

**Vertical Integration PDP Working Group  
Transcription  
Monday 5 April at 17h00 UTC**

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<http://audio.icann.org/gnso/gnso-vi-pdp20100405.mp3>

On page:

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**Participants on the Call:**

**Contracted Parties House**

**Registrars Stakeholder Group**

Thomas Barrett

Graham Chynoweth

Paul Diaz

Jeff Eckhaus

Jothan Frakes

Statton Hammock

Tim Ruiz

Ruslan Sattarov

Jean Christophe Vignes

Amadeu Abril i Abril - CORE Internet Council of Registrars

Eric Brunner-Williams – CORE Internet Council of Registrars

**gTLD Registries Stakeholder Group**

Brian Cute

Keith Drazek

Kathy Kleiman

David W. Maher

Jeff Neuman

Ken Stubbs

**Non Contracted Parties House**

**- Commercial Stakeholders Group**

Ronald N. Andruff - CBUC

Berry Cob -CBUC

Jon Nevett -CBUC

Mikey O'Connor – CBUC- Co-Chair

Michael Palage - CBUC

Jarkko Ruuska - CBUC

Scott Austin IPC  
Kristina Rosette - IPC  
Tony Harris - ISP

**- Non-Commercial Stakeholder Group**

Avri Doria

**Individuals**

Phil Buckingham  
Roberto Gaetano – Individual - Co-Chair  
Angie D. Graves  
Katrin Ohlmer  
Steve Pinkos  
Faisal Shah  
Anthony van Couvering

**ALAC/At Large**

Sebastien Bachellot - ALAC  
Alan Greenberg – ALAC  
Cheryl Langdon-Orr – ALAC chair  
Vanda Scartezeni –ALAC

**Observers**

George Sadowsky

**Staff:**

Margie Milam  
Mike Zupke  
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Dan Halloran  
Liz Gasster  
Glen de Saint Gery

**Apologies:**

Michele Neylon  
Stephane van Gelder - Liaison to GNSO Council

Coordinator: Good afternoon and thank you for standing by. I'd like to remind all participants today's conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Mikey O'Connor: Thanks. Glen, we're going to try something new and await howls of protest. We're going to skip the roll call because the list is so long that it will take quite a while. And besides, people are still joining.

So instead what we'll do, we still record who's on the call from meeting queue, but we're just not going to read off the names.

And if anybody is really uncomfortable with that, let me know and we'll reinstall roll call next time.

But it just seemed easier that way. So we're on to reviewing and approving the agenda. And thanks to all of you for putting up with sort of flurry of activity on the list right at the end there. This is standard Mikey O'Connor last minute improvisation. But I think it's going to go really well.

Two questions for all. First question is are there any other business items that people would like to add to the end of the agenda?

And the second question is is there anything that folks would like to change about the agenda? I'll look for hands in Adobe. If you're not on Adobe, feel free to just chime in on the phone call.

Any thoughts about the agenda or are we good on that?

I'm going to take that that we're good which is neat because that means that we've got a little bit of extra time. We've got about 15 more minutes from the - any other business item at the end that we can use on the proposals.

And without further ado I think we'll jump right into the proposals. I want to do a little level setting before we start off.

First off, many thanks to (Eric) for getting jerked around by your co-chair and permitting himself to be bumped un-ceremoniously to next week. But I think that it's easier if folks have had a chance to look at the proposal for a bit. And so it's nice that (Eric) acquiesced to my sudden course change there.

Second point is for the three folks who are presenting, hats off to all three of you for essentially plunging into the unknown.

We don't really know how this is going to go. And so my thought for the rest of the group is that what we're really about is trying to figure out whether we can put together some proposals that will go the distance all the way to getting approved by the board and into the applicant's guidebook.

And so the extent that we can refrain from reliving old battles, refighting old sites and sort of constructively work to refine and improve these proposals, I think we stand a better chance of success. And again, kudos to the three of you for taking this on. And admonishments to the rest of us that, you know, let's try and help put together proposals that eventually we can get to consensus on.

Beyond that I don't have much in the way of structure, guidelines or anything. So whichever of the three you would like to go first, you're up. And we'll go through the three proposals together and then talk a little bit about the use case stuff, talk a little bit about analysis process and then wrap up.

Anybody want to go first? Palage, you've got your hand up. Go.

Mike Palage: No. All I wanted to say there is (Milton), Avri and I are working on a refined proposal based upon the original submission prior to Seoul.

Mikey O'Connor: Okay.

Mike Palage: We were not able to resolve some of the wording prior to this call. So if we can just be put in the queue for next week with (Eric) we would appreciate that. And we'll try to have the - that proposal out within in the next 24 to 48 hours.

Mikey O'Connor: Okay that's fine. And in fact just to clarify, my main objective for the use case stuff is mostly to just kick off a subgroup.

What I was thinking is that since the three of you and Barry are kind of running down similar tracks, maybe the four of you would like to merge your efforts. And so we can talk about that.

I wasn't actually planning to review the contents of the proposals.

Mike Palage: Okay.

Mikey O'Connor: Because they're so huge that there's no way we could get through them. So you're off the hook there.

Mike Palage: All right, put it this way. We will work with (Barry) on the use cases. And as I said, Avri, (Milton) and I are working on a if you will, a fourth or a fifth proposal. So we will work on...

Mikey O'Connor: Oh I see.

Mike Palage: ...both of those going forward.

Mikey O'Connor: Okay, yes that's fine. I didn't understand. Another proposal -- great. Okay who wants to go first or shall I just pick somebody at random?

Jon Nevett: Mikey this is Jon. If I could defer because my proposal will incorporate some of the other two. I'd rather go third if that's okay.

Mikey O'Connor: That's fine.

Jeff Neuman: This is Jeff Neuman. I guess I can go first. It doesn't really matter unless Jeff Eckhaus wants...

Jeff Eckhaus: No I just (unintelligible) you. Go ahead. You submitted yours first. Might as well go in that order.

Jeff Neuman: Okay.

Mikey O'Connor: Okay.

Jeff Neuman: All right. Well thank you everyone for giving me some time to talk about the proposal. And I see it's now up on Adobe.

So we could skip through the pleasantries or as (Eric) referred to is - or well, I'm not sure how (Eric) referred to it. But anyway, and really what I want to jump to is Section B which is after the definition.

The definition's are actually pretty key but absent talking about the principles, I think that's the most - I think that's one of the most important parts.

A little bit of background, so this does look a little bit like the Registry Stakeholder Group proposal. But there are some key differences.

In the Registry Stakeholder Group Proposal there was a reference to all of the restrictions that would apply to the registry operator also applying to the backend operator, whereas in this round what we've done is if there's truly a backend registry operator that's unaffiliated with - I'm sorry, if there's a backend registry service provider that's truly affiliated with the - or sorry, that's not affiliated with the registry operator, then they will be allowed to operate both the backend and the - a registrar.

So there are - I mean that is - and that is a key difference between the Registry Stakeholder Group proposal and NewStar's. So the restrictions aren't quite as broad as - were in the Stakeholder Group Proposal.

There are some other differences and we'll go through them as well. And one of the differences, and I have not read Jon's new proposal yet

or fully read Jeff Eckhaus's, although Jeff and I did talk a little bit about it on Friday.

So one of the things here that's really important in this proposal is that currently under the existing regime, under the existing restrictions, there's a loophole, there's several loopholes that even though it's registry, registrar registration there are loopholes that do not apply to affiliates of the registry operator.

