Vertical Integration PDP Working Group TRANSCRIPTION Monday 05 July 2010 at 17:00 UTC

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On page:

http://gnso.icann.org/calendar/#jul (transcripts and recordings are found on the calendar page)

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Apologies:

Paul Diaz Statton Hammock Ron Andruff Vika Mpisane Tero Mustala

Coordinator:

Excuse me, this is the Operator. I just want to inform all parties that the call is being recorded and everyone will have open lines. If you could utilize your mute button by pressing star 6 if you are not speaking. Thank you, you may begin.

Mikey O'Connor: Thanks all. I think we'll do the usual routine where we spend a few minutes on the agenda just to let folks join the call and then I guess Gisella can do the roll call today.

> So the agenda is on the Adobe Chat but I see that there's a bunch of you that aren't in yet so let me just sort of sketch out what I thought we'd work on. Roberto and I are really sort of doing two processes in parallel right now. One is the one that we talked about on the last call where we'd very much like to get essentially summaries of the major positions.

And we had a fair amount of discussion about how many of those there are. And at this point I'm more interested in making sure that all positions are documented than I am in any particular number.

But one of the goals for today's call is to make sure that we've got somebody writing up each one of those so that we don't get to the end of this little

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process and discover that we've got a gaping hole. So that's another thing

that I want to talk about.

The other process that's running in parallel with that is a series of email

threats that we're launching into the list basically trying to see if there are

some very narrow topics around which we can find consensus.

We've launched a couple, SRSU and the niche TLD's one and I threw a

couple of other possibilities into the agenda today that we could maybe

discuss on the call. So the first third of the call is really just logistics on the

document, the positions, and then do a poll process that I described last time.

And then the rest of the call is talking mostly about these email threats. Now

Tim as the very last man on the list through out something and - with the

permission of the group I'd at least like to hear what Tim's idea is fairly early

in the call. This is sort of a last minute change to the agenda but Tim had an

idea that he wanted to propose and that seemed like something that I'd be

interested in hearing about.

So before we get into the stuff that's actually on the agenda I thought I'd turn

the floor over to Tim for just a minute and let him discuss that. And if that's

okay with folks - oh Tim, I see your hand's up; do you want to go ahead?

Tim Ruiz:

Yeah if that's okay.

Mikey O'Connor: I'll tell you what let me...

Tim Ruiz:

I won't take long, it's...

Mikey O'Connor: Well, Tim, before you start let's just get the formality of the roll call done.

Tim Ruiz:

Okay.

Mikey O'Connor: And then the floor will be yours. Gisella, can you go ahead and do the roll call?

Gisella Gruber-White: Absolutely. On today's vertical integration call on Monday the 5th of July we have Volker Greimann, Mikey O'Connor, Jothan Frakes, Cheryl Langdon-Orr, Jeff Newman, Barry Cobb, Roberto Gaetano, (Phip Gamba-Cholet), Angie Graves, Basil Sharp, Tim Ruiz, Brian Cute, Keith Drazek, Alan Greenberg, Avri Doria, Mikey Palage, Phil Buckingham. From staff we have Marika Konings and Liz Gasster and myself, Gisella Gruber-White.

We have apologies from Paul Diaz, (unintelligible) and if I can please remind everyone to state their names when speaking for the transcript purposes, thank you.

Man: (Unintelligible).

Man: Thanks.

((Crosstalk))

Mikey O'Connor: With that let's - let's give the floor to Tim for a minute and it's yours, Tim, go ahead.

Tim Ruiz: Okay. Yeah, I think at least from my perspective and maybe from - and a few others that I know that one of the issues with these individual cases that we're trying to figure out if we can find some time to carve out for or exception

or whatever you want to call it like single registrant, single user, niche TLDs, (unintelligible) TLDs, those kinds of things is that there's so many - the variety of cases that even fit within one of those categories can be so vast that it gets difficult to try to come up with a single set of rules that kind of captures

everything known and unknown.

And I think for me that's one of the biggest issues is the unknown; not being able to really tell, you know, who wants to do what today or in the future and they may not even know today or in the future. So it seems that the most difficult thing - we're trying to do the most difficult thing and that is to try to capture rules or some sort of parameters up front to cover everything.

What I'd like to suggest is maybe instead what we look at is a process through which applicants would be able to apply for an exception. And that would be based on, you know, some pretty narrow things up front would be my preference going into the first round, in other words a very conservative approach.

So that applicants who have a real need, maybe it's a need based on economics or a need based on the nichiness of their TLD or because of the community that they're serving, etcetera, that some sort of vertical integration exception might make sense.

But, you know, again my goal, my interest would be in being conservative and careful so that those who really have a need or have a valid purpose would be able to get that exception and not necessarily meaning that this would be for, you know, for just any commercial entity regardless of their particular economic stance or what their business model is because we can't - I don't believe in this first round we're going to be able to serve everybody's needs and what they want.

But those smaller applicants or applicants that have certain needs, you know, certainly is a concern but an exception process to which they could apply for a vertical integration exception would certainly make some sense.

And then perhaps that could be extended to post-applications so that if they don't perhaps feel they have that need up front or don't get it that down the road as they, you know, try to get their business established, their name space established, run into some issues getting registrar support, etcetera,

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etcetera, that perhaps we have a more formal process in place in which they

can appeal to ICANN for some sort of exception.

Although, you know, we haven't had a formal process in the past but some

TLDs have already done that and been successful in getting certain

exceptions or changes in their contracts, that kind of thing. So it's certainly

some - there's some historical precedent for that kind of thing.

And that's where our focus would switch from trying to define things up front

to trying to focusing on this exception process that we may all be able to at

least come to some agreement on. And then for this first round have that be

the basis for any vertical integration that would be accepted.

But what that would mean as far as the proposals being out there I guess that

would be something we'd have to discuss. But that's more or less my idea.

Not earth-shattering but something I thought might be able to refocus this in a

(unintelligible) direction that might get some sort of consensus.

Mikey O'Connor: Thanks Tim. Let's see, let me cogitate about this for a minute. I think what I'm

going to do is I'm going to reverse the agenda because this fits so well with

the second half of the agenda. So rather than drag us off this topic and then

back why don't we just reverse the two halves of the agenda.

So we'll spend about an hour - we'll spend until about 10 after the hour from

now working on the small exception threats that we've started on the list. And

my first thought is that this would be a good one to kick off a thread on the list

about so that we could flush out some of the stuff that's coming up in the

chat.

But let's, you know, Palage has got his hand up. Why don't we take a little bit

of the conversation about Tim's idea and then maybe bounce this one off to

the list?

