which I'm seeing some support for in the chat of having the surveys just broken up by the way the, you know, claims, sunrise, etcetera, the way the questions I think are already organized and then doing the password approach you know, assuming that we'd be able to do that and Greg of course we understand that you need to check on that.

But perhaps that might avoid doing a complete sort of rewrite or a prioritization of the surveys given the need to get these out. And Greg is saying, "I think that would be doable and easiest." So let's go ahead and take that as an action. And a fourth option, Kristine says, separate surveys, trademark owners get three lengths they can take as many as they'd like. I

guess that's a question back to – oh, Kristine, you have your hand up. Please go ahead.

Kristine Dorrain: Thanks. This is Kristine. I just wanted to explain. I know we're not deciding right now so I'm basically just brainstorming. So let's say you break up the actual survey into the trademark survey into three, the sunrise survey, the reserve names survey and the claims survey. You say hey, you've been identified to take this survey; we've got three different areas that we'd like to know more about, you know, if you're interested in providing information on sunrise, take this survey; if you're interested in providing information on reserve names.

And what you'll get is people who are super interested in that topic. If people do not give a flying rat's patootie about -- and that for the transcript is spelled P-A-T-O-O-T-I-E -- if they don't care about talking about claims then they're not going to answer that survey. And that's fine and then they won't waste that time. And you can – and then people can take, you know, take it in small bites but we get the whole survey done. And we don't get zero data on part of it unless the person says, I really don't want to offer my opinion on this section in which case it's just a valid, you know, choosing not to participate. Thanks.

Julie Hedlund: Thank you. And Kathy.

Kathy Kleiman: First I think we are making the decision now because these do have to go out. But I can understand people wanting to go back but to only picking the sections that you want, let's ask the Analysis Group, in that case, as Kristine said, you're only going to get those who are very, very interested in a particular area and probably have distinct experiences, I mean, will it be a skewed survey if you don't, you know, if you don't kind of have the whole breadth because some trademark owners will be interested in X, some will be interested in Y. Is that something that should be reflected in the survey as

well? You know, will picking and choosing areas to respond to distort in any way what we're getting back?

Julie Hedlund: Thanks, Kathy. Greg or Stacey any comments on that?

Greg Rafert: Yes, that's a good question, Kathy. I mean, I think it has the possibility of doing that but I think what you might see, you know, if you were in a world where they had to take the entire survey is they just might skip those questions anyway. So I guess it doesn't cause me a lot of concern, this idea of kind of splitting the survey into separate parts, but I'd like to think about that a little more I think. Stacey, I don't know if you have any...

Julie Hedlund: Thanks very much. Yes, that'd be great if you could do that and if you had any further comments for us. And Susan, I see you have your hand up and I know you have to leave shortly so please go ahead.

Susan Payne: I was just going to say I think, you know, fundamentally in what we've decided to ask questions on, we've already done some skewing if you want to view it that way. I mean, we already decided we're not asking questions about the TMCH or we're not asking questions about the URS. So we're already kind of you know, it's intrinsic in this but we've already decided we're only surveying on sunrise and claims. So you know, if someone only answers questions on sunrise well so be it, I mean, you know, there – those people may have had extensive views on the URS but we haven't asked them that.

So I think I'm not sure it matters. I think if that's the way to make sure that we get something rather than nothing I think that's something we have to live with.

Julie Hedlund: Thank you, Susan. Lori and then Rebecca.

Lori Schulman: Yes, hi. This is Lori for the record. I want to substantiate – I think Kathy's point is right on target and that this is a problem that INTA had and we did

require all takers to answer all questions or the survey was considered invalid. And we had to make a decision; if we had to make that same decision again I don't think we would from a learning perspective. So I think from that case if we can learn from the past although it might – I don't know if you can specifically somehow allow for this, it might skew something one way or the other. I do tend to sit on the side that more is better than nothing. But I'm very interested actually in hearing Rebecca's opinion about this as well.

Julie Hedlund: Thank you, Lori. Rebecca, please.

Rebecca Tushnet: Rebecca Tushnet. Thank you. So I mean, there are two kinds of bias, so it is true that asking about something is different than not asking about it. But I think that introduces a very different kind of bias which is, you know, we know we asked about one thing and not about another versus asking only people with strong opinions, which again, you know, I think is pretty clearly going to change the kind of responses that you get in ways that may well be troubling.

So you know, if we're going this direction, I would much prefer looking into randomization and say okay, you know, we're going to give you, you know, if you qualify, we're going to give you one set of questions and not another because that has much less potential to bias. Now it may be that you then need to qualify people differently, so there is that. But it – you will get a data set of people answering the questions but it will be a data set of people who care a lot about the issue and that will just be different. Thanks.

Julie Hedlund: Thank you very much. I'm not seeing anybody else in queue, I'm going to suggest that we go back into the surveys. We've got less than an hour left on this particular call and see if we can get through them to answer any of the questions or comments that are in there. And we had started with registrars so I suggest we go back to that. And then we have the comment on Question 2 which is, "In what country is the registrar located?" And Kristine is making the suggestion to say "headquartered" instead. Are there any objections to that suggestion? And Michael, please go ahead.