Meaning in ICANN agreements, the registry operator's just the entity that actually signs the contract with ICANN. But there's nothing prohibiting affiliates from getting around all of the restrictions at least in a contract.

Now I will say though in practice, there are restrictions from - there are actually restrictions in there because the main - or I should say the largest unsponsored registry is the VeriSign, the AffiliSys, NewStar and others actually do have in practice these restrictions even though it's not in writing. And I can explain that further if there are questions.

But essentially affiliates NewStar and VeriSign are all backend providers and they're also frontend providers. And by virtue of them being frontend providers, the restrictions do retroactively apply to their backend business.

And again it's - I can take everyone through that but not on this call.

So quickly, the principles are that a registry operator or its affiliates may serve as an ICANN accreditor registrar on any top level domain



other than the TLD for which the registry operator or its affiliates serves as the registry operator.

There's a definition of affiliation. This is a little bit different than some other ideas that have been floated about where affiliation in Richard Tindal had presented a model back way back when that affiliation only meant legal ownership. But that's really inadequate.

Affiliation in any legal context usually refers to ownership as one element, but also control. And control is either again, legal control or control by contract.

And that is a key loophole and that is something that definitely needs to be considered by this group that we need to create rules that are as best as possible not subject to gaming.

So to the extent we know about gaming in advance, we need to prohibit that.

Number two is that neither registry operator or its affiliates may serve as a registrar in the TLD unless -- and there's two exceptions in there - - the single registrant TLD or the community based TLD provided as a community based TLD. And then we have a certain number of registrations in there.

Those are all some stuff that needs to be clarified, needs to be discussed as to how you define the single registrant TLD. And, you know, I know there's some good discussions going back and forth.

For community based TLD, we just used the definition that's actually in the guidebook now. And also for registry services we use the current definition that's in the guidebook.

But again, we could discuss those if you want to discuss those.

Point three is that registry operator must use only ICANN accredited registrars and registry domain names provided that registry operators have the flexibility to determine eligibility criteria for registrars.

And also the proviso at the end is that such criteria should be applied to all ICANN accredited registrars.

In other words, the criteria set by the registry cannot be, it will only have registrars located, you know, the registrars that start with the letter E that are located in Washington - the State of Washington in the United States.

So there's got to be some rational basis for criteria and it needs to be equally applied to all registrars.

So Number 4 is actually kind of a key point in this proposal which is that if you are a registry service provider, meaning the backend registry that's either providing shared registration services, DNS services, WHOIS services or a combination of any of those three, then these rules will apply.

And the first rule is that if the RSP actually controls -- and you go back to the definition to see what that means -- but if they control pricing,

policy or the selection of registrars, then the same restrictions that apply to the registrar operator should apply to the RSP as well.

Again, there is rationale behind that. We can go through that later if there are questions.

In addition, in the event the RSP or its affiliate is a registrar for the TLD, we put in six requirements in there to make sure that they're not taking advantage of their dual role as being a backend provider and being a registrar.

And, you know, the first one deals with not receiving preferential pricing. Two is for data restrictions in a firewall that's set up. That addresses some of the registry stakeholder group concerns about data being misused.

Number 3 is no confidential information of the registry operator obtained by the RSP may be shared with the registrar affiliate of the RSP except as necessary to perform the services.

And four is that the registry service provider shall not provide any access to any registry data to its affiliate, to its registrar affiliate. And RSP itself will not use that data except as necessary for you're basically performing their services.

Then in Number 5 is actually an audit. That should be done by an independent auditor. That should be paid for by the RSP, the Registry Service Provider, to make sure that these data rules are being followed.

And six is really again kind of a placeholder. But it's that there needs to be strict penalties or sanctions to apply to any entity or its family that are violating these policies.

And I just recommended to go back to the old Appendix Y of the Com agreement to see what kind of sanctions you could actually apply.

And the last principle in there is that the registry operator shall have the ability to set up their criteria for registrars at its sole discretion provided that they're reasonable. So that kind of relates to another criteria that's above there.

I'm looking at some of the Chat room comments, trying to see if there's something I should respond to in there.

Let's see, (Anthony) doesn't agree to a limit. So we could talk about that. And let's see, so okay, I guess that's - the reason we did the limit of 30,000 for the community is that in each of the examples we have to date, and again, we're using the examples we have to date. I know some of you say well this new round's going to be completely different so we can't look at the past.

But you know what? In order to create rules, you kind of have to look at the past to predict the future.

And in the past, any truly community-based TLDs -- and I'm not talking about some of the looser sponsored ones like MOBI, but really community ones that we hear about like .CAT and others, they really do not exceed at this point, 30,000 registration.

So that's kind of where- that's where we got that number from. Again, so (Eric) says it's 40,000 now. You know, look, we're not dead set on that number. It was just the straw man to throw it out there.

So I'd be happy to take any questions. Apparently (Eric) and (Brian) have questions. So let me turn it over. Mike?

Mikey O'Connor: Thanks Jeff. Let me run the queue. (Eric)'s been very patient. And (Brian)'s in the queue. We've got according to my vicious clock, we've got about 5 more minutes to go on this. And so as people are starting to stay well what the heck, how can we ever get this done, I've got an idea.

But I want to sort of get a feel for these conversations before I propose it. So let's see what we can fit in to 5 minutes and then we'll take it from there.

(Eric), you go first.

(Eric): Okay thank you. Can you hear me?

Mikey O'Connor: Yes, hear you fine.

(Eric): Good. Jeff, I'd be entirely happy if my questions that I emailed to you were responded to. I don't see a need to take up voice time in talking them through. They're entirely adequately addressed by email.

I think that's the only comment I had. Thanks.

Jeff Neuman: Yes...

Mikey O'Connor: Thanks (Eric).

Jeff Neuman: ...thanks (Eric). I will respond to those. I just haven't had a chance yet. But I will certainly respond to those.

Mikey O'Connor: And, you know, I think I'm going to start feeding my idea in which is that I think what we are going to find is that there's really no way to get substantive work done on these calls except at this very high level.

And that what people ought to start thinking about is forming around Jeff if you're interested in this proposal and you think it has merit but it needs turning, start thinking about sort of volunteering to be part of the subgroup that hammers away on this.

And then for Jeff what I would do is hunt in the group for people who seem very opposed to your idea and try and recruit them into the subgroup as well so that you can, you know, maybe address their concerns too. But let's keep going and see how it goes.

Jeff Neuman: Mikey if I could just add, I think -- and I leave to Eckhaus and Jon Nevett, but our proposals have a lot of common elements. So it may be one subgroup that attacks all three of those proposals. But I'll leave that to the end.

Mikey O'Connor: Okay. (Brian), go.

(Brian): Yes Jeff if you just - sorry, I was trying to play catch-up during your presentation.

You said that in one spot you - the proposal fundamentally differs from the Registry Stakeholder Group's majority position. Could you just rearticulate that please?

And then if you could speak to in principle Number 2 the 30,000 threshold and where that came from?

Jeff Neuman: Yes. So the first question real quick is that the fundamental difference is that this proposal does not apply to - the Registry Stakeholder Group proposal had basically set the strict separation that applied equally to all backend service providers as well as to registry operators.

And the Registry Stakeholder Group also applied to resellers or registrars. So all the restrictions on the registrars that apply to the resellers.