Brian Cute: Hey Mikey, this is Brian. I'm not on the chat but can I get in the queue?

Mikey O'Connor: Sure.

Brian Cute: Thanks.

Mikey O'Connor: Anybody else that's not in chat that wants to be in the queue? Okay. Mikey,

go ahead.

Michael Palage: Thanks Mikey. So, Tim, with regard to the (Cam) proposal as far as criteria

we've actually set up a process which starts with an exception. The original (Cam) proposal was zero then we went to 15 but we can go back to zero and

that's something that we've been discussing.

And as far as the exception we've talked about creating a standing panel that would be (unintelligible) that could look at potential criteria as well as the potential referral to competition authority. So, you know, when you were talking I think, you know, Avri, myself and Milton were sort of chatting back and forth saying this seems a lot along the lines of what we thought we proposed. Perhaps you could tell us how what you're proposing is consistent or inconsistent with the (Cam) proposal?

Tim Ruiz:

Okay well I'll try, Mikey. I have to be honest I haven't really given that a lot of thought until just now but, you know, I guess what, you know, what I was thinking is that perhaps given that, you know, so many of us have suggested some form or permutation of this 15% that perhaps this exception process or whatever might not kick in until we're talking about something over that 15%.

So there would be some allowance in there before, you know, any exception would have to be applied for. But then the other difference may be just in - and my thinking of it being more narrow that - so that we can - we could actually come to some conclusion within a reasonable amount of time by keeping it narrowly focused on TLDs that might truly have a need.

ICANN Moderator: Gisella Gruber-White 07-05-10/12:00 pm CT

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So and I realize this still isn't going to address some of the business models

that have been discussed. I said in the previous email, you know, I know

brand and trademark holders would like certain exceptions. I don't think that

should be our focus. You know, I don't think brand and trademark holders

really need our help.

I think they have, you know, enough economic power behind them to be able

to do what they would like to do for the most part. Perhaps not perfectly and

everything but I don't think that would have to be something we'd include in

this exception.

What I'm talking about very narrowly, you know, community-type TLDs that

might have a small community that they're trying to address with a very niche

TLD where it makes sense for them to have to support every registrar or

maybe - or it even makes sense for them to be able to be vertically

integrated.

So maybe it's just the narrowness of what I'm proposing versus many of the

other proposals that, you know, try to be a lot more broader in the exceptions

that they cover.

Mikey O'Connor: Thanks Tim.

Michael Palage: Thanks Tim.

Mikey O'Connor: Volker has got his hand up but I'm going to go to Brian first so Brian go

ahead.

Brian Cute:

Thanks Mikey. Yeah, thanks Tim, it's an interesting suggestion. And you

started to go to what my question was in the end of your explanation but if

you could maybe walk it out a little bit more I was really interested in what you

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saw as the scope and you just - you've used the word conservative and you

use the word narrow and you just mentioned communities.

You know, can you put a little bit of a finer point on it? I think I'm hearing you to say those that really have a need like maybe a .zulu or something, you know, .gaelic. I'm just throwing out examples. I'm trying to get a sense of what you would perceive need to be because, you know, as we all know you could create this mechanism and establish a criteria but, you know, any bit of gray can then, you know, open up a door to something that's unintended.

Can you put just a bit of a finer point on...

((Crosstalk))

Mikey O'Connor: ...what you'd see the scope as being - covering?

Tim Ruiz:

Yeah, and again very narrow and conservative so, you know, some examples of existing TLDs that I think, you know, might have qualified for something like this .cat for example, you know, addresses a very specific community. I don't think there's any danger in creating an unfair competitive environment by allowing .cat to offer its name services directly.

And I think the same may be true - you mentioned .zulu, there may be others. So it would - I think perhaps maybe that's the - how to keep it narrow is that it maybe it only applies to certain community TLDs who can show that they have a very niche scope for their name space.

You know, there's some other broader TLDs, .sport for example. We know that's going to be applied for. Again it's community however it's a very - it's a much larger community that has more of a generic - it's more of a generic name space. It has some pretty powerful - from what I understand some pretty powerful companies, investors, whatever, behind it so I would not consider that as a TLD that would have such a need.

I don't know if that helps or not.

Michael Palage: Thanks, yeah, that's helpful, thank you.

Mikey O'Connor: Thanks Tim. Volker, you're next.

Volker Greimann: Hey trying to get my thoughts together. As you all know I'm still a proponent of the 100% and then make strict rules to prevent any (unintelligible) abuse. However I see that this is not a majority that is likely to go through. And so we will most likely end up with something that has a certain number of percent and a certain number of exceptions.

However once we go into those exceptions the definitions become very, very problematic like my - like the previous speaker said how do you define a community and what do - community like living actual astronauts from .Web which might be a community for spider aficionados and the like.

I know these are examples which are a bit - sound a bit ridiculous but I just wanted to make those two extremes to point out the differences in how communities could be defined and what communities could encompass just as a - how do you say it - pretext.

Like I said we will have to have strong rules in any case no matter the percentage we decide upon in the end because if a party wants to misbehave, to abuse, to sell its data it doesn't really matter if it's a co-owned entity or a vertically integrated entity if a registry wants to sell data to a registrar or if a registrar wants to buy data there will always be a way to get at that data no matter if it's vertically integrated or not.

And so we need those rules in any way if we have co-ownership or not, if we have vertical integration or not we will need the same exact rules to prevent abuse so let's build those rules.

Mikey O'Connor: Thanks Volker.

Brian Cute: Mikey can I get back in the queue?

Mikey O'Connor: Sure Brian. Anybody else?

Brian Cute: Okay.

Mikey O'Connor: Not on call who wants to get in? Let me offer a suggestion and then..

Volker Greimann: Sure, yeah.

((Crosstalk))

Mikey O'Connor: Say again? Was that somebody else who wanted to get in the queue? Oh

okay.

Man: Yeah (unintelligible) would you put me in the queue please Mikey?

Mikey O'Connor: Oh there we go. Got it, yeah, Ken, you're after Brian. My thought here is that

maybe what this needs is a drafting team to go off and sort of take Tim's idea

and put some meat around the bones. There's been a lot of pretty good

conversation in the chat especially around the percentage question.

And so I'm wondering if there would be a group that would be willing to sort of

coalesce offline between now and Thursday, hopefully quicker than that, and

get a draft out to the list that people could start responding to. Is that a

reasonable way forward at this point? And Tim, would you be willing to be

sort of the convener of that? But maybe...