Michael Graham: Yes, Michael for the record. I just have a general question, I mean, the phrasing of the questions, “What registrar do you represent?” in Q1. Second one, “In what country is your registrar located?” I presume we’re trying to speak with people who are employed by or related to a registrar. So I wonder if we just might make this – these both more direct. But I do think if nothing else, you know, headquartered probably would be the best thing because registrars do have various offices. But I’m just wondering about the phrasing of this. And I think I did bring that up in the trademark questionnaire as well. Thanks.

Julie Hedlund: Thank you, Michael. And I’m not sure if I understand what you’re suggesting. Are you suggesting a different phrasing or...

Michael Graham: Yes, sort of the question of, you know, what registrar are you answering for or something, are you employed by? I mean, I presume this is going to the registrar so we’re asking the registrar and this is being answered by someone there representing them so I guess that first question is correct. But I do agree with Kristine’s comment to the change located to something like headquartered or something along those lines.

Julie Hedlund: Okay. Thank you. Then I guess unless there's any other questions just moving to the next comment. And I’m not going to – I see that Kristine has made a change on Question 8 to change “less” to “fewer” which I think is more grammatically correct so I don't think that's an issue. Here we have a question on Q12 from Stacey on – “We are happy to adjust these options. Asking multiple choice rather than open ended how long should the period may ease burden of the respondent.” Kristine is saying, “I like these options.”

So if folks could look at the options on- presented on Q12 so that would be multiple choice as opposed to open ended. Does anybody have any questions about those options? I’m not seeing any hands up so moving along

to Question 18, which is, “Please describe your experience, if any, where administration of the claims service is difficult,” and open text field.

Stacey notes, “We understand the relevance of this question however it has the potential be seen as a request for a narrative, which can require lengthy response and may make it difficult for respondent to complete. If a closed ended alternative, e.g. multiple choice is not possible you may want to consider making the wording of this question more specific so it elicits a succinct but useful response from respondents.” And Kristine is saying, “Change described to briefly explain or summarize briefly. Most people will probably leave this blank as other than onboarding and preorder I haven’t heard of issues around claims. This is just a catch all for the person who has something to say I think.”

So we have a wording suggestion there but I’m thinking actually – yes, so a wording suggestion there. Does anybody have any – and I see Michael is agreeing with Kristine’s comment and doesn’t see that this provides useful data for review. And Michael, please go ahead.

Michael Graham: Yes, that was just a clarification. My comment was on Question 19 and not 18. And Kristine, I apologize, I removed your comment when I clicked on Resolve instead of Reply, but my comment was on 19 where I’m not sure what this is addressing, if it’s addressing a specific question that we were asked to get data on, that’s fine. Otherwise it looks – I’m not sure what information this is going to be useful in providing. Thanks.

Julie Hedlund: Thank you, Michael. Kristine, please.

Kristine Dorrain: Thanks. This is Kristine. My comment that Michael agreed with when he resolved it was that I think we’re not asking for query here. “At what point in the registration process do you query whether the domain name is registered in the Trademark Clearinghouse?” I think that’s a little bit important because that goes back to this preorder, so do you query it – I don’t know – right

before you tell the customer they can have it? But really I think what we're getting at here is sort of cart abandonment issues, right?

So what we really want to know is at what point in the registration process you were providing the customer with the claims notice, displaying it, emailing it to them. Whatever it is, I don't think it matters at all when they query when the domain is registered. Do they do it at the beginning of the transaction when the Whois lookup is done? Do they do it when they're offering their up sell items? Do they do it at the moment they take the credit card?

I don't think we care when the query happens; I think we care when the display of the claims notice happens because this is the claims notice question. So that was what I was saying and that was the point that Michael was agreeing with. Thanks.

Julie Hedlund: Thank you. So this is Julie. Then how should we reword this to get to that point, to have a suggestion?

Kristine Dorrain: This is Kristine again. I think it's just display the claims notice. "What point in the registration process do you display the claims notice to the potential customer? When the domain name is placed in the cart, when payment is attempted?" I would actually add to that, you know, at the time of Whois lookup, at the – you know, account creation, you know, and then leave Other I guess.

But I think at that point I think what we're really trying to get at is when is the claims notice displayed, I think, because I think the other – if we get into the – I mean, Question 17 goes to challenges when sending the claims notice for preorder names, and we give them an open text field to talk about any challenges, so that would be where they have problems getting that claims notice after the sunrise period starts or after the general availability starts, at the time that they're trying to give the domain name to the customer.

So I think Question 17 really captures that querying versus getting that information to the customer. I think Question 19 deals with as much as we can do on cart abandonment. Thanks.

Julie Hedlund: Thank you, Kristine. Kathy please.

Kathy Kleiman: Agree with Kristine. Agree keeping this question is really important and revising it. So, Kristine, everybody, the options would be when the domain names are placed in the cart, when payment is attempted, what else? I think account creating was mentioned but we're not going to be matching domain names and trademarks at account creation, not the accounts I'm thinking of where you kind of create a general account with the registry. That's just kind of name, addressing, billing information. So is there – are there any other options that we need to include or does this kind of – with the open text field, does this get us at least to kind of summing up, you know, asking the registrars to answer a really important question?

Julie Hedlund: Thank you, Kathy. Kristine, please.

Kristine Dorrain: Hi. Thanks. This s Kristine. I'm going to talk a little slower than I normally do to let Ariel take notes. It looks like she's doing a really good job though. So we have – when the registration process, the customer will do a Whois lookup, they will then usually select the domain name with the TLDs that they want, then they (unintelligible) their cart. At that point they may be prompted to offer to add up sell purchases like hosting or privacy protection or other services. And this can be hit or miss with the other thing – the next thing I'm going to say.