In the spirit of compromise we have come off of that a little bit but in its place have put in some strict rules to make sure that data is, you know, that the data abuses that the registries worried about are - don't occur and so that there's a firewall between them.

So there are things that are put in its place, but not in absolute prohibition on backend operators being affiliated with registrars.

The 30,000 again was the thought of responding to some of the comments that thought 50,000 was too high in the Registry Stakeholder Group.

I went back sort of as to what the registrations were in most of the truly community based TLDs. And it seems like I guess CAT has over 40,000. But 30,000 was what we had understood.

But even if CAT has 40,000, you know, 3/4 of those are - would be - there would be allowed to be registry, registrar integration or ownership for up to 30,000 of those names.

Again, it's up for discussion, can certainly work on what, you know, what that number should be.

Mikey O'Connor: This is Mikey. I'm going to start enforcing time. We're real close to the end here.

(Tom) real quick and (Amadeu) real quick and then we'll move on to the next junk.

(Tom): Yes I have a comment about using the term single registrant TLD. A registrant is very specific to how ICANN works today, in particular one of the four WHOIS contacts listed for a domain name.

So I wonder if for example .facebook, .twitter where they listed themselves as a - as the sole registrant, if that was intended here even though they might have millions of consumers using their service. So in fact they're talking about single users TLD.

So I'm just - so I - and further on from that, there's single registrant TLD. Usually it's they're from a community-based TLD or in fact could those be one and the same?



Jeff Neuman: I think those are great questions. I know that work needs to be done in the single registrant TLD, won't go through that example because I think my view may differ from others in this group.

But that's certainly one thing that I would encourage the subgroup to work on. And can it be overlapped? Sure. But let's work on that one in the sub group.

Mikey O'Connor: Okay, (Amadeu), you're next.

(Amadeu): Okay, I have a short question for Mikey and a comment for Jeff. First a comment. Without going to the merger of each concrete proposal or principle and many of them I agree and some of them have partial disagreements, there is something that you said that worries me.

I completely agree whether you should have very definitions of control is not just ownership in - if you talk about separation.

The problem is I don't think that this group can provide for legal resounding - defeat legal, you know, contractual definitions of what's control here.

We have a long tradition in corporate law, in Europe, United States. We have a long tradition in anti-trust law on defining these things in the stock market regulations. And I don't think we can do that.

We should set the principles as you do here. Or probably the language should be left, you know, to ICANN counselor advisors for the DAC and not being discussing this group.

The question to Mikey is, you know, it's been holidays for some of us for these days. And following the work was very difficult. It's still - are we still in time to send a list (unintelligible) complementary proposals in the next three days?

Mikey O'Connor: Oh absolutely. I should have clarified that. My guess is that we will see more proposals coming in over the next several weeks. And my thought was that this is essentially a chance for people to showcase their proposal, recruit people to help them refine it, both advocates and adversaries and that at some point in several weeks we would draw a close to proposals. But by no means did I mean to imply that (unintelligible) for that.

Man: Mikey can I just...

Mikey O'Connor: We're going to - folks, we're going to all need to mute. We're getting an awful lot of noise on the line. Everybody take a look at your phone and make sure that you're muted.

Jeff Neuman: Mikey can I just address (Amadeu)'s point real quick and then we can go on to the next one?

Mikey O'Connor: Sure...

Jeff Neuman: (Amadeu), I agree with you that the exact legal language should be left to staff to implement. I would just say that we can agree on principle. So if for example we believe that control should apply to both ownership and other types of control that indirect like by contract, I think that can be worked on by the group...

(Amadeu): Yes.

Jeff Neuman: ...and from a principle standpoint. But the exact language sure should be left to the lawyers.

Mikey O'Connor:(Brian), I'll violate my own rule. You get to speak, but very quickly. And then we're going to go on to the next. He's got it. Okay.

Jeffrey, many thanks. Any and all who want to help Jeffrey refine his proposal? We heard a little bit of conversation about this on the call. By all means join Jeffrey in that effort.

Jeffery if you need anything from me in terms of recruiting other people, let me know. And we're going to go on to Jeff Eckhaus I think is next right?

Jeff Eckhaus: Okay thanks. So I was - the way I was planning on doing is I think Jeff Neuman since he went through and as we - as I think he pointed out and I think Jon Nevett pointed out in the email, there are a lot of similarities between the proposals.

So I was just going to go through a few points on mine and then I thought maybe just open it up to some questions or comments if that's okay with everyone instead of just reading through it line by line.

So I think the point - oh I'll wait. My proposal should be coming up. I think I'm just waiting for it. It should be coming up on Adobe in a second here.

Okay there it is. Okay. So I guess what I wanted to do is just to discuss, you know, some of the ideas and why I put this together.

And I think that, you know, part of what we have in place right now is all based on, you know, the VeriSign, what happened in .com. And our mentality is still, you know, rooted in that which is understandably so.

But I think that, my thought was we're going to have a whole new marketplace, a whole new world really for TLDs.

And what I wanted to do is to open it up so that we could have a competitive marketplace in these new TLDs and actually make this, I guess you can call it this business or this environment pretty much similar to every other business environment out there where there are no major restrictions to who can be a seller, who cannot sell if there's co-ownership or vertical integration.

And that's sort of what I wanted to - that's the idea in my proposal. So I'll just start off that - so my part, I didn't go through the definitions on mine. So if people do have questions, let me know in the definitions on here.

So I didn't separate between a registry service provider which I guess would be the backend operator and the registry which is the person who has the contract with ICANN.

So in my model it's - basically it's an open - it's a two-way street open to both sides. A registry can purchase, own, affiliate with a registrar, no ownership limits, no percentages in place. And the same way a registrar can purchase, own, affiliate with a registry.

And there are no limits on percentage of ownership. As I said, I don't - I have not seen why any of the numbers like 15% makes sense or why any of these percentages make sense besides if we're going to do it, let's go through with 100% ownership.

As I said, I wanted to open this up so all of these rules would apply to new GTLDs only. So it doesn't matter if you're an existing registry or if you're a new guy. In new TLDs everybody works under these same rules.

You know, I think if you have questions on here, I think with the single registry, and I guess sort of I was going to clarify it but I think Richard Tindal did a great job with clarifying this on his email last night, which is whoever is in the WHOIS, that is the registrant and that is the point of contact. And that would be a single registrant.

If there's other users, that's not really our concern. Because right now there are people who use - who sell and use third level domain registrations. And those people are not in the WHOIS. And whoever is the main contact and the main person needs to be reached for that domain, then that is the single registrant.

So that - hopefully that clarifies a little bit of that. I'm just sort of - wasn't prepared to go through a presentation. So if I'm sort of jumbled, let me know and I'll go back to it.

Oh and I think one of my main points, I think I'm not sure if Jeff Neuman had this in his. I have to remember.

But if there is a single registrant, then that entity, I guess the main difference does not have to offer equal access to people. And that - my example would be IBM.

But they would need to be either use an ICANN accredited registrar. They can set it up - set up a deal with an ICANN accredited registrar. Or they would need to agree to the terms of the RAA so they would themselves become a registrar.

So I think, you know, instead of rambling on through here, I guess maybe I would just open this up to questions on here. Because I think instead of reading it through, I think we have similar protections. There are some slight differences between Jeff and mine. And I think mine are - I'm very open to some additional work or some additional comments on the safeguards and the conditions.