Tim Ruiz: Yeah, yeah, not a problem. One of the things I wanted to mention was that,

you know, the Council has initiated a work team to kind of look - a work team

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or a working group, I'm not sure which, but to look at this idea of providing

assistance of various types to certain applicants. It might be financial

assistance or whatever.

And not to, you know, the idea is not to increase ICANN's budget, etcetera,

but, you know, what type of assistance or how might we put something in

place so that applicants who can demonstrate a need could get some sort of

assistance.

I don't know where that working team or work group is at but I think that

would certainly - what they're doing certainly plays into the idea that I'm

suggesting. And so maybe there's some way in which those things could tie

together which is something that I could look at as well.

Mikey O'Connor: Okay. The queue looks like this, it's Brian and Ken and Volker and Avri so

Brian go ahead.

Brian Cute:

I'll be quick. If we're going to go down the path of community, you know,

myself and others and affiliates have been focused on the definition of

community in the bag and, you know, think there's ways it can be improved.

But if I'm hearing you correct, Tim, this isn't just about if we go down this path

with this exception mechanism; this really isn't about being defined as a

community, I mean, that's just step one.

This is really about, step two, identifying specific needs which form the basis

for allowing the integration and the articulation of what those needs are going

to be, the criteria that the working group you're going to lead or drafting team

is going to have to focus on, is that right?

Tim Ruiz:

Right, right.

Brian Cute:

Okay thank you.

Mikey O'Connor: Okay Ken, you're next. You may be muted, Ken, we're not hearing you. Ken?

You there? Still not hearing you.

Brian Cute: Sometimes his phone gets flaky, Mikey, you want to just move through the

line and he'll come back?

Mikey O'Connor: Okay, Ken, when you get back we'll drop you in the queue wherever you

reenter. So then it's Volker, go ahead Volker.

Volker Greimann: Let me just have another two minutes. I'm just ordering my thoughts so...

Mikey O'Connor: Okay Avri.

Avri Doria: Yeah, am I unmuted?

Mikey O'Connor: You're on, yeah, you're coming through fine.

Avri Doria: Yeah, no, as the - I only put my hand up because the working group that I'm

a co-chair of was mentioned. Now we're looking at it slightly differently and I

do think we have begun converging on a very narrow set of deserves.

But I think that the criteria that we're using which is an economic necessity that one could not make it through the application process and various other issues while it may have some overlap with the criteria that this group would want to define in terms of not being able to find a IDN registrar that could

handle it or a small community.

There may be overlap in those categories but I do believe that they're different. And so while I think it's an interesting idea and I'd certainly be interested in - and working with it and seeing what relationship could be found between the process in the two working groups I do believe the problem set

is somewhat different. Thanks.

Tim Ruiz:

Yeah and this is Tim, Avri. I realize that's probably true. I just wanted to - I would just want to make sure we didn't do something that conflicted or that in some way they didn't match up or marry up in the way that they might - or that they probably should to some extent if that makes any sense.

Mikey O'Connor: Okay Ken is your phone working? Try you again. Still silence. Volker, how about you?

Volker Greimann: Okay I can try. I'd put out a question in the chat last week on Thursday maybe not everybody read it because they don't read the chat but I'll try to put it out to the group again.

> And expanding on what I just said that we really need to identify the threats and find general rules of behavior to prevent those threats is there anyone or what are the threats that you believe exist only in a VI or CO environment, i.e. which threats are completely eliminated, not possible in any way to occur in environment for registries where registries and registrars are 100% separated?

> The only ones that was suggested was the - avoiding the - the imagery of collusion or avoiding the - any thought that this might be happening. But actually anything that, in my view, anything that can be done under VI or CO can be done without it as well. So it doesn't really matter what percentage we have. The fears that people have of any misbehavior or abuse are just as likely to happen in the other scenario.

So we (unintelligible) look at any percentage to solve those problems.

Mikey O'Connor: Thanks Volker. I think that at this point what I'd like to do is sort of draw a line under Tim's piece of the agenda because the topic that you're describing is somewhat different than Tim's proposal.

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Could I get people using their checkmark to indicate who would be willing to

join Tim as a - in a little drafting team? Time is very, very short, we're really

getting awfully close to the end of the wire. And so if this group could get

together quickly and get something out within a day or two that would be

fantastic.

Also somebody is in a windy place I think. Brian? And maybe - oh that made

it go away whoever it was. So anyway I'd like to get a group together for Tim

to work with on drafting up his proposal. I see Anthony's hand, anybody else

like to join him? Certainly...

((Crosstalk))

Brian Cute:

This is Brian in the windy place, happy to help.

Mikey O'Connor: Okay, anybody else? Maybe somebody from the (cam) gang? Avri or - Avri's

got her hand up, great. Palage is in, Neuman is raising his hand - are you

raising your hand or volunteering Jeff?

Jeff Neuman:

Sorry I was - checkmark.

Mikey O'Connor: No worries. No worries I'm just - just let's see so I've got Tim, Siva you had a

checkmark up from before, I'm assuming that you're not indicating that you

want to be on the drafting team. Phil, Mike Palage, Anthony, Jeff Neuman.

Avri did your checkmark go away? Do you want to let Palage be the carrier of

the (Cam) banner instead of you? Avri's in. Okay.

Maybe what we can do is right at the end of the call if those of you who have

volunteered could just hang on the call for a second and we'll kind of get that

launched. But I see this as very positive and I want to get anything I can done

to help you that I can.

ICANN Moderator: Gisella Gruber-White 07-05-10/12:00 pm CT

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Okay so we've got another 40 minutes or so to talk about the other items and

is it safe to say that SRSU and niche TLDs then gets subsumed by Tim's

proposal or do we need to talk about those separately?

The reason I'm asking is because there are two other possible things that I

wanted to bring up, one of them being the compliance issue which seems to

be a strong thread through a lot of what we talked about in Brussels and

whether we wanted to put together maybe another little drafting team,

another group, to frame up a statement about that.

And then the other one is - I think it was - I can't remember - I talked to an

awful lot of people in Brussels. I think it was Chuck Gomes who said that it

would be very helpful to hear from us about the 2% number in the DAG. And I

didn't know whether we wanted to subsume that into the drafting group as

well?

So anyway those are just questions that are on my mind but I sort of want to

throw the floor open to you all to talk about sort of whatever you want to talk

about in this context and we'll go from there.

Brian Cute:

Mikey, this is Brian, can I jump in?

Mikey O'Connor: You bet. Brian's in, Anthony is in anybody else want to get in the queue? If

not we'll jump ahead with Brian and then...

