

**ICANN  
Transcription  
Review of all Rights Protection Mechanisms (RPMs) Sub Team for Data  
Friday, 20 October 2017 at 16:00 UTC**

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Operator: Your recording has now started. You may now proceed.

Michelle DeSmyter: Great. Thank you so much.

Well, good morning, good afternoon and good evening and welcome to the review of All Rights Protection Mechanism Working Group Subteam for Data Meeting on 20th of October 2017.

On the call today we currently have Kristine Dorrain, Kurt Pritz, Susan Payne, J. Scott Evans, Michael Graham. We have (apologies) from Lori Schulman and Philip Corwin. From staff we have Mary Wong, (Gary Cobb), (Unintelligible), Julie Hedlund, and myself, Michelle DeSmyter.

I would like to remind you all please state your name before speaking for transcription purposes.

At this time, you may begin.

Mary Wong: Thank you very much, Michelle, and hi, everybody. This is Mary from staff.

Just to note that I'm not planning to (unchairing) this call but given that our first agenda item is for the Subteam to select or appoint its chair or co-chairs, perhaps I could just help facilitate that process.

And we did not see activity on the list with respect to this action item. Sorry, agenda item. So I'm just wondering for those Subteam members on the call if you've had a chance to think about it and whether you would like to put any names forward of this position.

Michael Graham: Yes, Mary, it's Michael Graham. And although I would be glad to help out with the meetings and such, I'm not going to be in Abu Dhabi and I think that's a place where, you know, it'd be great to have some work accomplished where we'll probably have some other members of the PDP drawing and work there.

So, you know, I don't want to - I think we ought to have a chair or at least a co-chair who will be there, be on the ground to be able to direct the meeting. So I have to hold myself out. But certainly help out with the call meetings.

Mary Wong: Thank you so much, Michael. Understood and very much appreciated.

Kurt, please go ahead.

Kurt Pritz: So we've had some conversations behind teams about who might be a chair and nobody seems to be able to devote the time or ability to step forward. And I wonder, you know, unless somebody is and then I'm all for it. But if not, then I wonder if, you know, we - since we're a really small group, we can operate in a certain way and that is, you know, the first thing we would do is make, you know, an agenda or a set of milestones, so how we're going to march through this.

And then the chairing becomes sort of automatic or administrative and then, you know, we just ticked off the boxes as we go down. And because we're a

small group, we really - you know, that are familiar with one another, we can probably work down that agenda in a pretty easy way so that we're not, you know, tasking one person with a lot of administrative work but rather, you know, we kept - so to rephrase it, we tasked ourselves with the administrative work by creating our agenda first and then we can just work down it and maybe that's our approach.

Michelle DeSmyter: Thanks for that suggestion, Kurt. That does sound quite promising.

Kristine, please go ahead.

Kristine Dorrain: Yes, I support Kurt's suggestion. I was going to - I think somewhat familiar which was also given due to the pretty tight-knit, close-knit (unintelligible) group. I was wondering if it could almost be rotational. So, you know, we've all chaired before. We've all sort of - we're pretty involved. We know what's going in. If we can really get deep participation from everybody already anyway, really it's just a matter of who's going to kind of, you know, pass the mic around on our calls. So we could make it an action item on each call to just sort of nominate, you know, someone to volunteer to take the next week. That way, you know, we're all super swamped right now and no one has to say, "Gosh, this is like a three or four or five or six-week commitment," but, you know, we could say, "Yes, yes, I can do it next week," or whatever it is but just, you know, I think we could maybe do something similar. So that was just sort of a variation on Kurt's suggestion, I think.

Mary Wong: Thanks very much for that, Kristine. And that does sound like a way forward although at any point in time, if anybody wants to step forward and nominate someone to chair, I think we should keep that option open as well. Understood that everyone is super busy and that this is quite a significant time commitment particularly given that the time pressure is on this group so. So what staff will take on is for every agenda, the last agenda item will be agreeing on an agenda for next - the next call and who is going to chair the next call. So thank you all very much for that.

And, Kristine, please go ahead.

Kristine Dorrain: Yes, yes. I just - I was hoping to get a little reaction from that. I mean, I know that you just thought that was a great idea. That's good. But, you know, I know J. Scott is on a quiet place but, Kurt, Michael, anybody else thinks that - Susan, anybody else think that that's good or bad, if that's a good variation or a bad variation in Kurt's idea. I hate to just throw something at the group without any sort of discussion.

Mary Wong: Thanks for that, too, Kristine. Yes. And certainly, I did not mean to rush ahead. I do see some concurrence in the chat from Susan and, I think, J. Scott. And as I mentioned, we can certainly keep the option for someone to become the chair open.

And, Kurt, thank you for agreeing with (Susan's) agreement with Kristine suggested variation of your idea.

Perhaps, what we can do is adopt this mechanism certainly for this call and what staff can also do is when we send out the action items from this call to make a specific note of this suggestion so that Subteam members and the other working group chairs who are not on the call today have a chance to weigh in if they have other suggestions especially.