I just threw those out there, you know, the first violation, second violation, the 30 days, 90 days. Those are mostly placeholders.

And the other area I think I'd actually - I would love some help on this from the registries on my point on the - they may not share confidential information.

I have some idea of what the confidential information, but I still had some issues on what this, you know, what this data that people could share that's going to give a huge edge. I would love to find that out from the registries and the people that are very concerned about this data sharing. And I would add that into the proposal on what those specifics are.

Because I still haven't been able to figure out what is that incredible use, you know, that secret data that would give somebody an unbelievable edge.

But whatever it is, if people are concerned about it, I'm willing to have a separation, have people audit that that separation is happening and make sure that it's in effect.

And oh, the last thing I - you know, I was a little concerned of course about talking about pricing. I know it's always, you know, at least with the registrars, we're very - you know, we don't ever talk about pricing.

So one of the things I want to discuss was just the fee structure which I addressed is that the integrated entity would pay ICANN some sort of reduced fee for each domain which is less than the current sum of the per domain registry fee plus the registrar fee.

I, you know, I'm not an expert in this. But if we're not allowed to talk about this or we're not allowed to propose it, please let me know and I'll drop that. But that was one of my proposals because I didn't think it was right or a good idea that it would be - each person would pay the independent fee which I'm even scared to say the current amounts. But so I don't know some people who are the experts on what can be spoken about in a working group or not will let me know.

And I think I'll just end it there and open it up to some questions or comments. And I'll sort of read through the list over here and see if there's anything directly addressed to me.

Mikey O'Connor: Thanks Jeff. Tim's in the queue. Others can get in the queue. We have in this 15 minute segment about 5 more minutes to go. So Tim, you're next.

Tim Ruiz: Thanks Mikey. Yes, it's not a question just directly for Jeff and his proposal. Just kind of in general, (we keep), you know, and another issue I guess I want to raise about the single entity TLD as we try to define that and things we should be thinking about.

But, you know, you keep saying the - a single registrant. And in my mind it isn't just a matter of who's the listed registrant. It's the use that's important as well.

So for example if a major car brand wanted his own TLD, you know, .bmw or .volvo or whatever it might be and they were the registrant and the second level names for various brands of their cars and those were Web sites they operated to promote and market, you know, the brands of their cars, you know, that's one thing.

However, if they (unintelligible) registrant but they're allowing those names to be used by vendors, employees or other third parties, regardless of who the registrant is I think that's a different issue.

So I don't know, and (Richard) didn't really go into that kind of detail, but I wanted to add that specific aspect to it.

So it's not just the listed registrant in WHOIS, it's actually the use of those names I think that's important to look at.

Man: Thanks Tim. Mike, do you mind if I answer that and address that?



Mikey O'Connor: Go ahead.

Man: Okay thanks. So, you know, Tim, I agree with you. And I sort of think about, I guess if I could draw a parallel it would be, you know, what was in - what were there issues and what was in place with - I forget, you know, some - remember - I don't remember how long ago this was, but when all the shared hosting environments came out and you can get, you know, it would be say like timruiz.homestead.com or something - some of those. You know, somebody remembers the year and how those worked.

But for something like that it was - I guess it was Homestead was the main user and the registrant. And they were ultimately responsible for what was on the third level names.

So that was sort of the parallel I was thinking about is the person who had the domain and who was the - you know, who the registrant was was the one that's ultimately responsible for policing what's on those sites and is the one who would receive the UDRPs, the URS -- all the information.

And I think that we didn't - you know, we didn't - I guess ICANN or other people here weren't addressing what happened on those third levels with that shared hosting. So I didn't think it would be any different on the single registrant that TLDs, because that person would still be responsible and have to receive it.

Mikey O'Connor: Okay Mike Palage is next.

Mike Palage: Thanks Mikey. Jeff, to address your concerns about the pricing -- and again I'm sensitive to that -- I actually raised this question through the comment period that recently closed in connection with the budget.

Because historically ICANN used to operate on a cost recovery basis. So, you know, if you go back pre-(Tumi), your concerns were actually addressed.

Unfortunately, the billing system, the tax and spend billing system that (Tumi) put in place during his reign unfortunately leads to the disparity in ICANN's billing system.

So just to raise your question of how we may address that, I've already raised that issue in another (fora).

And with regard to Tim's question about determining the registrant, perhaps what you may want to look at is the use of the term beneficial registrant. That may be another concept you may want to do. So they're my only comments. Thank you.

Mikey O'Connor: Thanks (Michael). We're down to about a minute left. (Amadeu) you're next.

(Amadeu): Okay one question here, we keep talking about, you know, the single registrar and these (cadaveries). And the problems about (cadaveries), I still have had these of our views.

There are two different questions here. One question is vertical integration or not? And this is a question about competition and the market.

I see a different question is in some extreme cases using ICANN not rated registers or having forbidden registers does not make sense.

That could be the (unintelligible) real. But that's a different question than competition. Is a question about, you know, how we use is artificial creation of ICANN registrars or not in a concrete situation.

So we better separate both things, the general rule on whether we need competition or not, where there's a market, et cetera. And second thing, whether we have some exceptions on the fringes or not.

Jeff Eckhaus: Mikey, it's Jeff Eckhaus. Can I respond to that for a sec?

Mikey O'Connor: Sure.

Jeff Eckhaus: Okay so I want to - I think I addressed this in my proposal. And I don't think, you know, I just - I don't know, I've said this a few times. I am not on my proposal and probably some of the other registrars might be, you know, not happy with this, but the whole point was you do not need to use an ICANN accredited - you don't have to choose another ICANN accredited registrar. If that single entity is bound by the terms of the terms of the RAA they can be a registrar themselves.

And I think that the RAA, I mean I sent a link to it to this list, offers a lot of protections to consumers. You know, a lot of people in these working groups and other things want to be - you know, people want to actually be - you know, want to negotiate these for themselves because they're so concerned about what's going to be in the RAA because it protects consumers and it's very important to them.

So I think that being bound by those terms of the RAA for this single entity is something that's important for consumers, registrants. And it is - I don't know why we would change that and what the reasoning is, why that single entity couldn't be bound by the RAA.

Mikey O'Connor: Okay we're a little bit over time. Jeff Neuman...

Jeff Neuman: Yes, I'll make it quick and...

Mikey O'Connor: Go quick. And Jeff Eckhaus respond quick and then we'll move on to Jon.

Jeff Neuman: Well I think Jeff Eckhaus gave a good transition to me. Because I've got to say the RAA is irrelevant to a lot of the single registrants TLDs.

The consumer protections that the RAA has in there are basically meaningless for a truly single registrant TLD. You know, who cares about transfer rules for example, if a domain name can't be transferred?

Who cares about the WHOIS rules if it's only one registrant that's the contact for everything.

So I sent around another email that basically analyzes that that it's funny how the registrars are all now touting the RAA and what a great wonderful masterpiece it is. Yet when people try to change it, it meets a lot of resistance when people try to change it to benefit consumers.

So I think with the single registrant TLD, let me just again say on record that the RAA is - if it's truly a single registrant as I envision it, it's basically meaningless. So that's all.

Jeff Neuman: Mikey, 2 second response to that? It's Jeff...

Mikey O'Connor: You bet.

Jeff Neuman: Just want to say if it doesn't apply and it's not - and it doesn't concern the single registrant, then why would that single entity have a problem with signing it? They could just say I'm signing it, it doesn't really apply to me.