((Crosstalk))

Brian Cute:

I'm going to try to answer your question about SRSU and what was the

second one being subsumed by Tim's working group?

Mikey O'Connor: Niche TLDs.

Brian Cute:

Niche TLDs. One reaction I have is SRSU there's been a lot of potential variations of it described and Tim on the list today was noting that the proposal that SRSU could be handled through the registry under existing contract revisions being able to reserve effectively a list of names for brand protection is one variant that isn't really an exception that exists today.

And I think he's right about that characterization. SRSU has also seen, you know, employees only, 20,000 cap, 30,000 cap, you know, caps. There's been a number of variants which Ben and Mike characterize SRSU as a discrete exception in the context of vertical integration.

So I guess my answer is I don't think it can be entirely subsumed by Tim's - and I'm just underscoring again that this is a category - a potential category that has had a number of different approaches but none that have been really fleshed out to the nth degree if you will. So I guess the short answer on that is no.

What I heard Tim saying sounds more like the niche TLD or what was once called an earlier PR proposal, an orphan TLD whether there's a discrete economic need. And that one does seem to be covered by the work unless I'm missing something.

Mikey O'Connor: Thanks Brian. Tim, did you put your hand up to respond to Brian or do you have another point?

Tim Ruiz: Yeah, I just wanted to confirm that that was - that Brian has that right.

Mikey O'Connor: Okay. So we probably need some words around SRSU that are discrete from what you're working on. And, you know, I think where I'm headed with that is maybe what we need is another small group of people to, you know, I was reading the thread today and thinking the same thing that we've got a lot of moving parts in SRSU and we need some group of people to sort of nail

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down what we mean by that because there do seem to be a bunch of

different approaches to it.

Let's see, Anthony, I think you're next. You may be muted too.

Anthony van Couvering:

Hi. Can you hear me?

Mikey O'Connor: There we go. Yeah, now I can hear you.

Anthony van Couvering: So I would like to take up Volker's point earlier about - in regards to compliance and see if indeed there are threats that exist in one of the 15% proposals if you'll forgive me for calling them that - that don't exist, I mean,

threats in the 100% model that don't exist in the 15% model.

So that when we go to look at compliance which I think is important we don't, you know, we don't come down too heavily on any kind of proposal that is different. In other words I just don't think that the compliance issues vary that

much from one set to another, the gaming is still there.

I'd also like to say that I like Tim's approach even though I consider it a little cumbersome because I think that there are more than an economic needs exception. Certainly we heard in the public session in Brussels from people who were doing IDNs where no one wants to carry them or don't have the

expertise to.

I can also think of TLDs where there is no registrar that works in that local language. So they're not all community and they're not all (unintelligible) economic hardship cases. And I think that we should look at these exceptions from the point of view of does - do these sorts of TLDs need an exception in order to be able to compete effectively?

So we shouldn't design exceptions just for sort of deserving cases but we should use them to make sure there's a level playing field. Thanks.

Mikey O'Connor: Thanks Anthony. Let's see, we don't have anybody else in the queue but it

sounds like we need to do another call for a drafting team.

Tim Ruiz: Say Mikey can I just make a comment?

Mikey O'Connor: Sure.

Tim Ruiz: This is Tim.

Mikey O'Connor: Yeah, go ahead.

Tim Ruiz: It's related to what Anthony was talking about. And I don't necessarily

disagree about, you know, that there could possibly be casing involving IDNs.

But one of the things that concern me is that we don't create a situation

where we just perpetuate the incumbents in various roles.

And that's one of the things I think that we are in danger of with some of the ideas that we've had because, you know, if the - the only option for - or the easiest option for some of these applicants is to use incumbents or to use

incumbent registrars in a new role.

I mean, all we're doing is perpetuating the incumbents but just, you know, putting them in new roles. If there really is a demand or a need one of the things to consider is that those new businesses, those new registrars, those new services will pop up, they will get created.

You know, if there isn't then, yeah, there's going to be some problem there but then the problem isn't to do with the lack of support, it has to do with the lack of interest or need to demand or whatever.

So while I can sympathize to some degree I think on the other hand what we want to do is have an environment that encourages new entrants, new

players, that's what's going to increase competition not creating an environment that just perpetuates all the incumbents just giving them new roles.

Mikey O'Connor: Thanks Tim. Again nobody else in the queue at the moment.

Brian Cute: Mikey it's Brian, can I jump in?

Mikey O'Connor: Oh sure go ahead Brian.

Brian Cute: Yeah, I'll be real quick because this is ground we've hit in the past. But look

> we, you know, we've addressed these harms issues in terms of access to registry data. There is a qualitative difference between 100% ownership

where in fact the co-owned registrar, uniquely owned registrar would

effectively have access to the data.

We've talked about front-running, we've talked about other types of harms that have taken place in the market that would be enhanced through the access to broader registry data. These are all basic points so the suggestion that registry data is, you know, the access to registry data is not related to vertical integration is not well founded.

People say registry data is out there being sold today. I haven't heard of it, it's not out and being sold today, it's not rampant. There's a reason for that. So I just wanted to make those few points and I'm more than happy to put this into writing because these are repeated themes that keep coming up in the compliance and enforcement discussion that, you know, we don't think are well founded.

Mikey O'Connor: I'm going to get to the queue in a second so Anthony and Volker I see your hands raised. But it seems to me that if compliance is the issue that we thought it was in Brussels, that we need a group to essentially write this case.

And that in that document or in that (atom) if you will is where we could put this list of harms either real or imaginary depending on your point of view.

And I think, you know, I don't want to put words in the working groups mouth but one of the things that I heard a lot in Brussels was that one of the big problems with compliance is that there's a lot we don't know; we don't know about ICANN's capability to deliver compliance effectively and we don't really know the dimensions around which compliance ought to be done.

But that doesn't make the compliance issue any less important. And so I'm wondering if a way to capture this debate and charter some work but still present a consensus view or at least the recommendation is to frame the compliance (atom) that way and let a group of people try and pull that together.

So there's my editorial rant. I'll go back to being chair. Anthony, you're next.

Anthony van Couvering: Yeah, thank you, Mikey. I just wanted to get back to Tim because I think he's made a new proposal. I think it's - it has some movement in it. And I just wanted to respond because his concern about incumbents which is something I actually agree with - and I think he's looking at this from the point of view of - and correct me if I'm wrong Tim - from the point of view of registrars becoming registries and simply perpetuating incumbents in that sense.

And my - I look at it from the other point of view, if you're a registry that needs to distribute your goods in a way that your customers can understand my thought is that you need to remove barriers, you need new entrants to being able to compete when the registrar channel is effectively not open to them.