So during that up sell time might be the time at which they are, you know, showing the claims notice like before they do the up sell. Then they're being asked to either log into their registrar account or they're being asked to create an account with that registrar if they don't have an account already.

Then so that's when they enter their billing and contact and admin information. At that point, again, they may be presented with up sell items but they may have already been presented with them, it kind of depends how that registrars configured their systems. Then they will sort of present the terms and the click through agreement which is another point at which that claims notice might be displayed, it might be displayed as part of your click through agreement, it might be displayed as part of the gathering of that billing information or that renewal information. Do you want this for a year or 10 years?

And then at the very end they're going to actually check out. And so then is it displayed just before checkout or just after checkout? I don't think we need all of those options but I thought – I think it helps if we think about the entire process and where some logical places might be. I think people display the claims notice just before they do the checkout piece, so I think they would typically do it just before checkout. But I think we want to provide a couple other options like when the domain name is selected, when the domain name is added to the cart, or when they are presenting the terms.

So those are some options I think that we might want to consider. Hopefully I talked slow enough; it looks like Ariel's done a good job with her note taking. Thanks.

Julie Hedlund: Thank you very much, Kristine. I think we've tried to capture that. And then just back to the survey, there was one last question from Kathy on Question 20. There's some text inserted, "Would you and/or your resellers be willing to provide anonymous surveys to domain name applicants to understand what influences their decisions?" And, Kathy, I see you have your hand up. Please go ahead.

Kathy Kleiman: Yes. I saw that Kristine put in the word "anonymous." Having tried to do anonymous speech for years and worked with anonymous speakers, it's really hard to do anonymous anything as everybody here knows. So Kristine,

did you really mean “anonymous” or something like, you know, where we promise to keep your information you know, where we promise to anonymize the results?

Julie Hedlund: And Kathy, Kristine is saying, totally agree with anonymize in the chat.

Kathy Kleiman: Okay. Great.

((Crosstalk))

Kathy Kleiman: Thanks.

Julie Hedlund: Wonderful. Thanks, everyone. We have made it to the end of the registrar survey. I think that we have gathered the information we need there unless I see any objections, I'm going to suggest we go onto the registry operator survey. And Kristine please.

Kristine Dorrain: Thank you. This is Kristine. I just wanted – because this is going to come up in the registrar survey as well, and I don't know if we can sort of invent an entirely new way of taking the survey here. But one of the ways we could possibly shorten the survey a bit is combining the Q4(g) and Q6 tables because those are the – they ask the same types of questions only for different time periods.

So if there's a way to have the user presented with that table one time that would be great. Now I had some suggestions for how that might happen, but again, I am not a survey expert and I have not created the technology but I have to think there's a way to say show them the table one time and say what would you answer if it was 30? What would you answer if it was whatever number you selected? That I think would be less intimidating and it would be – it would really crunch up what I think at least for this survey and the registry survey is the most sort of like brain intensive part of the survey; the rest of it's pretty simple.

This doesn't really address some of the other survey concerns but I think for the registry and registrar surveys I'm not sure if Analysis Group can go back to the drawing board on these two but I think if there's a way to consolidate this whole section for both surveys, we could save some time and brainpower for people. Thanks.

Julie Hedlund: Thanks, Kristine. So I'm looking at Q4(g) in the registrar survey. And you were then suggesting to have this table, I mean, right now the question is how do you think a 30-day sunrise period is likely to affect the following factors, and then we have the table. And then we have then for – I'm sorry, please go ahead, Kristine, I'm not following obviously.

Kristine Dorrain: Yes, thanks. No that's okay. So I'm getting terrible – I'm going to – hold on, I'm going to unconnect and reconnect. Is that better? Oh okay, I had a horrible feedback for a second there.

Julie Hedlund: Sounds fine.

Kristine Dorrain: Okay so Q4 – okay good. Q4 – so this whole question is about the duration of the sunrise period. How long should it be, 30 days, 60 days, etcetera. So if you get to Q4, you say hey, a 30-day sunrise, what are the good things it's doing? Is it affecting cybersquatting, sunrise, etcetera? Then we say gosh, what do you think? Should sunrise be shorter or longer? How would it affect those Sam factors? I think there's a way to say how is it doing now? What do you think it should be? And in what ways would it affect your answers if you change it to whatever you think it should be?

I think there's some way, and really smart people can figure it out, to – not me, notice not me – to combine – crunch all of that into one thing that would be a lot less mental work for people. That's what I'm trying to say. So Q4(g) and Q6, the tables.

Greg Rafert: And this is Greg. I think that's a good suggestion, Kristine. So why don't we give some thought to it and see what we can do to combine those two questions in some artful way.

Julie Hedlund: Great. Thanks, Greg.

Kristine Dorrain: Great. Thanks. I think then it would also combine then – by necessity it would also combine Q5 which I think is awesome. Thanks.

Julie Hedlund: Thank you, Greg, for that. Thank you, Kristine also. Then I think that we can now leave the registrar survey and move to the registry survey. And the first item there, Q2 and – okay. “Approximately how many non-brand new gTLDs do you operate?” And Kristine is saying, “Six questions are for geo community or founders program users. Those are a pretty small minority of TLDs. If we can find a way to merge the two sets of table questions,” and Kristine, you have your hand up. Please go ahead.