But if I'm not going to transfer names, it doesn't ask them to do anything else.

But then again, I am willing to say hey, if it's a single entity and you're never going to change, then we might have a let's call it an RAA light or something like that. I'd be open to that discussion as well.

Mikey O'Connor: Okay, I'm going to draw a line under this one. (Amadeu), I know you're in there in the queue again but...

(Amadeu): No, no I'm not. I'm trying to just to get off, but they have some problems with the flash plug-in with my rotors so...

Mikey O'Connor: Oh okay, no worries. Let's see, Jon it's your turn. You've got 15 minutes from now. So by my arithmetic, that would be until 58.

Jon Nevett: Great. Thanks Mikey.

Mikey O'Connor: So 2 minutes away from the top of the hour. Call it the top of the hour.

Jon Nevett: Okay. Hopefully it won't take that long. Essentially what I had proposed was hearing calls for status quo in the community and hearing other calls for other changes to the vertical integration cross ownership requirements, I looked contracts that are existing (sic) and tried to find the one that - the ones that met the greatest number of folks.

So what I pulled out and what I originally (unintelligible) down a week or so ago was the .MOBI language.

And then I sent around today -- folks probably haven't had a chance to see it -- but I tried to mirror what Neuman and Jeff Eckhaus sent out and show where the .MOBI language or the STLD round -- so MOBI, tel, Asia where those contracts and those requirements are comparable to some of the proposals that are already out there.

So I pulled out some of those principles that Jeff Neuman had talked about and I listed it out in the email I sent.

The first one is use of ICANN accredited registrars. And I - and that's in the .MOBI language or the STLD language and is consistent with what NewStar proposed and Demand proposed.

Then the additional point in Number 1 is that mystery operator can use objective criteria to come up with the eligibility requirements for registrars. So they don't have to use all 900 registrars or 200 families or whatever it is.

They can set up criteria saying, you know, based on different characteristics of registrars who they want - which they want to use. And that is consistent with what's currently in existence in the STLD contracts as well as in the NewStar and Demand proposals.

That criteria is at the registry's discretion. But they have to use reasonable actions related to using that ability to select which registrars they want to use. So that's Number 2.

Number 3 is they can't discriminate among the registrars they do select. So that brings in to existence the recommendation from the GNSO, recommendation 19.

Again that's all in the STLD contracts as they exist now and in the NewStar and Demand proposals.

So those first three are still consistent. And then registry operator may serve as an ICANN accredited registrar in any TLD that it's not the registry operator for.

That's consistent with the NewStar and Demand proposals. So my top four are all consistent right now with the three proposals that you're hearing today. Obviously we haven't seen (Eric)'s or (Mike)'s and Avri's and (Milton)'s. But at least those first four are all consistent. We're all on the same page on those.

And then I tried to look at the framework of the STLD contracts which say, you know, the general rule is you can't have more than 15%, a registry operator more than 15% of an ICANN accredited registrar.

But the STLD contracts say that I can approve that. If you want to have more than 15% it's subject to ICANN approval.

And then we would look at adding a list of specifications. I recommend doing it in two steps. One in the first 18 to 24 months -- I don't care which -- but we come up with some kind of contractual requirement in that specification and attach it to the contract.

But because I think that this -- and maybe (Mike) and Jeff would correct me if they think I'm wrong -- but I think this is beyond the picket fence of the registry agreement. So it would not be subject to change based on consensus policy.

So I would specifically add a provision in this specification that I'm calling Specification X that it can be changed based on the community input and some kind of process so that we go out the gate into 24 months with a certain set of rules that work. And then we could adapt it based on actual practice.

And that would give the opportunity. One thing we've been concerned about for a while and one thing I had proposed that 100,000 limit way back when was for the small registry, what happens when the small registry doesn't get traction in the registrar community and they're not finding registrars to sell their names?

It sounds like (Eric) might have a proposal on that. One proposal is, you know, at that point that registry can start a registrar if they're not getting traction. And that could be one of the criteria that we could look at after 18 to 24 months.



So the key is agree on guidelines. And I would look at, you know, what Jeff and Jeff recommend in their proposals and put it in the framework where you're looking at existing language, adapt it to say I can't approve it and make it flexible.

Because if you're locking this in for a ten year deal and it's not flexible, you know, we might be regretting that in a year or two.

Mikey O'Connor: Okay is that - if that concludes your remarks we have about ten minutes to float questions, et cetera. Anybody want to get in the queue?

There's been a fair amount of conversation on the Chat Jon, if you want to take a minute to scroll backwards through some of that, not seeing a whole lot of action in the queue.

Jon Nevett: Yes. I mean the key is, you know, maybe I'll ask (Mike) and Jeff or anyone else who are experts on the picket fence, if we come up with a rule for cross ownership and vertical integration would that be subject to consensus policy after we - these new registries sign the contracts?

Mikey O'Connor: I see (Anthony) in the queue. If (Mike) or Jeff want to get in and respond to that question from Jon, why don't you go ahead. But let's let (Anthony) get in there first. He hasn't spoken at all today.

(Anthony): Hi. Yes thank you. I've asked this on the Chat a few times but I didn't get an answer to that. So I would ask it.

Did any of the three presenters give a rationale for 15% versus 30% versus 70% versus 100% ownership?

I mean I see these numbers being thrown around as if they have a meaning. And the only meaning that I can discern is that somebody did it before.

Jon Nevett: I'll happily answer that the same way that you just suggested which is people have been very concerned about changing the status. Well the status quo works and we've heard a lot of those arguments.

So I looked at status quo contracts and said all right, so the 15% is in there. Let's not tinker with that 15% but at least give some flexibility to go higher than that. And it's nothing more than that.

Jeff Neuman: And this is Jeff Neuman. I'm next in the queue and I can answer that if you want Mikey?

Mikey O'Connor: Yes. Go ahead.

Jeff Neuman: So my answer to that (Anthony) is -- and I said it on the Chat -- it's all about control. So for me in my proposal, if people adopt the notion of control than percentage is irrelevant.

So I am perfectly willing to drop 15% if we keep in the concept of what it means to control. I think the 15% isn't artifact. It's what VeriSign held in Network Solutions at the time and still actually maintained in Network Solutions. I don't know if they still do or what's going on. But certainly when they divested Network Solutions they maintained a 15% interest. So it's all about the definition of control.

Jon Nevett: Just to clarify that -- it's Jon -- it's been about four years since VeriSign sold the remaining 15%.

Jeff Neuman: Okay.

Mikey O'Connor:(Anthony) does that get you the answer you needed?

(Anthony): Well I would hope - I mean it does and I understand it. But I would hope that we could instead of just looking at what was customary which was put into place to address a particular set of circumstances that we could find something that actually has a rationale that's based on something other than what is customary or we risk, you know, becoming a fossilized organization.

I think we should look at what would work as opposed to what used to work.

Mikey O'Connor:Okay. Neuman you're in the queue for something else, right?

Jeff Neuman: Yes. I'm - to answer Jon's question. I had a question about the picket fence whether - so at this point this would be outside the picket fence.

In other words if for example, we go down one path we decide that that's not the right path, we try to change it by consensus policy, that's at least my interpretation and others I've talked to, that would be outside of picket fence.