And secondly I would agree, Mikey, with you on the idea of a compliance workgroup simply because I think that there are a number of areas where people can agree that compliance needs to happen or needs to be beefed up

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or something. And I think that we could achieve even if there are, you know, unknowns we can achieve some consensus on what are the known things without lapsing into Rumsfeld-speak. I think I'll leave it at that, thanks.

Mikey O'Connor: I love Rumsfeld's speech. Okay Volker, you're next.

Volker Greimann: Yeah, I just wanted to respond to that my colleague previously said. I agree that the VI and CO will probably make some abuse easier. However preventing VI or CO will not prevent that same form of abuse so what we need to do is prevent front-running, prevent registrar access to registry data but do it in the way that affects everyone not just registrars because in the end when I want - when somebody would want the data he will find a way to get at it.

> If he bribes somebody at the registry or whatever, there will be ways to get at the data. So we need to find ways to prevent the harm and not - and maybe even make it a little bit harder to do the harm. But in the end I believe that VI and CO are not the reason this occurs, the reason this occurs is that somebody wants to enrich himself and they will find ways - whatever we say about VI or CO.

Ken Stubbs:

Mikey, this is Ken, I'm back up. Can you put me in the gueue please?

Mikey O'Connor: You can go right now Ken. Go right ahead.

Ken Stubbs:

Well thank you. I'm sorry I had a connection problem and although I could hear you, you couldn't hear me. There are a couple of things I'd like to respond to. First of all I'd like to respond to the comment that had just recently been made.

I think that I would be somewhat concerned and I'm only presenting this and will present it is as a harm if it will make people feel better. It's possible for a

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registry to create an environment that would discourage registrars solely for

the purpose of trying to become an exclusive distributor.

You could initially start up in such a way that there would be no interest in the

registrar community then argue that you couldn't get anybody to get involved

because there wasn't any interest there. And then all of a sudden as you

became the sole registrar you put the resources behind the marketing and so

forth because you were benefitting solely for that purpose.

So I would say there'd have to be something that would - a back door that

would allow registrars to participate in the future on an equal access basis if

they want to. The registry couldn't shut them out and say that there would be

no opportunity in the future for them.

The other thing that I wanted to comment on briefly and it goes back to

compliance and I'm not trying to sound like a broken record but I - in Brussels

I got a significant number of messages from various people in ICANN. And

again I want to remind everybody on this call that all we can do is make

recommendations for compliance.

If ICANN elects not to adopt any of those recommendations for instance, if

ICANN comes along and says oh hell it costs too much money, too much

resources, we're going to require - rely entirely on third party compliance -

third parties for this.

It changes the atmosphere entirely in terms of how recommendations for

future structures could be viewed. And I think that is an issue that needs to be

resolved because I've had two different board members make comments

diametrically opposite in terms of how they would deal with compliance.

And you know as well as I do unless we have a super majority it's basically

only a recommendation to the board. Thanks.

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Mikey O'Connor: Thanks Ken. I think that one of the observations that I'd make about this compliance piece - and I'm not going to write it because I'm not going to get into content.

> But if I were writing it one of the things that I would include in that write-up is that our experience with ICANN compliance to date make some of us not very confident and that that lack of confidence has been a problem for the working group in terms of coming to consensus on approach and leave it at that because I think that this is really the issue that in a way divides us on compliance which is some of us believe that compliance can do it and others don't.

And I think that if we were to step back and simply say compliance is a major concern for the working group and not try and resolve that dispute within it we might be able to get a little bit further forward.

Volker, I think you're next.

Volker Greimann: First of all, Mikey, I would like to applaud to what you just said because that's something I was thinking about as well, it's something that we would make our final recommendation a condition of - would make a condition of our final recommendation.

> Another point I just thought of - maybe oddball from the side but should we not then if we prevent registrars from forming a registry or co-owning a registry prevent registrants like domainers and the like to also become coowners in a registry?

I mean, that would be the same kind of abuse of data possibility maybe even worse because a lot of domainers do not stick to the rules as much as most registrars do at least it's the opinion I have of a lot of them.

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I mean, there's very good guys among domainers as well but a lot of them exist to abuse the system. So why don't we just expand the entire scope of the group to also include everyone who ever registered more than 10 domain

names? Sorry that's a bit - yeah.

((Crosstalk))

Mikey O'Connor: Oh I'm sorry, Mikey just found out he was on mute. I made a wonderful speak

to my (feet), sorry about that. Can we take a checkpoint and take a list of

volunteers maybe to work on this compliance write-up, same sort of thing that

we just coalesced around Tim?

Because it seems like this is a very important topic around which we actually

share a lot of opinions and could be a very useful conclusion that we could

pass forward. So could we do the same thing with checkmarks? And we need

sort of a lead. Tim is sort of the coalescing lead person for the process one.

Does somebody want to be the lead person on compliance?

Brian Cute: This is Brian, Mikey...

((Crosstalk))

Mikey O'Connor: Go ahead Brian, you want to jump in here?

Brian Cute: Yeah, I'm happy to raise my hand for that.

Mikey O'Connor: Okay. You want to be the lead guy on that?

Ken Stubbs: I don't have a checkmark, Mike, but I'll be happy to get involved in that as

well, Ken Stubbs.

Mikey O'Connor: Okay so Ken and Brian and Anthony and Barry and Phil Buckingham and

Tim, you've got your hand up to speak or to volunteer?

Tim Ruiz:

To speak but I noticed Liz has had hers up before me so I don't...

((Crosstalk))

Mikey O'Connor: I never look way up high like that. Liz, go ahead. Sorry.

((Crosstalk))

Liz Gasster:

Thanks Mikey. I just want to make a quick comment that might be of interest about a step that staff does engage in further down in the process but I want everyone to anticipate it which is like as the PDP process coalesces around a proposal, as you talk about the clients, staff will typically draft something that we're calling staff implementation notes that will consider implementation considerations including compliance.

Like I think it'd be hard to do at this stage where there are multiple proposals on the table but, you know, as the working group coalesces around a proposal typically then we would find it useful and we think the working group would find it useful to do kind of a staff assessment of implementation issues and concerns broadly which would include compliance issues (unintelligible) that we could assess them as well.

You know, that can take some time depending on the complexity involved so, you know, several weeks to do. But that would be a typical stage in the PDP process that might also be useful in terms of, you know, providing a staff perspective on compliance and other implementation matters at the appropriate time.

So I think that's - in addition to the other working - you're considering at this point. Thanks.