Kristine Dorrain: Thanks. Julie, that comment actually was another one that goes to the survey length so my point here was exactly the point I just made, which is that there are 20-something questions overall – 27 or something – if we can do the table combination thing on this survey also, which sort of crunch up three questions into one, and then six of the questions in the survey are specifically for geo community or founders program users, which is a super small minority of the community, that means that the average user will only take 20 questions. That was what I was trying to say; that was my point on the length of the survey.

Question 2 was just about clarifying about the backend and that is because when it says, “non-brand new gTLDs do you operate?” So if let's say VeriSign gets this, VeriSign – or let's say Neustar and, you know, Neustar has its own new Gs that it runs, but it's also backend for a bunch. I think in that – we all understand what we're talking about but we may want to be crystal clear for users. Then when we talk about operate we mean as the registry operator,

not as the backend. So we only want to hear from you about your, you know, the actual TLDs you are the registry operator for, not the ones you're the backend registry operator for. Thanks.

Julie Hedlund: Thank you, Kristine. And Greg and Stacey, do you have any questions concerning Kristine's suggestion? I know we already talked about combining the tables but also the – yes, so if we can combine the table questions similarly to registrars, then that shortens the survey. Does that – does that suggestion again make sense to you Greg and Stacey?

Greg Rafert: It does, yes. Thanks for asking.

Julie Hedlund: Thank you. And we'll capture the change for Question 2. Moving down we have a text change on Question 6, "Please provide your average pricing across all TLDs." Any objection to that change? And then with that Kristine says, "Registry operators with more than one TLD may have widely varied pricing per TLD, so we need to not only average pricing tiers but also TLDs so that's the explanation for that change and then also deleting open numeric field," since that actually follows those sub bullets I gather.

So at Question 8, there's some edits. And Kristine notes, "Questions 10 and 11 are a logical follow on to Question 7 so I think they should go next. Question 8 and question 9 will only apply to a small subset of respondents." And I think that gets back to your earlier comment, Kristine. And, Kristine, go ahead please.

Kristine Dorrain: Thanks. This is Kristine. Yes, so just to explain, so – and Question 7 we're talking about pricing brand names as premium names and one sort of way that you could do that is set aside names, premium names as reserve names and release them later as higher price names. So really if you think about like your average survey taker, Question 5, 6, 7, then you jump basically to Question 10, what about reserve names lists, does registry place reserve names on its list? So Questions 10 and 11 are really for everybody.

Questions 8 and 9 are for a really small micro-subset so my suggestion is you go straight from 7 to 10 and 11, and then ask 8 and then of course if they don't – if they, you know, if they don't qualify for 8 – now if they do qualify for 8 then they'll ask the add on questions after what's currently 10 and 11. And if not then nobody sees 8 and 9 and they just jump straight to Question 12. That's sort of what I was trying to get at there if that makes sense to the Analysis Group. Thanks.

Julie Hedlund: Thanks. Yes, and Greg and Stacey, does that make sense.

Greg Rafert: It does, yes.

Julie Hedlund: Thank you. Then Kristine has made a number of textual suggestions unless there's any concerns with those here? Moving to Question 9 and the text to better accommodate restricted TLDs, Stacey is asking, "Can you provide alternate wording? We think this is rather vague but lack the expertise to clarify it." So the question is – there's a filter that goes into this. And then should the ICANN brand protection policies like sunrise or claims be altered to better accommodate restricted TLDs like community or geo TLDs? And, Kristine, please go ahead.

Kristine Dorrain: So this is – this is Kristine. I think in this specific case because we are talking about the people who are going to see Question 9 are the people who have said we operate a geo or a community TLD. So now they're being asked more than zero geo TLDs or community TLDs, so now these people are already offer these sorts of TLDs are asked, "Should you basically be given the opportunity to alter sunrise and claims to accommodate your restrictions?"

And then we actually say, like community or geo TLDs. I think because we've already targeted this question down to the specific pointed audience, I think that we're not going to worry about the vagueness of the wording because I

think people will get it because we've not only said, you know, we're only going to show some people this question, but then we're clarifying with the parenthetical by saying, "like community or geo TLDs." So I don't know that we need to add more unless I'm not understanding Stacey's question.

Thanks.

Julie Hedlund: Thank you.

Greg Rafert: This is Greg. No that's a helpful clarification and so I think we can leave it as-is.

Julie Hedlund: Great. Thanks. Then moving to 10(a), we have a comment that need additional choices. And can we – Stacey is asking, "Can the sub team provide suggested options?" Do sub team folks have some other suggestions for text here? Right now it is, "Why not? Please note that you can select multiple options, select all that apply." And there right now is only one option, "Such publication would violate local laws." Are there other options that we can present here? Or, yes, okay please, Kristine.

Kristine Dorrain: Thanks. This is Kristine. I apologize, somehow I just missed this. I think I was thinking about the reordering and forgot to actually look at the detail on these two. So our specific answer is addressing a specific use case which is one of our sub team is convinced that publishing their reserve names list would violate local laws. I think that would be an extremely small minority of jurisdictions.

Would you support it? If not, why not? I think the main reason, the primary argument that registry operators are going to use for not publishing is the list is a trade secret and it provides others – provides competitors with an advantage or it places themselves at a competitive disadvantage. And it opens them up to sort of, I don't know, I'm trying to word it neutrally. It opens them up to sort of claims that they're sort of I guess warehousing brands or

whatever, I suppose that's the argument for brand owners as to why it should be published.