I think even ICANN staff has said that in their (unintelligible) report. The problem is is that if we allow one sort of business model to go forward and they've spin - in the business or even non - by business

model I don't necessarily mean commercial entity. I'm also talking about non-commercial entity.

If you allow one model to go forward and then require a dramatic later on, that really changes the economics and the feasibility and just the ability to continue on in that domain.

So I don't think that's something, you know, once you open up the gates or once you let a certain model go you're almost pretty much stuck with that model.

Jon Nevett: If I could...

Mikey O'Connor: Okay.

Jon Nevett: ...respond to that, I think it's slowing the gate, you know, so not letting the genie out all in one swoop but, you know, doing it incrementally is what I'm referring to.

So that way they have flexibility to be really firm on approvals early and know so, you know, locking in for two years so people know what, you know, business models are permissible and what - which aren't.

But flexibility that in two years time locked in for a ten year deal and that could be changed. And it would be to the registry operator's benefit if they're seeking approval.

Mikey O'Connor: This is Mikey. We'll take Jeff Eckhaus and (Scott) and then we'll draw this one to a close. But I want everybody to look down at your phone and make sure you're on mute. There are people...

Jeff Eckhaus: Okay, thanks. So two things I - just very quickly. One (Anthony) in mind, I'd did not have any percentage of ownership because I agree with you 100%. Some of these are just arbitrary and they're not really, as we said, they're rooted in the past and status quo.

And one of the things I think I've - I didn't say in my presentation but I want to discuss is that everyone says, you know, everyone's concerned about hey, we need to keep the status quo, the genie out of, you know, letting the genie out of the bottle and we have change.

I'm still not sure why does everyone think the status quo is good? Is, you know, are 7% price increases every year, you know, what we need?

I'm not sure, you know, everyone is nostalgic for the way we, you know, we are. But, you know, I haven't seen any benefits to consumers on, you know, price decreases or innovations from the registries.

All the innovations have been at the registrar level where there's open competition, not at the registry level.

If there is then please, you know, tell me because I haven't seen it as a registrar. I see it, you know, I speak with the registries often.

I'm still waiting to see what that innovation and what the benefits and why we're so nostalgic to keep the status quo.

And why, you know, part of it is what are we so - you know, what are the issues that we're saying hey, let's go out of the box slowly and, you

know, after whatever amount of time -- 18 months, two years, three years -- maybe we open it up then?

I think that I'm a little concerned that if we wait that amount of time we'll be - new TLDs will - I wrote in my (sheet) will be dead on arrival. You know, if after three years they're not growing then we'll open it up.

Why not reverse it? Why not open it up and then penalize the companies that...

Man: Yes.

Jeff Eckhaus: ...if there is somebody doing something bad penalize those people while instead of restricting out the whole class of competition? And that's all.

Mikey O'Connor: Okay. We're drawing to a close here. (Scott)?

(Scott): Yes, thanks. It's hard to sort of pull all this together. But let me make a couple of comments.

The percentage model seem to me they hearken back more to SEC and the corporate world for models, for example the stock floating context.

I think that goes out the window when you have the presence of contracts. So my question would be whether or not those are just an artifice, not even a necessarily a nostalgic throwback.

But my question is when you do have a contract then it seems it does open things up more.

And so if the percentages really are vestiges of voting stock as all - anyone knows when you have a voting trust a contract or a shareholder's agreement is a contract that sort of supersedes all those percentage issues.

But my question would be if people are on this call that have dealt with working under the MOBI contract -- because that's been trotted out as an example and one we seem to be working from -- what has been their experience in terms of things they'd like to see changed in it and entering into the whole new world of non-generic TLDs?

Would that change? Would they keep the same changes in the contract under a new regime without generic TLDs?

Mikey O'Connor: Any you proposal author types want to take a swing at that?

Jon Nevett: Yes I mean this is Jon. MOBI, Asia Tel, none of them have applied to be registrars under their contracts. But they have the right to do so if they wanted to. Though, you know, past practice might be hard to answer that question.

Jeff Neuman: So this is Jeff Neuman if I could jump in. There's a reason - well first of all Jon's right, nobody's asked to. Now MOBI's owned by AffiliSys.

But the problem is that AffiliSys is - they're a backend even when it was .MOBI AffiliSys was backend for MOBI, but they're also a frontend for other registries.

The reason they couldn't, they never applied to be a registrar was that the contract forbade them, their contract for .Info forbade them from being a registrar in any other TLD right?

So even though AffiliSys was just .info, the front end they were still not allowed to apply for to be a backend - or sorry, to be a registrar for .MOBI or even .Biz.

Like NewStar is not allowed to be a registrar currently for .com, net, org, or any TLD simply by our rules.

So we can't really look to say has any registry applied because we've all been prohibited from so...

Jon Nevett: Okay Jeff that's not entirely accurate in that .MOBI could have applied, .Tel could've applied .Asia could've applied regardless of who they were using as a backend provider understanding that AffiliSys or NewStar couldn't provide or VeriSign couldn't apply but those entities could have.

And they still other than MOBI now that it was purchased by AffiliSys, they still could.

Jeff Neuman: But those entities were mostly policy board. I mean there's a lot of...

Mikey O'Connor: Actually this is Mikey. I'm going to cut this one off. I'm going to give (Ken)...

Man: Fine.



Mikey O'Connor:...a minute to get his point in. And then we're going to totally change gears. (Ken) go ahead.

(Ken): Oh Mikey, my question was addressed there. So I'm still keeping a placeholder for the proposal at the end of the meeting that I have. Thanks buddy.

Mikey O'Connor:Okay. All right, I want to thank all of our pioneering proposal writers and presenters. A comment came up on the Chat. And I think - (Amadeu) may have brought it up too that this is not the end of proposals. The comment then came up on the Chat that there should be a deadline. And I agree.

Let's have a conversation about the - on the list about that. I don't think we need to close the doors really fast.

I would strongly encourage folks who feel like their proposals are pretty closely aligned to form sub teams around those and work on them together.

And at the same time I would encourage folks who have presented proposals today to keep an eye on the Chat and in the conversation and the transcript for folks who are opposed to their proposal and try and draw them into their groups as well.

Because what we're really about is trying to arrive at a place that we can walk out ideally with a perfect consensus.

And so talking to - amongst ourselves as we agree is good. But we also need to talk across the group to folks with whom we disagree.

I want to take 15 minutes, no more, to talk about, I'm going to combine the next two agenda items -- use cases and analysis options.

There was some conversation on Chat -- and I can't remember if it was private or public - that said we really need to get some of these definitions nailed down.

And we really need to do some analysis around some of those basic principles so that we have a shared place to stand when we're reviewing and analyzing these proposals.

And at the same time it seems to me that the use cases conversation, the work that (Milton), Mike Palage, and Avri did plus the work that (Berry) did is another kind of natural subgroup.

And so I didn't want to go through the proposals for the various use cases today. I just wanted to try that idea out and see if there was interest in forming such a group and how that might work and what they might do and what our expectations might be of them.

So this is a much less structured conversation. There's no pitch. There's no particular idea in mind. I just had this sense in reading the list that along with generating proposals we also need to generate a structure in which to review them and wanted to hear your thoughts either in phone call or on the Chat or on the list or whatever. And with that I've shot my wad.

Does anybody have any thoughts about that? Is that a good idea or a stupid one? And if it's a good one would at least the four of you be willing to sort of band together to start working on that? Wad. W-A-D, wad.