((Crosstalk))

Ken Stubbs: Can I respond to Liz?

Mikey O'Connor: Sure go ahead Ken. Ken Stubbs.

Ken Stubbs: Yeah, Liz, I understand your - the methodology you're talking about but in my

opinion you have the cart before the horse. Unless you have an idea as to what the attitude will be and the environment around compliance it makes it

very difficult to make specific recommendations.

If a recommendation was made to act and your response as well staff has decided we really don't really feel we need a strong compliance effort, we'll just like mini-manage it there's no guarantee that that proposal would have been made if people had known in advance that that was the attitude that ICANN was going to take in terms of managing compliance.

The problem is that there is so many vagaries there and people are saying well you've got to give it a chance. Well very simply what do you give a chance? That's the point I keep harping on and that is that are we going to adopt the methodology that's been used the last 10 years which tends to be more responsive to crisis as opposed to a prophylactic approach to dealing with this? I'm not sure.

Mikey O'Connor: Thanks Ken. Let's see, I've kind of lost track of the queue. Tim, I think you're

next in the queue.

Tim Ruiz: Thanks. Wait a minute, okay, make sure I wasn't muted. Yeah I just wanted

to mention as we look at the compliance piece of this that we don't look at it in a vacuum; that we have to consider the fact that we're not just - it's not just compliance and relationship to vertical integration but how that plays into, how that fits into the overall compliance picture when we're talking about

dozens to hundreds of new gTLDs in the mix.

The fact that there's additional requirements on these TLDs. I believe the

other registries will come in compliance with but the actual requirements on

these TLDs such as implementing (DSN) and ITD6 and there'll be things

coming out of the malicious conduct overarching issue working group and the

new, you know, IT enforcement tools, etcetera, the trademark mechanisms.

So there's a lot of little things going on here. And I think it's - we can't look at

just compliance in a vacuum here in regards to vertical integration.

Mikey O'Connor: Thanks Tim. I think we're through the queue and I've got a lazy-man's

approach to convening these groups and that is if you want to be in the

client's drafting teams send Brian a note saying so so that Brian's got the

beginnings of an email list and same goes for Tim's process group that way

we - take me out of the recordkeeping loop which is my main objective.

Brian Cute: Mikey, this is Brian. What's your turnaround time on these pieces?

Mikey O'Connor: These pieces? Well we're out of time, folks. I was going to mention that at the

end but this is as good a time as any. I've found no flex in schedule from the

board or from the GNSO so we really need to get a draft done by Thursday. I

know that's totally unreasonable but there you are.

And, you know, it can be a pretty sketchy draft. It can be a bullet points to be

filled in later draft but we I think need to have at least the outlines of the major

ideas sketched out for our call next Thursday so that we can visit about them

and see if we can...

Brian Cute: Draft call next Thursday or call in four days - three days?

Mikey O'Connor: The call in three days.

Brian Cute: Three days, okay, thank you.

Mikey O'Connor: Yeah, I mean, it's - it's just nuts right now but if...

Ken Stubbs: Mikey, point of order here Mikey.

Mikey O'Connor: Yeah, go ahead Ken.

Ken Stubbs: Yeah, I just want some clarity, Mike. I don't know whether there's any legal

staff for ICANN but it sounds to me like - yeah, it sounds to me like we're creating a process here that's designed to allow the board to make a formal

board decision and vote at their retreat.

And I would like somebody from the board to tell me that in effect what they're - or representing the board telling me that that's the reason that this process is (unintelligible) the board is actually planning on holding a formal board meeting at the retreat and making a decision.

Because if not what they're doing is putting our backs against the wall and giving us a deadline that they're not really going to use. All they're going to do is to take that information and deliberate and then probably not act on it for another 30-45 days.

And if that's the case then I would look the board in the eye and tell them that I think you guys are being unreasonable because you're forcing people to make decisions under significant pressure and one could argue I think as Amadeu did that a little pain helps the process. I mean, this is going beyond a little pain, it's putting people under deadlines to make it very, very difficult to work with as a group.

You know, it's different if you get in...

Mikey O'Connor: Sorry to interrupt you, Ken, but I did talk to the - let's see, who'd I talk to? I

talked to folks at ICANN about this and it's not a formal meeting issue that's

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the problem it's simply the mechanics of getting materials to people and the

schedules of the various and sundry meetings.

And so it's not that they're taking a formal decision it's just that everybody is saying just as we are saying that it puts us under too much pressure if we shorten these dates. And so, you know, since we're the only ones that can

give I'm continuing to drive us on this insanely difficult but nonetheless

schedule.

Brian Cute:

And Mikey this is Brian, can I jump in?

Mikey O'Connor: Yeah, sure, go ahead.

Brian Cute:

Yeah, I want to amplify what Ken's saying; let's talk about compliance because this really - no matter what your position on vertical integration is we are all unfortunately subject to this dynamic. And it isn't fair in a certain way. But let's talk about compliance, I spent the first five years of my career at the Department of Commerce as an investigator enforcing the Export Administration Act.

I used to investigate all sorts of companies. We had investigators, we had lawyers, we had hotlines, we had access to documents, we had notices, we had subpoena power. We could go on site, we could look at records. I'm actually intimately familiar with what an enforcement bureau or compliance program should be.

And I'm completely comfortable starting to articulate that. But we could put together an outline of an enforcement program and what an enforcement bureau within ICANN would need by Thursday. But we couldn't do it full justice.

And if the end product of this is an outline of something that is everyone on this call views as critical no matter where you're coming from there's strong

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consensus that this is a critical component - if what we generate is an outline

that doesn't have the depth and certainly doesn't convey the understanding of

the need for specific resources, the complexity of this, you know, no

contractual privities with resellers, how do you monitor certain things that are

very challenging in this environment?

And we create an outline and we get what we got in Brussels which is, you

know, a private meeting, a suggestion and Rod Beckstrom saying hell, yeah,

we can do that. Sure. No, it's compliance, if that's what you need we can

deliver. Let's not kid ourselves. That's a joke. That is a joke. I'm just putting

that out there.

I'm more than happy to go through this exercise but if that's what we're

producing under this environment with these time constraints and that's what

we get at the end of the process we've done nobody any favors, period.

Mikey O'Connor: Well let me offer one possible way to buy ourselves time and that is, you

know, we have a 20-day public comment period that we need to launch

based on an initial report.

It seems to me perfectly reasonable to put essentially a placeholder in the

initial report that says here is our thinking about compliance at this stage and,

you know, hopefully a fair degree of consensus around that.