I'm hesitant to put answers in people's mouths. I would really like people to have an open form here. And one of the things came to mind when I first saw this is other than the fact that one specific team member believes that this publication would violate local laws, I don't see any advantage to putting a dropdown here. I feel like just let people list all their reasons and the people who believe it would violate their local laws can type that in here. I know we're trying to avoid open text fields, but I just feel like suggesting things here is going to open up kind of a pretty big can of worms. Anyone else think anything about that?

Julie Hedlund: I'm not seeing any other hands up. Kathy is typing. And Lori is typing. But I guess if there were no objections, Lori, "I think we need a menu of choices and not a blank one and not one and blank." And I think there were some things that – now that Kristine had offered, right, and that one choices maybe one – is for maybe one jurisdiction. Kathy says, "AG okay with another text field?"

And we have a few suggestions and an open text field? I mean, there were some other options, trade secret, provide competitor advantage...

Greg Rafert: Yes, this is Greg. I think I'd be inclined to have some of the options that Kristine was ticking through but then we can of course provide just an open text field if they want to insert something else.

Julie Hedlund: Thanks, Greg. Well we have tried to capture in the notes a few of those options so we'll get those to you so some options and then open text combination. Lori's – "I think more options are better." You know, alternatively such – Kathy says, "Such publication would violate local laws, trade secret or reluctant to post competitive data and then an open field." Okay. So we've got that. And thank you for that. And we'll get that in the notes.

Just moving along to Question 13, and here we had the issue of the tables and go ahead, Kristine.

Kristine Dorrain: Oh yes, I was just going to say you don't have to bother summarizing it. It's the table question, we can skip ahead. Thanks.

Julie Hedlund: Perfect. That's wonderful. And then I have, let's see, for Question 15, Kristine's suggestion, "New wording to mirror previous question. I believe changing the mandatory sunrise period will have the following impact on," I don't – so let me know if there's any objections to that suggestion. Question 16 is premature; we haven't even discussed claims yet so move to last. And Kristine, please.

Kristine Dorrain: Hi, this is Kristine again. I think I've universally made this suggestion. I believe this question or a variant is on registry, registrar and brand owner. And it's – I don't think it makes any sense to talk about sunrise and then say, well what do you think? Should we have a sunrise or claims? Sunrise and claims? Just claims? Just sunrise? And we haven't even talked about claims yet. I feel like this is a concluding question that says now that you've taken the entire survey, and we've talked about sunrise and claims and all the things that can – are good and bad and you've thought about both of these, what do you think the best outcome is? That we keep sunrise? We move, you know, we keep claims, we keep both, we get rid of both?

I think this is a concluding question and I think – I don't need to change it; it just needs to go at the end. Thanks.

Julie Hedlund: Thanks. And I see some agreement for that from Michael and Greg and Stacey also agree. Kathy, please go ahead.

Kathy Kleiman: I'm going to put down my hand. I thought I had something on Q15 but let's keep moving. Thanks.

Julie Hedlund: Okay thank you. And then on Q17, Kristine notes, “Q17 should probably follow Q18 and be reworded as this is hard to follow suggestions in line.” And we have the suggested text there. And I’m just going to ask if anybody has any concerns about that suggested text, otherwise I’m going to move on and here for Q18, we – Kristine has added several options in response to Greg’s request. And moving to Q21, Greg says, “Term, which is interact is rather vague. Hoping you could suggest a wording change.” So Q21 currently reads, “How, if at all, did your limited registration period, approved launch program or qualified launch program interact with the sunrise period?” any suggestions for an alternate term in this case? Kristine please.

Kristine Dorrain: Thanks. This is Kristine. I’m not sure that there’s a one-word answer. I think it would involve sort of a rewrite of the question which basically said, did you face any challenges in operating both your limited registration period, approved launch program or qualified launch program and the mandatory (unintelligible) period?” Did you face any challenges in operating both your, same list, and the mandatory sunrise period? That’s my suggestion. Kathy.

Julie Hedlund: Kathy, please.

Kathy Kleiman: Yes, now I want to go back to Q17 if I might? Because we’re going through this really fast. Kristine, let me – your new addition, I’m going to just read it and see if this makes sense. So Q17, “Do you think there should be special rules see a precedence to certain groups when registering a restricted use TLDs?” As I interpret that, that means so if you’re doing dotAttorney that Smith, even though Smith is a big ham, you know, company in Southern Virginia, that Smith who’s unaffiliated with that may be able to go ahead and register first in dotAttorney. If that’s what we’re asking then the new version may confuse people. So should TLDs with eligibility restrictions be allowed to give first sunrise to their target audience, e.g. brand owners that also meet the restriction requirement? Brand owners are already in, right, brand owners that are in the Trademark Clearinghouse. Isn’t this in some ways about non-

brand owners and will that change kind of confuse people? Can we go back to the original wording?

Julie Hedlund: Kristine, any comments? And I also see Michael's hand up. Maybe Kristine first then Michael please.

Kristine Dorrain: Yes, I'm not necessarily totally wedded to this idea that, you know, of my new wording, but I think the old wording was confusing. So special rules is super vague and precedents as far as what? Before sunrise or during sunrise? And then what does "certain groups" mean? I think the groups needs to be related to the TLD and they needed to be related to the restricted use TLDs. So when we talk about restricted use TLDs what we're really talking about are TLDs with eligibility restrictions.