So thank you all for being so flexible and for working out this particular mechanism.

I guess then the obvious question would be whether which of you on the call today would like to chair today's call, given that the agenda, as we have suggested, and please feel free to change it around or to suggest an alternate agenda item.

When staff did the table our proposal based on the fact that we broke the task into two tables, one is the main survey that this Subteam will be looking through and Table 2 is pretty much the other research that's mostly done by staff. We thought it might be helpful to go through the second table first today so that you all know what it is that the staff and other researchers may be taking on and you can give us any specific guidance but then you can dive into the Table 1 survey.

So I guess I should ask first of all if that agenda is acceptable to everybody, and second, if that is the case, whether one of you would like to volunteer to chair the remainder of this call.

Kristine, please go ahead.

Kristine Dorrain: Thanks. So I - this is Kristine for the record. I understood Kurt's suggestion not only to be a weekly agenda but to be sort of the first thing we need to do is do that work plan or that sort of overarching agenda, so we sort of know what to expect. And, Kurt, please correct me if I'm wrong.

So I think I can't chair because I have to leave in 15 minutes but just throwing out there that that was my interpretation of what I thought Kurt's suggestions or maybe I got that wrong.

Mary Wong: Kurt, did you have a comment about that? Please go ahead.

Kurt Pritz: Yes. So I'll - yes, so I don't - we only have Kristine for half of the call. So let's start working and, you know, go around the virtual table and get everyone's input as to what we think the order of battle should be - because I think there's, you know, three or four steps that we want to go through with regard to how, you know, how we treat these questions, how an RFP might be constructed or a space to work and those sorts of things.

So, you know, and I'd rather not start because I'm much better of being critical of what others will say. That's a joke. But, you know, we - let's look at the document you prepared and say, "Okay, we've got this. Now how do we get to the end?" Well, there are four major steps.

Mary Wong: Thanks, Kurt and everybody.

Kurt Pritz: So what do we think we have to do first? You know, we have to create some work product. We're going to hand over to the - who's ever doing this survey.

So as a point of order, it's agreed that we're not going to do the survey, right? That we're going to retain someone to do the survey. Is that everybody's agreement?

Michael Graham: Yes, this is Michael Graham. I think that's - that was the agreement going forward and then some of the work that was going to be done by staff. And then I think in that second group of questions or issues, there are a couple of things, too, that the question really becomes is or some other's source of manpower that we could use because as staff points out in their comments, the research projects are pretty huge. So it'd be nice - it'd be good if we could find some other means of getting that research done.

But in terms of the surveys, yes, I think that's something that we were looking to do - tailor the questions, doing RFP, I believe, to get a survey provider to take it on and I know we've worked with several. Nielsen is one. AF is one. I don't know if there are other ones as well we can reach out to but those would be the ones I would think we will be specifically reaching out to find out about getting a survey done in the scope and with the questions that we're designing for them.

Kristine Dorrain: Hi. Thanks, yes. I just want to append about Michael was saying that yes, yes, basically and I - this is just remembering that you were not in the call, I think, on Wednesday.

So one of the things that are being action item is the - on the right. So we have the purpose and scope of sort of each individual set of questions, some registry operators. We have the charter questions which I know you were part of some of the creation of these revised charter questions. But we can't send a question, for instance, to the price or premium name pricing practice on fairly limit ability of trademark owners to participate during sunrise through a survey provider. They will have no idea what they're doing.

So what we're doing here is we're putting in like maybe test questions or refine question or a more black and white question, something that will allow those survey providers to really kind of dive in. Oh, you listened to it last night. I'm sorry. I'm repeating them.

So yes, that's it. Okay, thanks.

Kurt Pritz: I had a brief chat with Susan before the call. And so my understanding is the left-hand column, the - I must be looking at the wrong document but the scope, the purpose and scope is somewhat sacrosanct because that's the wording that was approved by the GNSO. So we can't - so we want to be able to answer the charter questions ultimately and the purpose and scope is the information we're seeking from, the registries/registrars and others to help us answer the charter questions.

And so our first task, as I understand it, is to, you know, add in notes or additional guidance to the purpose and scope so that whoever the survey conductor is or information gather can - has enough information to go about what they're doing.

So to me, that's the first task. And perhaps, you know, I talk too much but perhaps before the first task is, you know, understanding what the capability of the survey provider is going to be, so we know how much additional detail we need to provide to them.

So if they have a good deal of expertise and registry/registrars operations and the operation DNS domain names, not so much if they're, you know, whatever group the survey of the trademark clearinghouse before them probably allot.

So I think maybe that's a Level 0 discussion and then the first discussion is to - the first task is to create this additional guidance. And then I'll stop talking and let Susan talk.

Susan Payne: Thanks. Hi. This is Susan.

Yes. I mean, I may be wrong. I was taking the view when we were discussing this. The purpose of this column is kind of sacrosanct. And I might be wrong on that but I think it was. From, you know, my understanding and my recollection is kind of we have to draw the questions then we spend some time going, "Okay, so what data will we gather or what are we going to try and look for to help us with the answering of that charter question?" And we identified who we'd be seeking that information from. You know, all of that work product went from the subgroup to the working group and got kind of agreed and approved, in some cases, with a bit of tackling back and forward and then, you know, was passed on the GNSO Council.