And then continue to - and promise in the initial report that we will continue to

work during the public comment period to flesh that out. That effectively buys

us three more weeks of working time. Would that be a reasonable way to

proceed in this? If we...

Brian Cute:

That's all we have. I mean, what I'm hearing is we have no more.

Mikey O'Connor: Yeah, I just - I haven't been able to find it, folks. I mean, if anybody...

Brian Cute:

That's not a complaint to you, you know.

Mikey O'Connor: It's just what I encountered. And there's some imponderables with scheduling of the GNSO Council meeting. The meeting - the council meeting that we're shooting for is the one at the end of August; I think it's like the 26th.

> There's another one scheduled for the 16th of September which in talking to Chuck that one may get rescheduled because so many people are at a different meeting. And it may get scheduled forward in time towards the week earlier.

And if that were known then I jumped on that and said well what if we went for that one and he said well but we, the GNSO, may need more than one meeting to digest and decide what to do with your report. So Chuck was a little reluctant to give away that slack in his schedule.

I also brought up the idea of a special meeting and Chuck didn't say no to that. He left that as an option on the table. But again what we do is we sort of move the pressure from one group to another as we do that. And so the way that I - the only way I could think of was to do the best we could on this insane schedule and get placeholders in an initial report and then use the public comment interval as the time to flush out the details.

Ken Stubbs:

Mike, can I ask a question about the process please?

Mikey O'Connor: Sure go ahead.

Ken Stubbs:

All right the presumption in the public comment period is that somebody's going to be able to take these comments and do something with them.

Mikey O'Connor: Yeah.

Ken Stubbs:

Is the ability to deal with those comments, does that vest with the working group? In other words those comments are actually for our perusal, for us to guide us in preparing a more comprehensive final report if necessary that includes suggestions, comments, reactions and so forth. Is that correct?

Mikey O'Connor: Yes.

Ken Stubbs: Okay so then...

((Crosstalk))

Ken Stubbs: ...the three weeks are really ours anyway because...

Mikey O'Connor: Yeah. I think so.

((Crosstalk))

Ken Stubbs: ...we have a synergy going during that comment period.

Mikey O'Connor: Right.

Ken Stubbs: And what I would say very simply to anybody is if you wait until the last day to

put your comments in good luck, you're not going to get (unintelligible)

hearing. If you really have serious comments about this then you'd better get

the comments in early.

And there's nothing that precludes any of the members of the working group including the subgroups like Tim's or Brian's or anything like that from crafting documents that could be included as part of a public comment and at the same time considered by the working group, is that correct?

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Mikey O'Connor: That's correct. That's absolutely correct. And the advantage to that is that the interval after the public comments in our current schedule is the bylaws interval, it's the 10-day interval.

> So again we don't have much time at the end of public comments to fold this stuff in, all the more reason to be doing it as we go using that interval as work time rather than the, you know, normally in a PDP things sort of stop and people with until the public comments come in but I don't think we can do that, I think we have to keep going.

And I think that's the way out of this dilemma that we find ourselves in. But what we have to get to is something around which we can find a consensus position so that we can public an initial report. If we can't find any consensus positions then the initial report says the group couldn't find consensus and that's not a very satisfactory outcome. So that's kind of the state of affairs at the moment.

Okay Anthony, let's stop talking about the schedule and get going. Okay so we've got two groups that are forming one around Brian and one around Tim. The last group that - well no we never really ran the SRSU exception question to ground; I asked whether that was included in Tim's and the answer came back no.

So it seems like we need two more groups. We need one to actually nail down the details of what we mean by SRSU and how it works. And then I think we need another one to answer the question how does the working group feel about the current DAG v.4 2% rule, just the straight answer to that question.

Liz Gasster:

And Mikey it's Liz. Would you please just restate the first two drafting teams as one - Brian is the compliance and Tim's the...

Mikey O'Connor: Yeah.

Liz Gasster: ...narrow areas of agreement?

Mikey O'Connor: Tim's is the process to grant exceptions...

Liz Gasster: Okay.

Mikey O'Connor: ...group.

Liz Gasster: Thank you.

Mikey O'Connor: You bet. So before I do the call for people to do the drafting I just want to

have a little discussion as to whether those are the right things to be drafting about. I know we're getting close to 10 after the hour but this seems to be a pretty productive call and I hate to disrupt our momentum when we seem to

be gaining some traction.

So are those two reasonable groups to pursue? Why don't you give me a check mark if you think they are and an X if you think they're not. And if there's a lot of checkmarks then we'll just form those two groups and go.

Anthony's not...

Man: What happens if it's one yes one no?

Mikey O'Connor: Oh that's a good question. Okay...

((Crosstalk))

Mikey O'Connor: ...you're right.

Man: The 2% probably - the (unintelligible) probably a poll would serve this instead

of having a drafting team. What would you draft...

((Crosstalk))

Mikey O'Connor: Fair enough. Well that's fair enough, we could just do a poll on that. How's

that? How about a drafting team for SRSU and a poll for DAG 2%?

Anthony van Couvering: I agree.

Mikey O'Connor: Okay that was Anthony?

Anthony van Couvering: Yes. That was my answer.

Mikey O'Connor: Okay. All right well then let's do it that way. Who wants to take the lead on the

SRSU drafting sub-team? We'd need somebody to be the convener/scribe on that, preferably somebody who's pretty engaged and pretty up to speed on

the nuances of that one.

Richard Tindal: Hey Mikey this is Rich. I think (Yakov) would be a good guy to do that. I'm not

sure if he's on.

Mikey O'Connor: Yeah. Or is he on the call? He's not on the call is he?

Man: No.

Richard Tindal: I don't think he is but I think he would be interested in taking that role.

Mikey O'Connor: Richard, what if we let you be the emissary and then if he said no would you

be willing to be the backup? That's a dirty trick isn't it?

((Crosstalk))

Man: And don't tell him about death penalty for failing.

Mikey O'Connor: So I'll tell you what why don't - in order to avoid surprising (Yakov) why don't

we - Richard, would it be okay if people wrote you an email if they're

interested in helping with the drafting and then you took that pile and took it

off to (Yakov)?

Richard Tindal:

Yeah.

Mikey O'Connor: Okay. So if you're interested in drafting SRSU send Richard a note. Avri go

ahead. Avri?

Avri Doria:

Yeah, a quick question. We now have three different teams. What I'd like to ask so that we can all stay up to date on it is that these teams don't go off and discuss in a private space but that they discuss on the list so that we can

all keep...

Mikey O'Connor: Yes.