So in your scenario, Kathy, so there's a couple of options. One is that you have a first period that says if you are a sunrise – so the very first registration period is for brand owners who meet those use requirements. And then – and actually any registry can kind of do that now. The question is, is should that be a little bit more specific, right? So we can say that we have an eligibility restriction, and if you have an eligibility restriction and you're a sunrise registrant, and you don't meet the eligibility criteria, it's up to the registry operator if they want to waive the eligibility criteria for the sunrise applicant.

Because if I'm operating dotAttorney, for instance, I can say, well Smith Hams, you're not an attorney, so you don't get to use my TLD; you do not meet the restrictions. And ICANN currently doesn't have a blocking mechanism so basically Smith Hams is kind of out of luck. Smith attorney can show up during the sunrise period if Smith attorney has a – has a trademark that's registered and in the Clearinghouse, but Smith attorney would also then be able to participate in general availability if they don't have any sort of Trademark Clearinghouse registration.

What I think we're getting at here is do we want to offer sort of special groups access or special sunrise access to certain groups based on their restricted use TLDs or based on their eligibility criteria? So my wording might not have also been a whole lot better but I was trying to solve for the random vagueness of special rules, precedents and certain groups. So I'm totally open to other suggestions if that's – if that's, you know, better for other people. And I'm sorry, Lori, is my sound still cutting out? I'm sorry. I just switched my microphone up to a little bit closer to my mouth.

Julie Hedlund: Yes, and Kristine, actually I'm hearing you loud and clear so I don't know if that might be on Lori's end, but just to Kathy's suggestion, would it be helpful if we just took out the parentheses that is the one before e.g. and after requirement? And maybe that's just a change we can make. Kristine please.

Kristine Dorrain: So this is Kristine. So the other thing I wanted to point out, Kathy, was I think one of the things we're thinking of here is also that scenario that Maxim pointed out about police. So let's say you offer a city TLD, maybe you say if you offer a specific geo TLD state and local entities officially recognized government entities, can get in even before brand owners. So in which case, it's not just for brand owners, we might say there are special rules to give precedence to, you know, government affiliated groups before brand owners for these dotCity TLDs.

So I think one of the challenges with Question 17 was trying to word it broadly enough that it would encompass all of the different permutations of specific TLDs that had a lot of eligibility restrictions around them while at the same time, you know, putting some parameters around it, not just you should be able to do whatever you want. So I'm not sure that crossing out the parentheses solves for the sort of police.city situation. Thanks.

Julie Hedlund: Kathy please.

Kathy Kleiman: Okay, I'm really aware of time but I appreciate the discussion. That's why I would take brand owners out of the parentheses because I think here we're trying specifically to talk about permutations like dotPolice and Maxim and variations that don't necessarily give brand owners who happen to have a trademark that matches but it doesn't fit the registry criteria, the gTLD criteria. So I think by putting brand owners into that parentheses we're confusing the matter, we're going kind of back to traditional sunrise.

But I could go with either wording of the question but again, I think the parentheses may not be the example we want to use here. Can we just leave it broad and let people come up with their own scenarios and keep going?

Julie Hedlund: Thanks, Kathy. And Kristine is actually agreeing with the change you suggested in the chat.

Kathy Kleiman: I wasn't looking at it. Thank you. Great.

Julie Hedlund: Kristine, go ahead please.

Kristine Dorrain: Thanks. This is Kristine. I'd like to float another suggestion to my own edit because in that case we're not actually giving sunrise access which is actually the original Question 13 doesn't recognize that. I think we probably want to cross that out. Sunrise has a defined meaning for trademark holders so that's where we can talk first access to their target audience...

Julie Hedlund: Kristine, did we lose you?

((Crosstalk))

Kathy Kleiman: Looks good. That makes...

((Crosstalk))

Kristine Dorrain: Sorry, I just made an edit. I'm sorry, I'm trying to be transparent here. I just made an edit to the doc on the fly, which is against the rules. So I changed the text to say, "Should TLDs with eligibility restrictions be allowed to give first access to their target audience?" Hopefully I didn't make it even more confusing but we can maybe – maybe Analysis Group can at least start with that and fix it; I'm not sure. Thanks.

Julie Hedlund: And, Kathy, are you okay with that?

Kathy Kleiman: Absolutely. And just so you know, Kristine is anonymous cheetah, I hope I'm not disclosing anything confidential. I thought that was funny watching that.

Julie Hedlund: Thanks very much.

Kristine Dorrain: I'm so excited.

Julie Hedlund: Okay. So I think we've addressed the other suggestions up through to Question 26 is just then the note that to have the grid be one grid for now and in the future which I think is the suggestion that you'd previously made so unless there's any concerns from Greg or Stacey on that change with respect to the grids, that actually brings us to the end of the document. Is there anything I might have missed as I'm steaming along here?

Then I'm going to suggest in the last 15 minutes or so that we go to the registrant survey rather than trademark because there's maybe fewer potential changes there and since we do have Rebecca also on the call. So do folks want to go then to the actual slash potential registrant survey and we'll start at the top there.

Kathy has a note, she's deleting Amazon.com in the top – the survey with the examples of (Deveins), agreed to delete specific references plus this is a legacy TLD replace with food.store. Any concerns about that suggestion? And Kristine is saying, "Thanks."