And so I feel like we just spent a lot of time, if you like, talking about the purpose and scope. And I'm reluctant to try and reopen that in any way even if we all recognize that that information on its own maybe, you know, maybe need some guidance for the survey providers.

So taking like the first item just as an example and I'm not sure that we can - I'm not sure how useful it to try and go reach one on the corner but we could try and do it. But, you know, I'm looking at that and thinking, okay, so we're trying to answer, you know, what's the impact on pricing sunrise and premium

pricing on trademark owners but we're asking this question of the registry operator and we're looking for anecdotal evidence.

So then we have to think, okay, so what kind of question or what, you know, what sorts of question, I'm not sure that we actually draft the question but what kind of questions or what quite kind of information are we asking our registry operators for. And I'm not sure I know the answer to that but I'm guessing it would be - well, I mean, I'm guessing, you know, asking them questions about their pricing is obviously information that could prove useful. But I don't - I think we all recognize we're not really going to get that information.

It seems to me highly unlikely that if we ask the question around, did you get feedback from (Brandon) about your pricing, I don't think that feedback would go to a registry operator. I think that's more likely to a registrar. Basically, I'm giving lots of negatives here. I'm not sure I know the answer to the positives but we either kind of debate on the call or one of the things we talked about on the last call was kind of divvying up the table and giving people the task of trying to come up with that third column.

I'm going to stop now because I think I've rambled on long enough.

Kurt Pritz: Thanks, Susan. Does anybody else want to try make a comment?

So I disagree with J. Scott. I think there are entities out there, you know, I know registries and others that have done survey and there is people in the ICANN community that are data scientists and others that are consultants and - so I think we should seek someone with understanding.

And to me, Susan kind of makes this point for me because just in her very preliminary ramble, you know, she raised a number of questions that, you know, she thought but wasn't sure about how a question might be worded and that was just one question.

And so to me, this takes, you know, a combination of people that are specifically oriented or have understanding of statistics and surveys combined with, you know, people with the registry experience to sit down for an extended period to the table and people that, you know, are not colored by argument and, you know, objectively take these and create the questions themselves.

And so - and I think that our attempts at a long effort to do that would result in something that probably gets us, you know, 1/2 or 2/3 of the way home but at the end of the day, we still need, you know, the survey provider or whatever we want to call them to really make that - put the questions in a form that, you know, registries are going to suck right in. And when I, you know, I look down, you know, look across our population here, you know, I think we get close to that but it would take a lot of work and probably not get us there.

So in any event, I think, you know, we should ride in to our requirements that this sort of expertise is requiring.

And I'm still talking. I can't believe it so. And I think that - and I fear it if we don't. We will get a product but the product won't be what we hope for and might set us back.

Michael?

Michael Graham: Yes. We're sort of between a rock and a hard place and this is somewhat where we were including together a survey for INTA.

And sort of from the discussion incurred, I'm sure you heard it, my comment was, you know, we can go out to the experts, we can go out to the service providers, the survey companies and they require really more - as much information as we can, one, to govern whether or not they'll be able to do it and then also so that they can help us phrase the questions.

I think what you were suggesting was sort of a pre-part one where we take what we've developed in the first three columns and we're saying "Hey, are there experts within ICANN who can help us out and come to take a look at this?" And then once we work with them, then going out and doing the RFP and asking survey companies if they have ideas if they can help us put together the questions and get it out there and what would it cost, I think if we could cut out that going to experts internally, if we could - and this was the idea that I was thinking of, divvy up that first table amongst us, you know, there's probably one, two, three, four, five, probably seven different portions of that, unless somebody wants to do a whole huge thing.

Try to see if we could come up with questions that we would think would address and sort of translate the relevant charter question to meet the purpose that we had set out for each of these and then be able to send this out to the RFP to the survey companies and say "This is the information we want to get. This is how we think we want to - we can get it by asking these questions. One, we need you to tell us if that's true or what's a better question to ask, and two, how much will it cost." And that would be the RFP that we would get back from them which asks them to do a little bit of work at the same time.

But that would also cut out a step and try to expedite this process as much as possible, realizing what we're trying to do is just get some information that in our PDP group discussions we've all said, "Well, you know, what information do we have and realized we don't have it? Well now, let's go and get some information."

But the goal of the PDP is not to get the information as it was for INTA. The goal is to use that information and take a look at the RPM status and to make suggestions going forward, as I understand it. So anything we can do to expedite the process seems to me be for the good.

What we did -- and this was with people who were not trained in survey taking or in statistics or anything else but basically new trademark owners and such -- we took the questions that we knew that the - we were told from the CCTRT that they wanted answers to.

We put those into question forms and then presented that to the survey companies. They came back with some changes to those and that's what went forward. You know, there are some issues with the survey but it was certainly ones that were being dealt with or are being dealt with by an expert and not just by us.