Nothing he said plaintively. I mean we'll jump the agenda ahead pretty good. Thank you (Jeffrey). Go ahead.

Jeff Neuman: Yes thanks. I'm - maybe I'm just confused. I'm not sure what you're - maybe you need to clarify. I'm not really sure what you're asking on this on what the thoughts were.

I - you know, I read it and I still I'm still unclear. Maybe I'm just, you know, I just - I'm thick, I can't figure it out. But I'm not sure what's what the goal of it is and what we're - what the takeaway is for the next step?

Mikey O'Connor: Well I'm inventing as I go here. So it isn't necessarily the best. But my thought was that, you know, it may be that we can do everything in the context of proposals, that the proposals themselves could be self-standing and that they would have the definitions that are required and that we would hammer on agreed definitions to terms like single registrar. You know, there's all that stuff that's in the Chat about that.

And if that's true then that's fine. But if not it seems like it would be a worthy thing to very quickly get to a shared set of understandings of what those terms mean.

Because we otherwise run the risk of having proposals that are talking past each other because some of them have one set of definitions and another set has a different set of definitions.

And so I just thought it would be perhaps useful to have a group of people that was working on that...

Jeff Neuman: Mike - oh sorry. So Mikey so I think I understand that. And I think the definitions are fairly simple. I think it's how they're applied and how they're used that's the sort of a point of contention.

You know, because registrant is, you know, all these are pretty simple terms. But I think how they're applied in this new world is sort of - is more of what the goal would be versus how do we define it.

Because I think that's one of the issues is how do we, you know, a single registrant is it's one single person who's a registrant.

And then if they do other things with it I think is that how it's applied in this world versus, you know, what is a registrant and what is a one person registrant. So just to sort of separate that, but definitions versus the use.

Mikey O'Connor: Okay (Roberto)?

(Roberto): Yes I was thinking that once we have the proposals laid out, I think that we need some sort of mechanism to have a kind of an objective evaluation of the different characteristics.

And I think that this is one of the point that could be done with the talking about use cases and analysis of the proposals.

I think that our - besides the fact that obviously there are some people that have some specific interest in pushing one proposal or the other, I think that we need to set up a sort of an objective assessment and then discuss it in order to come to a consensus.

Mikey O'Connor: Thanks (Roberto). That's sort of what I was thinking is that, you know, there's the proposal creation and honing process. And there's evaluation of the proposals, the process.

And I guess that what I was seeing in the various use cases was a mechanism to do that proposal reviewing.

And so, you know, that's essentially the distinction I wanted to draw. I'm not getting a whole lot of - oh (Kathy), go ahead.

(Kathy Clemmon): Hi (Kathy Clemmon). And Mikey I actually understand exactly what you're saying. And I see different words being used in different ways. And there's not a consistency.

So I would go ahead, I'll volunteer, to work on definitions, not that we'll be spending many sessions working on them.

I think having them on paper and then seeing if they make sense across the models, what would clarify things for a lot of people who are quite in the background here.

Mikey O'Connor: Cool. Jeff is in agreement on that.

Jeff Neuman: Actually no I'm sorry, I was trying to raise my hand I hit the Agree button.

Mikey O'Connor: Okay. So go ahead and talk.

Jeff Neuman: Well I think a lot of the definitions are crucial to the proposals. And I'm not sure that some of the definitions can be established without looking at the specific proposals. So I'm not sure how useful that idea's going to be. I'm going back and forth on it.

For example I saw that people want to define vertical integration versus defining cross-ownership.

Again I'm not sure how useful that is. I mean it's really the proposal that matters. And each proposal will define the terms that are to be used within it. I just can't imagine someone working on definitions without having context.

That said once we do have a definitive proposal then absolutely we're going to need people to work on those definitions.

Mikey O'Connor: And would you also agree that we also need a mechanism to evaluate, right? I think that's really where I'm headed. You know, I don't want to get terribly hung up on definitions.

Jeff Neuman: Yes I mean I think we'll need a way to evaluate them. I think we're going to need criteria as opposed to definitions.

You know, and some of those criteria may have to do with, you know, ease of implementation or speed or things like that. But I'm not sure.

It's hard to talk about in the abstract I'm kind a like Jeff Eckhaus, kind of not sure if that should be a separate process.

Mikey O'Connor: Okay. Well let's see, (Brian) you're in the queue next.

(Brian): Yes, on the two points, on the definitional exercise, a point that I made in the charter group that whoever's working on definitions to the extent that you can stay as close to existing contract language or other ICANN documentation about nondiscrimination, et cetera, I think the better.

I think where anybody on - working on a proposal who offers a definition and is creating a definition that goes beyond that base of documentation, just please call it out clearly so that we understand that there is a definition creation aspect taking place. I think that would be really useful to the group.

And then second point Mikey I agree there has to be an evaluation mechanism. You know, at a minimum we saw the new proposed objective five language come back down from the council.

While it's not, you know, the most definitive and granular of roadmaps, we're still coming back or need to come back to at least identifying impacts on competition, impacts on consumers.

You know, for example an earlier discussion point a lot of folks focused on the 15% of VeriSign ownership of Net Sol. And that's not necessarily control.

But a simple reminder that it wasn't necessarily just a question of control. That ownership stake created a - an atmosphere and an environment of distrust that affected competition across the registrars. And so that ultimately we have to come back to those analytical points of impact on competition, the consumers, if we're going to offer something sound.

Mikey O'Connor: So I don't want to belabor this point and we're getting - (Kathy) I'm assuming your hand is left up from before? Yes okay.

(Kathy Clemmon): Yes that's right.

Mikey O'Connor: I think that what I'm hearing is that I've come up with a half-baked idea. I should put it back in the oven and start to firm it up.

I would love to have a gaggle of folks chime in in the Chat maybe just saying that they would like to help with that, and we'll do a little sub team stuff on the list that talks a bit about evaluation criteria, definitions, evaluation process and we'll come back next time with something a little bit more concrete than Mike's arm waving. I hate making stuff up on the fly like that.

I think then the last little bit of the agenda was really about tools to help if they're of interest to people who are leading or participating in subgroups.



One of the, and I don't want to spend a lot of time on this either. But I wanted to let you all know that this is something that we've talked a little bit amongst the staff and co-chairs on the last call.

Would it be useful for example to either have sub email lists or some sort of threaded conferencing system available so that a proposal could be used eventually in its own little environment?

Or are you more comfortable just pushing a red line draft back and forth on the list or on a sub - you know, I think one of the things that we probably want to do is keep those conversations transparent somehow so that we can learn from them.

And so I'm not too keen on the idea of pure sub lists that are, you know, that don't show up anywhere on an email list.

But anyway that - we could go off and for example set up some sub email lists for the groups that are forming or we could explore a conferencing system.

And just wanted to let you know that that's available on something that we could work to provide.

The other thing that occurred to me was perhaps some sort of mechanism to allow essentially continuous polling so that proposals could be put up somewhere and people could register their support or disagreement so that proposal writers and leaders could find out how they're doing whether their proposal is gaining support or losing support, figure out where their proposal needs work in order to gain more support, et cetera.

And so I'm curious about whether there's any interest in tools like that. Again, I don't think we need to hammer it out on the - this very expensive, very time-consuming phone call.

But I wanted to let you know that those tools are available and that we would be happy to facilitate their deployment if you want.

That's about it for the agenda unless there is - well (Ken) has his closing point. (Brian) are - is your hand up left over from before?