Okay, moving through the comments to Question 4 and the text change, which Rebecca has added in parens, not the exact domain name but just the top level domain in which you registered it, e.g. dotClub, dotNinja, dotXYZ, dotLove.” This is - if the respondent is in Group A, if you recall, which new gTLDs did you register your domain name in? Any concerns about those changes?

Moving to Question 5(a), Rebecca again, “From the more than one respondents they need to be asked more than once until they are done, e.g. now we’d like to ask you about the first time you received a claims notice.” And Kristine please.

Kristine Dorrain: Hi. Thanks. This is Kristine. Oh wait. Can you hear me?

Julie Hedlund: Yes.

Kristine Dorrain: Oh okay, I don't know what's going on with my headset. Now it's better. Yes, thanks. Apparently I didn't see this comment the first time through when I looked at this. I'm a little bit concerned about the more than once thing for two reasons is I'm not entirely sure they're going to remember if it was more than once; I think one time would stick in their brain; if it happened 10 times it might not, twice maybe would stick in their brain I guess.

But my second question is, is that I think to the point of like making the survey longer than necessary, possibly could you ask a follow up that says, “For subsequent times that you may have viewed the claims notice did you do anything differently or did anything change?” So you sort of ask a summary question that allows them to reform what might have been different, rather than forcing them to go back through all the questions each time. That's just a suggestion to keep it shorter and less confusing especially for people for whom this isn't sort of their main bread and butter, right? Thanks.

Julie Hedlund: Thanks, Kristine. Rebecca please.

Rebecca Tushnet: Rebecca Tushnet. So I'll defer to the survey experts on this one but if we should be so lucky as to get a respondent who's actually received more than one, we really need to hear from them. So I mean, this is – this is really worth spending some effort on. I think it would be fine to include an answer saying, you know, that's all I can remember, you know, I don't remember what I did for the others or, you know, I did the same thing for the others. But I do think we want to push them if we are so lucky as to find one of these. Thank you.

Julie Hedlund: Thank you. And Kathy please.

Kathy Kleiman: And this is Kathy. I agree with Rebecca. Just if we are fortunate enough to get registrants who have gone through this process it's very possible that it's in their thoughts because they would have stopped hopefully to think about it. And if it wasn't, then push on. Thanks.

Julie Hedlund: And Greg and Stacey agree with Rebecca on this question. So and Kristine agree that we'd like to hear from them, just thought open ended would provide that opportunity (unintelligible) but not a hill I will die on. So, Greg, Stacey, you're okay with where we are on that and that's clear?

Greg Rafert: Yes.

Julie Hedlund: Great. And then in the second bullet under 5(a), need choices from below for why they didn't continue. And then I see there are choices that are added. And I see agreement from folks as far as those additions. And including addition of Q6(c) which of the following best describes your understanding of the purpose of claims notice and various choices there. And I'm just going to ask people to raise your hand if there's anything any changes in here that anybody has put in, Rebecca or Kristine or otherwise, that you're not agreeing with. And I'm just trying to search for things where there may be questions. On Q6, Rebecca is noting, "In case they feel like they're being

asked to incriminate themselves,” and she’s added some text with respect to that, a new 6(a).

And I’m still just moving through here. Q6(c) and obviously there’ll need to be some renumbering here and addition of text to inform one of the existence of the trademark owner with the trademark on a term that matches the domain and Rebecca, please go ahead.

Rebecca Tushnet: Rebecca Tushnet. So I appreciate Kathy's intent here in terms of the suggestion in Q6(c), I would prefer to keep the distracter there just because something that is clearly – that we all agree is not true, but that so to actually show whether or not they understand it because if someone picks the one that’s clearly not true, we actually have important information. So that is why I kind to like, to offer me the right to make legal claims on a domain name against others in the future.

So you know, maybe we should – maybe we could make it, you know, select all that apply, but I kind of like having a distracter there, so I would prefer to keep something if there are other thoughts on what the distracter should be, I’m cool with that. But that’s why I wanted it left. Thank you.

Julie Hedlund: Thank you. Kathy please.

Kathy Kleiman: Then I defer. I was looking at it differently but in the interest of time and closure I defer. Thanks.

Julie Hedlund: Thank you. Then we’ll reinstate that text to offer the right to make legal claims on my domain name against others in the future but Kristine, please go ahead.

Kristine Dorrain: Thank you. No objection there. Mine was the next – or two bullets down. I think Rebecca had deleted the, “Inform me that someone else previously register my domain name point,” and I think it’s actually pretty fair if you were

maybe had an 8th grade education and you were registering a domain name and it showed sort of trademarks. You might think that the domain name is suddenly unavailable. Oh, look, someone else already has it, you know, you want to get this instead or something. I'm wondering if that would be sufficiently a deterrent if they thought that that would be the domain is suddenly unavailable especially if it's being shown right before checkout. Oh, yes, sorry, I guess you can't have this.

So I actually am wondering – I'd love it if Rebecca had a different interpretation of that to figure out, you know, is this question valid or not because I think this is a legitimate reason someone might abandon their registration when they see a claims notice. Thanks.

Julie Hedlund: Thank you, Kristine. I have Rebecca and then Kathy.