But if we hadn't presented those draft questions, we'd still be talking about, you know, what to do because draft question is not only good for the RFP, they're also good for us to ensure that we've got an idea of what it is that we're asking,

So my idea in terms of timing and sorry I'm talking long now, Kurt, but my idea of timing was to divvy out the first table, ask people to come up with questions that could be socialized right before, so like by the end of next week, so that those then could be discussed in Abu Dhabi at the meeting to try and clarify those and perhaps by then, too, if we could reach out and get some ideas of who we would be submitting RFPs to and what information they would require for us to do that and be able to come out of Abu Dhabi, one, with sort of agreed to questions that we know are going to change, and two, the strategy going forward with who we're going to approach on the RFP and such.

And I'll shut up there.

Kurt Pritz: Thanks, Michael. That was really good.

So, Mary, could you take one minute and summarize what the chat has said? Because I've been, you know, reading the document. And so what's the gist of the chat?

Mary Wong: Hi, Kurt. This is Mary from staff.

The chat was really about the scope. And I think that the general consensus both in terms of the folks who had speaking and the folks who had been typing is, you know, going back to your point about what sacrosanct that we just have to find useful or, you know, relatively useful guidance and/or questions for each of the suggestions that were proved by the council.

So we can't go back to the working group and say, "We think, you know, this particular suggestion is not going to be helpful, so we think we should not do it at all." Rather, what we should be doing is saying, "Well, even if we don't think this particular suggestion is going to get us much useful data, let's try and find some kind of specific direction or objective or question where we could at least try to get some data." I hope that's useful.

Michael Graham: Yes. My hands...

((Crosstalk))

Michael Graham: I do have in going with that. So, you know, I don't think we'll come up with perfect questions and it took the - well, not CTC. What was it called? It took the group that was looking at analytics so that we could come up with a list of metrics or the CCT review team to provide to them so that they - the experience of the new gTLD program after a year and after three years and figure out where it was. It took us two years to go through these are areas that we want to ask about - formulate questions and formulate the specific questions and, you know, those questions, as the CCT, if you look - following that, no. One, they've figured out that they don't have the data to answer the questions that they were asking, and two, they need to ask more questions.

So, you know, I don't think we're going to have an end all. So my thought -- and you can jump on this real quick -- is we're going to come up with some very imperfect questions. We're probably not going to come up with questions, in some cases, that are for metrics but maybe the survey taker will. So for example, the very first one, just - and this is my thought -- maybe this is a good way to see if I'm on the same page with the rest of you -- is so the scope is obtaining anecdotal evidence to facilitate us about premium pricing aspects.

And the relevant charter question is, does registry - pricing practices unfairly limit the ability of trademark owners to participate during sunrise, which is something I think we've heard from registries/registrar, wherever.

So then the question, if I were drafting it, would be, do you have any evidence or either anecdotal or otherwise that registry sunrise or premium name pricing practices are limiting the ability of trademark owners to participate? If so, what is that evidence? Those are my two questions. And I put those in the fourth category and then I go on to the next one.

Once I've written that in then in Abu Dhabi, we can talk about it. Hopefully we'll come up with something that we're not going to spend all day on one question which we certainly could but would accept that - to pass on to a survey taker so that they could go "Yes, you'll have useful information if you ask this" or "No, you won't and here's a better way of asking it." And now we're using the expert that we're paying for.

And it moves us forward and it's something that we can do very quickly. Even if they are totally imperfect final questions, they are our best shot. And I guess that's what I'm thinking we ought to go for.

Kurt Pritz: I was hoping to get Kristine's partying shot before she left but we didn't. So do we have - do we agree that we could each take one of the seven sections

if we get a couple of more people and, you know, and by the next meeting, you know, have some guidance or question that would help the survey taker and the registries and registrars and others understand what we're looking for? Is there a consensus about - around Michael's idea? And I think somebody else mentioned it, too, that we would approach it that way.

Michael Graham: Yes, I think Kristine said that she would take whatever section she's assigned. So I think she would...

Kurt Pritz: All right. Michael...

Michael Graham: I would...

((Crosstalk))

Kurt Pritz: Susan has her hands up. Michael's hand is not up.

Susan Payne: Oh, I'm sorry.

Kurt Pritz: Go ahead...

((Crosstalk))

Susan Payne: ...so, you know, we don't need to stick too closely to the hand thing, I don't think. But I was just only going to point out that Kristine had put a supporting comment to that effect in the chat as well. So Michael made that point.

And I'm - then I was just flicking through the - as you were talking. I think it might only be six because seven is kind of the research that staff are beefing a way out. So I think it's more six which is good. We're losing people off this call as we're getting to the point where we allocate them out.

But, yes, and I was overlooking at the, you know, there are some questions, some registries questions, registrars questions for potential registrants and trademark owners.

And then I was just kind of in my head. We're still thinking, you know, on the one hand, it's kind of useful to say if you're a registry operator, you take the registry section. But I wonder if that is the way to go or are we paying to preconceptions by that - by doing that.