(Brian): Yes, sorry about that.

Mikey O'Connor: No worries. Eckhaus is in the queue. (Ken) is in the queue. So this is sort of the last queue before the end of the call. We've got about 15 minutes to wrap-up. Jeff go ahead.

Jeff Eckhaus: Okay thanks. I put this in the Chat and I just, you know, for people - some people might not be on the Chat. And I just wanted to say this, that I'd love, you know, for people who haven't had a chance to read it or who still have additional questions or comments on my proposal -- and I'm assuming that Jon and Jeff Neuman have the same thoughts on this -- that if you have, you know, if you have any specific thoughts or comments that you might not want to address to the list and you might want to just address to me on specific questions -- a few of you have already done that -- then please, I would love to get the feedback.

And if you disagree with - especially if you disagree with my proposal or you have concerns -- and this, again I'm assuming for Jon and Jeff -

- please send them to me because I'd love to know what are your concerns about, you know, my specific proposal? What are the issues?

You know, Jeff Neuman and I had spoken off-line and we've, you know, we've had discussions about what, you know, each other's proposals.

But I'd love to hear from the rest of the group what, you know, any support or issues with my proposal or any, if you need additional clarification, please let me know. If you, as I said, you don't want to send it to the list, please send it to me directly.

Mikey O'Connor: Thanks Jeff. (Ken) you're next.

(Ken): Thanks Mikey. I'm going to make a proposal. I know it's fairly early on. It's tied into a couple of things. It's tied into the fact that we have what I consider to be a somewhat Herculean task ahead of us still.

And we have a very, very short time period in which to accomplish something that could be considered by the board to be meaningful and material steps.

In the past both the GTLD working group and Jeff might be able to give a little bit more background on the STI.

There has been deemed to be the necessity of the possibility of doing a face to face coming down towards the very end.

Rather than wait until the week before this potential face to face might happen I would like to raise the potential that this may need to come

and suggest that we consider the possibility of doing some sort of a global doodle or something like that to find out where it would make sense if we decided that something like this had to happen.

Because I see the possibility of two days of face to face pounding it out, getting final, some sort of a final tentative agreement, something that somebody can lift with.

I see also now the ICANN technology allows us to do something like this. And I can use Nairobi as a perfect example. There were registries, registrars, people from other constituencies in Washington DC co-participating at the ICANN meeting. So it isn't like somebody would be trapped if they couldn't get there.

But I think you have to at least consider this. You can shot me down if you want. But if we get down to the point where it's the 1st of May and we don't have something meaningful out there, I don't want to see that kind of a situation occurring. So for what it's worth Mikey.

Mikey O'Connor: I will shot you down. I'm looking at the Chat. We're getting a lot of great proposals on location. Let's - we'll take that one under advisement and see.

I mean, you know, I know exactly what you're talking about. And we'll see if A, we need it and B, if we do we'll figure out if we can and if so how. And...

(Ken): Well I'd just like to inform everybody that the ice has cleared in (McMurdo), so we could work something out down there.

Mikey O'Connor: Boy talk about a sales pitch. Okay. (Gray), you're next.

(Gray): Yes. I just wanted to kind of support your suggestion about the polling. And I think that it might be helpful for kind of smaller decisions, not like whether or not we should adopt a particular proposal or anything that large.

But as people solicit feedback on a particular element of a proposal or a particular (unintelligible) sometimes I find it difficult to with there so much traffic on the list, find it difficult to kind of keep up with how many emails go back and forth that which ones are responding to which ones.

Mikey O'Connor: Yes.

(Gray): So for group feedback, a needed polling mechanism for small questions on the proposals as they develop I think would be very helpful.

(Ken): I apologize, Jon Nevet's correction is right. I've got so many abbreviations in my head. I was referring to the STI not the IRT. Thank you Jon.

Mikey O'Connor: And I think the polling thing is easy for us to do. We'll figure out sort of how people could get access to it.

And if people have polls that they want conducted right now send them to me. Don't send them to the list. Send them to me and I'll make sure that they get posted with all the due fanfare that they deserve. And then we'll sort of figure out how that works for the rest of the way.

Other stuff, other closing comments 10 minutes ago but we can always end early?

Just using your plus and minus in your - beside your name, is the way that I'm running these meetings okay with you guys? Because if there's anything I can do to make things better or more productive please let me know either now or directly by email.

We do have a pretty big group and a pretty big job. But I actually think that we're making pretty good progress.

I think that the way that we have started coalescing around some discrete proposals is very good. I think the way that we started to coalesce around some use cases and the beginnings of an evaluation mechanism is good.

I don't think that we'll come down to something precise by the 1st of May because we've got an open constituency statement period that's probably just going to be wrapping up right around then.

We're going to have to fold that stuff in. But I also think that we're still just fine in terms of getting stuff ready for Brussels. Jeff?

Jeff Eckhaus: Thanks. The one thing - well by the way Mike - Mikey, very good job. That wasn't my - I didn't raise my hand to criticize on that.

It was on, I think this is put onto the Chat before and since we're just finishing business. Proposals if there are - do we have - because I

remember Jeff Neuman in the beginning I think it was about two weeks ago I said hey, could we have a two week deadline for proposals?

And I know you had said hey, a few more weeks for proposals. And I - granted I know I'm one who already submitted so maybe I'm on the other side of the fence here.

But I would like to sort of cut this off so at a certain deadline. So people who submit proposals put them in. And, you know, I'm - I'd sort of defer to you and the group maybe to set a deadline on that if possible on this call?

Mikey O'Connor: Yes. I'm taking that as an action item. I, you know, quite frankly hadn't thought about it. And rather than making something up, I'd like to think about it when I'm not running a call like this and talk about it with the rest of the gang and see but we...

Jeff Eckhaus: Okay thanks.

Mikey O'Connor: Okay. I think oh Jeff Neuman is raising his hand or checking or...

Jeff Neuman: Yes. Sorry how do I - I guess I'll send around I'll talk to Jon and Jeff. Maybe we'll form the JJJ subgroup team to work on our proposal. So I guess I'll just shoot around an email to see if there's interest in forming that subgroup?

Man: I'm okay with it but we have to have a cooler name than JJJ.

Mikey O'Connor: Yes I agree. Do you want...

Jeff Neuman: J cubed. We'll be J cubed. So is there a way for us to set up a sub mailing list or something...

Mikey O'Connor: Yes. That's exactly what I was going to propose is - (Margie) could you or Mike take the action to set up a mailing list for them so that we can have a public archive of the conversation that they have?

(Margie): Oh yes sure we can easily do that. We'll - if anyone else wants to join though we probably, you know, just you'll need to send an email to the list so we can add you to the other list.

Mikey O'Connor: Yes or send it to either me or (Margie) if you want to do it that way.

Glen Desaintgery: Sorry Mikey, this is Glen. And so probably because I set up the other list it'll probably be easier if I do it.

Mikey O'Connor: Oh that would be great.

Glen Desaintgery: And then well all of you can send me the names.

Mikey O'Connor: Yes. Everybody knows Glen. Cool. Okay, I think we'll call it a day. I thank you all for I think a pretty good call, a very productive conversation.

I'm very hopeful that we can move the ball forward. And for those of you who have joined us during the holiday, thank you for that. We'll see you next week.

Man: Thank you Mikey.



Woman:           Thanks.

Man:             Thank you.

END