Rebecca Tushnet: Rebecca Tushnet. So I, you know, I've thought about this as distracter. The reason that it makes less sense to me is just that I think even – at checkout you – they just told you that it was available. So I feel like this one is sort of – is actually almost not good enough, like I think for many people it will be clearly wrong. So that is why I preferred the other one. But I think it would be great to hear from Greg and Stacey. Thank you.

Julie Hedlund: Thank you. Kathy.

Kathy Kleiman: Yes, I think we agreed to delete this last time because you probably wouldn't get here, you know, to the trademark claims notice if someone else already had the domain name, you wouldn't have moved to this point in the process of reading the trademark claims. But happy to defer to everyone else.

Julie Hedlund: Thank you. Kristine.

Greg Rafert: It's Greg. I'm fine removing it.

Julie Hedlund: Thanks, Greg. And Kristine.

Kristine Dorrain: Thanks. This is Kristine. Yes, that's fine. I wanted to just explain my understanding of the question and how I thought it was legitimate but I can also see how it's really viewed as a distracter and it kind of doesn't, you know, it's kind of a clearly stupid answer. So I'll withdraw my comment. Thanks.

Julie Hedlund: Thank you. And then moving to Question 8, and the text only display option selected in Question 7. Rebecca's note is, "As I've previously noted, I'm opposed to showing these all at once absent a reason founded in survey practice. They should be shown in rotation and one at a time."

Greg Rafert: And this is Greg. I think that's a really good point so we can make sure that that's coded.

Julie Hedlund: Great. Thank you. And then Question 9, there's some strikeout and some next suggested by Rebecca. She says, "Original language confusing, creates an issue of compared to what." And Kristine says, "Much prefer the rewrite." And that brings us to the end of this document. Is there anything I might have missed? Clearly we have six minutes left and we have a fairly large survey we have not touched on yet and that's the brand trademark owners.

So how would we like to proceed with the brand trademark owner survey? We certainly can have Greg and Stacey be working on the finalizing the other surveys. And I see Michael you have your hand up. Please go ahead.

Michael Graham: Yes, I haven't looked at it in a couple days but I would be very interested in what – not so much Greg and Stacey but others in this group who know the issues that we're trying to address if there are questions that you believe we can either truncate or remove from that survey. And that's something that I'll do as well to go through it so I think that would be sort of the first part and

then the second part would be addressing those questions that would remain.
Thanks.

Julie Hedlund: Thank you, Michael. And I think we also discussed earlier today about just in general allowing people the option to you know, to breaking up the survey into sections and allowing people to take a section of the survey to address the length. But, yes, this survey has more comments. Kristine is saying, "What about a call on Friday with say homework of people to look at that trademark survey in the meantime?" What are – what is the availability do we have for folks on Friday say I think we have used that noon or 1600 UTC slot previously recognizing that as we all hate that would be very short notice for a meeting. And Lori says, "Like we need more homework?" Yes, sorry, Lori.

Michael Graham: This is Michael...

((Crosstalk))

Lori Schulman: ...staff, Julie about the time options. I'm sorry.

((Crosstalk))

Julie Hedlund: I was reading your comment, Lori, "Because we need more homework."

Lori Schulman: Oh yes, sorry. No, I'm asking if you wouldn't mind, Lori for the record, if you wouldn't mind repeating the time options again? The Friday I got but then did you say Tuesday as well as the other option? I just missed that part of the sentence.

Julie Hedlund: I just said previously we've used the time of 1600 UTC on Friday as a possible meeting time. And I guess I'm asking whether or not folks here would be able to do that given that it's very short notice. And noting Greg, that you cannot attend but Stacey can. Kristine says I can move my Friday around to accommodate.

Rebecca Tushnet: This is Rebecca Tushnet. Sorry, I had to leave the chat but I can do that too.

Julie Hedlund: Michael says he can attend. Eastern time, Kathy, that would be noon. I see multiple attendees are typing. And Kathy says, "Thanks. I can attend." Lori says she'll be with her CEO. Lori, maybe we could ask if you could instead do homework offline, hate to suggest that. And maybe put in any comments you might have into the survey if you can't attend at that time? Okay. I know it's hard for Susan too. Dare we suggest 11:00? That actually runs into a conflict with the staff and co-chairs normally have a call at – that crosses over that time on Fridays and I think we have one scheduled.

Kathy Kleiman: Right. And I'll just add – this is Kathy – that it's hard to get Brian at other times on Friday, Brian Beckham.

Julie Hedlund: Precisely. I think we'll have to keep it at noon and see if we can get Susan or not. And but we could in our notes suggest that if folks have constraints that they then try to go into the Google Doc and provide any comments that they may have in the Google Doc that we can then address on Friday. Again seeing some folks typing. But so I am going to suggest then that we go ahead and we'll get that on the schedule, send around the invites. We'll get the notes out and the action item notes for everyone to please take a look at that trademark survey in advance of Friday's meeting.

So thank you all. We are now just about at the bottom of the hour so I do appreciate all your hard work today and thank you very much and thanks also for your willingness to meet on Friday.

Kathy Kleiman: And thank you, Julie, for chairing a great meeting and thank you to Greg and Stacey of course as well, thank you for your time and thanks, everyone.

Julie Hedlund: Thanks, all.

Lori Schulman: Thank you.

((Crosstalk))

Michael Graham: Bye, everyone.

Kristine Dorrain: Bye.

Julie Hedlund: Good-bye. Have a great afternoon. Bye-bye.

END