You know, given that I very much wear a kind of brand owner, how am I been not taking the brand owner section and I should take, you know, the domain name registrant or something like that and that way try not to bring my own prejudices to it. I'd love to know what other people think.

Kurt Pritz: Michael?

Michael Graham: I did put my hand up this time.

I think in the - and now I think the data, Susan, that - probably appropriate to stay and be looking at other data. But I think in putting together the questions is really useful to the extent possible and just long prove that people know, for example, how a registry operator operates. They'll know how they'll be able to - they'll better know how they would be able to answer questions than I would who's never worked in a registry.

Kristine would be someone I think would be good with that because she is working with the Amazon registries, whereas I'm in a much better position to either be in a registrant because I've done that or trademark owner because I do that. So I'm happy.

I don't know how we want to divvy this up. The first two questions are multiple and seemed pretty large, whereas the last one's a much more manageable by person, I think.

Kurt Pritz: Thanks. I agree, Michael. I think, you know, we won't read everyone's question. So, you know, we'll spot some, you know, for this group, I wouldn't think any of the prejudices will surface - but they might surface unintentionally but we would, you know, we'll review those and know that. Mary?

Mary Wong: Thanks very much, Kurt. And thanks, everybody. Mary from staff again.

If you permit me, I just wanted to make a couple of - like stepping back type observations. Hopefully it will help you plan for your Abu Dhabi session as well as for the division of work. As Susan pointed out, there are six target groups in this Table 1. And I wanted to note in addition on that point that in terms of Target Group Number 2, which is the registrars, is actually a built-in survey - list of survey questions for registrars already, so the person or persons taking on that bid for registrars may have a slightly different task than someone taking on another bid.

Another observation is that with respect to the registrants, the actual registrants and potential registrants, a comment had been made in previous working group meetings based on the fact that we have a very limited budget that those registrants, actual and potential, should be reached through the commercial stakeholder group and the noncommercial stakeholder group to keep the universe manageable.

And the third comment I'll make on this division of six groups is that the six group is still not a fully defined group and that we haven't identified what the trade associations or public interest groups are. So again, the person or persons taking on that particular target group may have either an additional or slightly different task, at least on a preliminary basis. So hopefully those are helpful.

And my question to the group, you know, looking ahead to your session in Abu Dhabi is whether the plan is for folks to come back with suggested at

least initial observations and questions in the last column for all six of these groups so that we try and get working group and committee feedback on all of them in the 90 minutes that you have. Hopefully that helps in the division of work for today. Thanks, Kurt and everyone.

Kurt Pritz: Sure, Mary. So let's talk about Abu Dhabi's kind of change of topic. So let's save ten minutes at the end for that.

And I think the only - you know, the only slight exception I'd take to what you said is about budget. So tell us what the budget is and we'll try to work to that. But if a budget is not set, then we should, you know, do all work economically but also thoroughly. And then if the economically thorough plan cannot be funded, then we'll have to do something else. But I suspect it will - would be.

So I think - so, Mary, one thing you could do for us maybe is list the - all the Subteam members in the chat or something like that, so we know the universe from whom we can pick. And then - and I think maybe before the end of the call or right after it but I'd rather us to wait, you know, kind of make some preliminary assignments.

And knowing that then another thing I'd want to talk about at this meeting would be, you know, the statement of work and, you know, to me, I'd rather, you know, not just leave it up to staff to fashion a statement of work. I guess we could edit theirs but, you know, I would rather, you know, make one of our tasks to create either the bullets in the SOW or some sort of content or minimum requirements or what we expect, you know, what are our ideas for getting this done as correctly but also as quickly as possible, you know, what are the requirements for the survey taker.

And we do that before we do the questions because, you know, we've got to find a provider. And while we're looking for a provider, we can mark up these questions. So that's sort of order of battle thing or do we need the questions

correct before we go out and look for somebody. So I guess that's that question.

So if you don't mind me changing the topic a little bit, if anybody wants to talk and spend a minute on that, it'd be great.

Michael?

Michael Graham: Yes, I've got my hand up. Lori may have something to say along these lines as well. I was going to ask though, well, one, Lori and I do have some experience planning together for the INTA survey but I wonder if Mary - has ICANN, I mean, developed a way of approaching this sort of a form for the various studies that have gone on that would be useful for us to utilize?

Kurt Pritz: Mary?

Mary Wong: Oh. Thanks, Kurt. Sorry, I wasn't sure if I was going to go before or after Lori. As you said, Lori may have some helpful information to offer given INTA's recent experience. But I'll try and answer the questions that have been raised.

So first as to budget, what we had put in the request to the GNSO Council was a minimum \$50,000 sum. That was based on conversations with a few folks in the community as well as among staff as to what a survey of a relatively closed universe might look like and another consideration was that because we are pretty much coming to the middle of a financial year that there really is very little money allocated in the policy budget for research beyond this figure given that we have several large PDPs going on, at least one of which has already used some of that budget as well.