Avri Doria:

...up, we can all read, we can even chime in. We just don't happen to be the ones that are volunteered to be intensely on it. Otherwise it'll just go astray so I'd like to ask that if possible. Thanks.

Mikey O'Connor: I would heartily endorse that partly for the reasons that Avri mentions but also just so we keep the documentation going. And so maybe each of the groups picks a little moniker that they stick in the subject line of their respective threads, whatever they turn out to be, so that people can filter on it so one could be SRSU, one could be compliance and one could be process, how about that?

> And just stick that into the subject of all your emails as you have the conversations on the list. But, you know, the main reason that I want to focus people on these sub-teams is so that there's a draft being developed. And if people want access to the Wiki so that they can use the Wiki as a scratch pad let me know.

If you'd rather push around a redline document that's fine, whatever you guys want to do is fine with me. Cool. I think that's enough on that agenda item unless there's something crying out that people want to talk about. I'd like to spend a couple of minutes on the other half of the Roberto/Mikey parallel process here.

And that is the half that takes the major proposals and summarizes them in a consistent format. And I - I was - I am stunned by how much progress we've made today so maybe we don't need that. But I would like to chat about it for a minute.

And the main goal for me is if we continue with that parallel process it would be nice to have an editorial team that's sort of driving each of the major summaries so that we've got a summary to look at. Phil and then Keith. Phil? Phil is either on mute or something so I'm going to go to Keith. And Phil, if you come off mute I'll circle back to you. Keith, go ahead.

Keith Drazek:

Okay thanks Mikey. I do think it's important that we try to develop narrative summaries or bullet point summaries of the - sort of the latest proposals. You know, whether that's an update of (Kathy)'s good matrix from earlier with sort of where we are today or some other format.

I do think it's important that we develop those in the event we're not able to come to, you know, a single consensus recommendation it's basically the draft of what needs to go into the initial report.

And I think it will help us as individuals and as a group, you know, to sort of, you know, refocus on, you know, where the various positions are and where there may be some opportunities for, you know, for sort of merging even if we can't agree on every, you know, every point I do think it's important that we update that proposal matrix.

And I will volunteer - I will volunteer as one of the members of a group or whatever that would do that specifically on the Option Number 2 that came out of the Brussels meeting that, you know, that group that I was a part of. And I'll do that as sort of a note-taker/scribe not necessarily as an advocate.

Mikey O'Connor: Yeah, that's - it's really the note taker/scribe job that I'm looking for - Richard, you were sort of the note taker/scribe for the middle group; would you be willing to sort of brush up the draft from that group in that same sort of role?

Richard Tindal:

Yeah, I can do that, no problem. How much more detail do we want than what we wrote in Brussels?

Mikey O'Connor: Well one of the things that I did - it sort of got lost on the list is I circulated a series of questions to the list late last week as sort of a structure that maybe we could share. And I think mostly what it is is shuffling the results into a similar structure.

> And I didn't get any reaction to the structure that I proposed so I'm not sure whether that means it's really good and everybody thought it was great or it was so bad that we need to recrank it. But for now maybe what we could do is use that structure as a starting point.

Now the question that came up on the last call is whether we need more columns. And it sounded at least at the end of the call the sense I had is that we needed at least one more column for essentially the RAC folks because they didn't - well they weren't terribly well represented on the call but, you know, there was discomfort being lumped in with the other two.

I've thought about that since the call and my reaction is that I guess I don't care how many discrete proposals we've got as long as we've got all of the points of view well documented.

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And so if there are additional groups, RAC, (CAM), whoever, that want to build on of the summaries it seems to me fine that the matrix doesn't have to

be constrained to just two or three, it could be as many proposals as people

feel they need in order to get their views represented.

And then the hope would be that then we could poll across the (atoms) and

find out where consensus lies in that dimension as well. So again this is

another one of these frantic ones where maybe what we can do is a really

rough draft for Thursday and then as we were talking about before continue

to refine them but get enough in there so that we've got an initial report out

that people can, you know, that we could publish and start the public

comment period.

So, you know, Brian, Tim, Ken, you folks that were in the RAC proposal camp

I don't want to put you on the spot but you might want to come up with one of

these as well if you feel that the other two are representing your views.

Brian Cute:

Are you asking for an articulation of the proposal or...

Mikey O'Connor: Yeah, I think it's an articulation of your current thinking given the, you know,

but against the matrix - the list of questions that I pushed out to the list last

Friday. And I can send that list again.

Brian Cute:

Yeah, that'd be great if you would.

((Crosstalk))

Brian Cute:

I guess both the questions but also within the context of (Kathy)'s grid.

Mikey O'Connor: Yeah, I was not thinking in terms of (Kathy)'s grid so much as I was in terms

of this list of questions which seemed a somewhat simpler approach. And,

you know, we could have a little debate about that.

Brian Cute: We can look at that, sure.

Mikey O'Connor: Okay. I will...

Tim Ruiz: As long as the questions allow for the proper reflection of the proposal right?

Mikey O'Connor: Yeah. I would think that, you know, there has to be at the end - at the bottom at the list of questions is essentially an, you know, an additional space that when we look at that we may find that that's something that cuts across all the proposals and then we'd have to go back and ask other people to fill in.

But as a start, you know, I'm really - at this point I'm really just gunning for a starting point so that we aren't - my worst fear is that we go through all this work and at the end we haven't got any documentation of it that we agree to. And I'm a little bit frantic about that.

So let me send the list of questions and those of you are preparing responses echo - we'll just start a thread on the list about those too and get the questions ironed out real quick and then people can go ahead and prepare those summaries.

Phil, your hand is still up; do you have...

Phil Buckingham: Okay.

Mikey O'Connor: There we go. I hear you now. Oh I heard you for just a second then I didn't

hear you anymore.

Phil Buckingham: Sorry I forgot to put my hand down.

Mikey O'Connor: Oh okay.

Phil Buckingham: Apologies.

Mikey O'Connor: No worries. That's all I've got folks, for the agenda. I am actually absolutely

delighted with the call today. I think we made a hell of a lot of progress and I

commend everybody for that.

Roberto, do you have anything that you want to chime in with at the end

before I close the call off?

Roberto Gaetano: No I think there's nothing I have to add.

Mikey O'Connor: Okay. Well thanks folks. See you on the list, see you next Thursday - this

Thursday, not next Thursday.

((Crosstalk))

Mikey O'Connor: Okay, take care.

((Crosstalk))

Liz Gasster: Thanks a lot. Bye.

Tim Ruiz: Thanks Mikey.

((Crosstalk))

END