So we have a minimum sum of 50,000. It may well be that we end up somewhere north of it. But my personal expectation and I say this not having had the discussion with finance or with David Olive, who has to approve all of

this in the end, my personal suspicion is that - to really have that much flexibility beyond a certain limited greater or lesser sum.

In terms of the process, I - we've just started the internal procurement process. In answer to Michael's question, there is a fixed process that ICANN goes through. This is in line with best practices for procurement across organizations and it is also for accountability given the sums of money that are involved and the possibility of, you know, conflicts of interest, et cetera, that was then to avoid.

As part of that process, there will be an RFP issued. But in answer to Susan's question, no, the Subteam does not have to draft the SOW. The procurement process is managed by staff. What we will need help from the Subteam and the chairs, of course, who are ex-official to this team, is as much guidance as you can provide.

So for example, I think Michael mentioned earlier possible providers, professional survey designers who you think might be able to do this kind of work either because of the experience as survey designers or because they have done similar work in the RPM space, et cetera.

And another piece of very useful input would be exactly what you're doing with the Column 4 right here. I don't know that we necessarily need specific draft questions for every single column, although those could be helpful. But what we're looking for here would be your direction and your input as to the kind of questions, what are we trying to ask, exactly the discussion that you had with that first task for the registry operators. You know, you didn't think that, you know, asking in a particular way we'll get useful data.

So what specifically can you pin down is the objective of this particular request. Things like that will be very helpful informing the RFP. And I hope that that's helpful, Kurt, Michael and everyone.

Kurt Pritz: Yes. Thank you. Thank you, Mary.

Lori?

Lori Schulman: Yes. I wanted to just share - and maybe it would help guide the group overall in terms of whether or not you have to have all of the questions, no, you don't. But I would say that because these are very broad questions that came out of the Subteam ended up here would be worth some time until we see - to Mary's point, to elucidate on very - you know, what is the - what are the specific data points we're actually looking for.

And then once we have that that would be part of the RFP because a lot of the pricing is going to depend on how much design work has to be done upfront. And the experience that INTA had is we sent out detailed list. We had worked very long and hard with the CCTRT to come up with what we thought was a comprehensive list of data.

And what had happened was - learning here, you know, the more you drill down and the more possible questions you have, the price potentially increases. But at the same time, if you go too broad, then the data - the third party doesn't exactly know what you want. So this is a balancing act that was great.

In my estimation, I think the questions we have are too broad and that if we could at least narrow them down to a couple of sub-questions two or three that it would at least give some guidance in terms of the design. We went the other way. We have so much information and so many questions and so many details that I think it created a lot of complexity and it was this complexity that inhibited our membership from fully completing.

As people well know, we got about 3.3% response rate and we were really hoping for something along the line of 5% or 6%. And it was the complexity of the questions that really hurt us, I believe.

So it's - we've got to remember that we're going to be asking people to take a lot of their time, which is money, to do the survey. So it's important that we're targeted not too complex and that we prioritize what we want.

My fear is that sort of these abstract questions and ideas that we put together in the Subteam may not give enough guidance to someone on the outside.

Kurt Pritz: So that's really good, Lori. I found the same thing in doing surveys that, you know, one, the question has to be clear. So when somebody reads the question, they know how to answer it because you don't want to discourage them, and two, is the number of questions have to be limited and they answer in the right order so that you get the best response rate that you can possibly get.

And to the extent you have advice for us that's - that can be put in bulleted form as we rewrite these questions or some of your lessons learned, that would be, you know, really good if you want to send that around to the group.

Lori Schulman: I'm happy to do that. I think that's critical because actually, you know, (unintelligible) said about the turnout but given what we were trying to find for CCTRT, given what we were told the team absolutely had to have, I think we did pretty well. And we also learned that what we think we have to have may not be what we can get. So there's got to be some sort of reality check. And that's sort of the concerns I have and then we've had discussions about these six universes. I have concerns about registrars in terms of how we really identify that term because I think "registrants" is a very broad term and it could mean members of the general public. It can mean trademark owners themselves as registrants who have large portfolios. It can mean domain investors. It can really be anybody for any purpose.

So I think in the areas where we're trying to be universal, it would be very worthwhile to define the universe narrowly. And I know there may be some

opposition to that but there's a reality check here as well. And I think that will be the biggest challenge for this Subteam. We all agree that we need broad representation. We all agree that we need to focus in a way that promotes the multi-stakeholder engagement and model.

But we also know that ICANN will not invest - I think it's unlikely that ICANN will invest six straight years in this.

I was one of the colleagues that Mary spoke with. I gave her a broad range. I will tell you from the RFP experience we had, we had bids as low - 50 was among the low - bids. We had bids well over six figures into the \$150,000 to \$200,000 range for the same thing which is very interesting.

And what also happened is I don't remember the exact number but we may have sent bids into as many as two dozens and I think we got under five. I don't remember the precise numbers. I would have to go back and ask our impact study team.

What we did and how we organized the production of the work was that INTA now has a brand new impact study committee. This was their first task as a matter of fact to create a process around this. So it was the impact study team that did a lot of this legwork and actually led the RFP process while the Internet could be served as the subject matter expert.

We also felt that this would be a better way to get objectivity because those of us who are in the Internet committee tend to be very steep in the ICANN work and it's very important - these questions be accessible by laypeople and people who are not steep in ICANN's process.

Now for registrars and registries, that's a different issue. But if we decide where you're going to survey anybody outside of that very specified field, including brand owners because most brand owners are not steep in ICANN, that we have to be careful about this.

Kurt Pritz: Thank you, Lori.

Mary Wong: Kurt, this is Mary from staff. May I follow up on Lori's points?

Kurt Pritz: If you can do it in 30 seconds.

Mary Wong: I'll try my best. Essentially, just to follow up on her points about the range and the expectations that we set for responders to the RFP, she mentioned the work that was done for the CCT review team.

So first of all, you know, like I said in the chat, the budget that we have available is just very limited certainly for this year which is when we need to get this Phase 1 done of our PDP. But to give you an idea, one of the reasons why, you know, in sort of designing this request of the council and putting in that estimated minimum budget is based on a relatively closed universe is that in terms of the range of cost, as Lori has already mentioned, if you have a closed universe of a few hundred people, you could do a survey for less than \$50,000.

But if you're going to do a global survey of, you know, all Internet users or all registrants how to define and that is very similar to what the CCT review team tried to do for one of their - global regions of Internet users and of registrants, that survey alone just for each piece costs over \$200,000. And we simply don't have that. And that's why we hope that in the setting the sort of realistic expectations for the working group that in designing and refining these tasks for the Subteam, bearing in mind the council's direction, that that framing is helpful.

And thank you very much for the suggestions, Lori. Staff has tried to capture them in the note. So, you know, hopefully that's helpful for everyone.  
Thanks, Kurt.

Kurt Pritz: Thanks, Mary.

When I was with the DNA, we did a study, ten different countries, 5000 respondents, translated into seven different languages and, you know, plus or minus 5% to a 95% confidence level and we did that for \$50,000. We did some of the work ourselves but, you know, the conducting of the survey finding 5000 random - totally random respondents, stuff like that.

So, you know, there's lots of ways to skin a cat and I think, you know, talk about we're putting the card in front of the horse a little bit by talking about cost.

And so I've - there's two questions really left to answer. One is, you know, and now we only have five minutes and - one is, you know, we have seven members of the group and six tasks. So I think does anybody want to volunteer for any one group now?

I would say that the chair of this meeting might be exempt from rewriting any of the questions but it's up to you guys.

More seriously, is anybody willing to take any of the questions on?

Michael Graham: This is Michael and I was holding my hand up because I've got to jump at exactly 10:00 and I will take three survey of trademark and brand owners and try and put that together.

My suggestion will be to split up, first, the registry questions because that seems to be the largest - either that or the second one, I'm not sure of breakout and handled by two people. And what I plan on doing is to take a look at the universe and see if I can define that that would help in who the survey would go out to and - fourth column and put together like questions, comments like that.

Kurt Pritz: Yes. Anybody else? Susan?

Susan Payne: Yes. I was going to volunteer to the registrar questions not because I'm a registrar myself, as you all know, but I'm - I do at least work with, you know, my sister company and they're all based in the same building or registrar. And on the basis - so I don't think anyone else on our group is working for a registrar. I think I might have to take that one, unless anyone else think of a better place to do it.

Kurt Pritz: I think that's great.

Susan Payne: Okay.

Kurt Pritz: Anybody else?

Michael Graham: Lori, this is Michael. Would you take 6? One, to help define who should be included in that and I think you have experience not only from INTA but from your prior life with trade associations and such.

Lori Schulman: Sure.

Kurt Pritz: Lori sounded pretty excited about that.

Lori Schulman: Sorry. I love you guys. I'm sorry. I was just starting a call to talk about our study. I've been doing a little roadshow of our study. And, you know, I talked just now for a good year. So I get it. But because I get it, that sure was - and then as I've also explained, we've had Abu Dhabi and then INTA has its - one of its major meetings -- arguably will be the most important meeting -- in terms of substance coming up in November. So I'm just pressed here for time.

Kurt Pritz: So do you not want to take it?

Lori Schulman: No. Well, I don't know. I mean, I want to be hopeful.

Kurt Pritz: All right. Well, let's leave you off then.

Susan, do you have something to say?

Susan Payne: I'm sorry. I put my hands on but I can leap in. (Rebecca) I've noted in the chat has volunteered for 5. So that's - so we've...

Kurt Pritz: That's great.

Susan Payne: ...got Section 1 which is registry operators. We've got Section 4 to go. I think we just need Section 1, if I'm right, and 4 is registrants, domain name registrants.

Michael Graham: Yes. So I'll take registrants.

Lori Schulman: I don't see 6. I'm sorry. I also don't want to answer blind. I'm looking at this table and I don't see 6.

Oh, survey of public...

Susan Payne: Oh, Lori...

Lori Schulman: ...and trade association.

Kurt Pritz: Yes.

Lori Schulman: Yes, I'm sorry I was looking at it something else. So exactly just again I jumped on to the call late. I see what you're asking me to do and why you asked me to do it. So I don't fundamentally object. I just want to understand what I'm saying is, too. Exactly.

Kurt Pritz: All right. So what - we're kind of out of time, Lori. Should we put you down for Number 6 or you want to consider it so?

Michael Graham: Lori, I could have a separate call...

Lori Schulman: Yes...

Michael Graham: This is Michael and we can talk about that.

Kurt Pritz: All right.

Lori Schulman: All right. I know you put me down. Put me down as a tentative for 6.

Kurt Pritz: All right. And then let's put Kristine down for Number 1 and then, Susan, I will help Kristine if she needs help because I work for registry operators, Susan works for registry operator.

Lori Schulman: Yes. This is - okay. All right. I will look at this. And then can - I'm sorry, again, I'll catch up with Mary. But our working group meeting in Abu Dhabi (unintelligible) for but is that a time to actually work on this or is the expectation we get this done before Abu Dhabi? That's what I'm trying to figure out.

Kurt Pritz: Well, yes. So who has to leave right now?

Michael Graham: I do. This is Michael.

Kurt Pritz: All right, Michael. Give us 30 seconds...

Michael Graham: My suggestion would be that we have the draft in by the meeting and look at it actively at the meeting and also discuss the staff - have staff present on the second group, second table.

Kurt Pritz: Thanks, Michael. That's good. I agree with that. And I think that - so my - I'm sorry to keep us over. See, I shouldn't be the chair. So I think that, you know, when I read that we might have a meeting in Abu Dhabi, I was - I timed that it would be open. I was a tiny bit horrified because I, you know, unless it's the group of us sitting around the table working, I don't see it as being useful.

And so I'm for a meeting but I'd really like it to be, you know, to the extent people can call in the seven of us. And, you know, we can't - I guess we can't close it but, you know, Mary, I'd like to architect the meeting in a way that it's run that way.

And if anybody has an opinion about how we should run that meeting, you know, we can continue the conversation in e-mail but if anybody has an opinion about that, you know, it'd be great if they would blurt it now and then we'll close.

Susan Payne: Yes. I do. I mean, I completely agree with you. I get that we're in an ICANN meeting. And so working group, you know, working group sessions inevitably are open but I think we need to make it really clear to everyone in our work but also in the wider community that this is a working session that people to try and make progress on a draft.

And unless someone wants to really like basically, you know, seize the opportunity to do some work with us, they're not going to find the meeting very interesting to sit and watch us work.

And I think, you know, I think the schedule, you know, the official ICANN schedule needs to make it really clear that that Saturday session is in two parts and the first part is not, you know, a meeting of the full working group, so we don't get random observers wandering in and getting bored and wandering out again. I think we need to really - or, you know, encourage RPM working group members to think about whether they need to come to

that session or - and to not feel obliged to come because, you know, they want - you know, unless they want to actually do the work, they will be wasting their time.

And I don't, you know, I don't know how you present that but, I mean, you know, again, without in any way intending to close this but I just think we want to have a practical working session and that isn't conducive to doing it with 100 people sitting and staring at us.

Mary Wong: Kurt, this is Mary again. So if I can jump in...

Kurt Pritz: Mary, hang on.

((Crosstalk))

Kurt Pritz: Yes, don't jump in quite yet. Let's see if anybody from the working group has another comment and then we're going to let you close.

Anybody else?

Okay. Okay, Mary, so what I was going to suggest is that you and I and anybody else can work and we can see how we can architect this meeting to make that happen. But any comments you have about that right now would be good, too.

Mary Wong: Thanks, Kurt. Actually that was going to be one of the staff's suggestions that after this call we work with you and the co-chairs to make clear what the structure and format of the Subteam session will be.

Another suggestion, going back to Lori's and (Susan's) points, is that it is up to the group to run it how you wish. What we cannot do is close the session. So it'll be an open session. Anybody can come in and observe. But what we can try to do is that in the session description, I believe that staff is permitted

to make changes kind of late because as you recall, Kurt, we had to get this session request in something like two months ahead of time.

And so what we can try to do is work with you, as well as the co-chairs to make sure - and of course, the Subteam, to make sure that the description, as J. Scott is putting in the chat, says this is a real working session of the Subteam. Everyone is welcome to observe. But really make it clear what the agenda is and then we can circulate that text to people when we get it. So hope that's helpful, too.

Kurt, I see that the folks are agreeing in the chat and - on the plan going forward for next week and with the assignments. So would you like to close - would you like us to close the call?

And I think Kurt's mic is muted.

Kurt Pritz: Thanks. Yes, thanks. Thanks everyone. You can close the call and thanks for - everyone, for getting on the phone and, you know, everybody participated. So that was great. Thanks very much.

Mary Wong: Thank you, Kurt, for jumping in. Thank you, everybody, for participating. So, Michelle, let's go ahead and close the call and staff will, of course, circulate the action items to everybody after today. Thanks.

Susan Payne: Thanks, everyone. And thanks to Kurt for being the chair.

END