

**Registration Abuse Policies Implementation Drafting Team
TRANSCRIPTION
Monday 08 November 2010 at 15:00 UTC**

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<http://audio.icann.org/gnso/gnso-rap-imp-20101108-en.mp3>

On page:

<http://gnso.icann.org/calendar/#nov>

Present for the teleconference:

Mike O'Connor – CBUC – Drafting Team Co- Chair
Greg Aaron - Registry Stakeholder Group – Drafting Team Co- Chair
Berry Cobb – CBUC
Elisa Cooper – CBUC
Joi White - Intellectual Property Interests Constituency
Lisa Rosaya - Intellectual Property Interests Constituency
Fred Felman – Individual
Faisal Shah – Individual
James Bladel – RrSG
Philip Corwin – CBUC
David Donahue – Individual
Mary Wong -NCSG

Apologies:

none

ICANN Staff

Margie Milam
Gisella Gruber-White
Marika Konings
Glen de Saint Gery

Coordinator: And excuse me, the conference is now being recorded. If you have any objections please disconnect. And ma'am, you may begin.

Gisella Gruber-White: Thank you (Melissa). Good morning, good afternoon to everyone on today's RAP Implementation Drafting Team on Monday the 8th of November. We have Mike O'Connor, Greg Aarons, Elisa Cooper, Joi White, Faisal Shah, Lisa Rosaya, Berry Cobb, Frederick Felman, James Bladel. From staff we

have Marika Konings, Margie Milam, Glen de Saint Géry and myself, Gisella Gruber-White.

I don't have any apologies noted. And if I could please remind everyone to state their names when speaking for transcript purposes. Thank you, over to you Mikey.

Mikey O'Connor: Thanks Gisella and thanks everybody for joining us today. As usual we'll have our initial agenda item and opportunity for folks to update their SOI or their DOI. Any changes there?

I figure this is a great (unintelligible) opportunity because if anybody ever changes jobs we'll be the people that know about it first because they'll have to update their SOI and DOI.

Today's agenda is pretty much review the drafts that have been circulating on the list. Hopefully we can get them polished up today and wrap up our work. So that's what's on the schedule.

We've - many thanks to all who helped out. Marika, who never sleeps, of course, produced both drafts and we really sort of have two in front of us although I'm quite perky about the later one; I think it solves a bunch of problems. And so that's the one that's in the Adobe Connect room in front of you.

And I think before we dive into the details I'd like to hear from people as to whether there are any overall concerns or are we simply tidying up? So if there are big concerns about the second letter that Marika published to the list just recently this is the time to chime in.

Greg Aaron: Yeah. And to clarify - this is Greg - to clarify if you weren't on the list over the weekend basically we took the matrix listing and basically converted it into

text listing the recommendations in numerical order with the low hanging fruit at the top.

So it wasn't a substantive change it was more of a presentation issue to give the council a list to kind of go down in order.

Mikey O'Connor: Yeah, yeah, yeah I think it's a huge improvement in terms of clarity. Being the author of two of those matrices I'm quite happy to see them vanish into oblivion and be replaced by this because I think it's really a much better approach and much easier for people to understand. Anything else at the general level before we dive into the details?

I'm loving the silence. Okay well I think there are a couple of details that Marika mentioned in her note when she introduced the latest draft. And since I created the matrix from which those errors came I'm perfectly delighted that somebody else is checking the work and finding those kinds of mistakes.

So as far as I'm concerned I would take both of those as friendly amendments and carry on from there. I think the substantive one is really - I'll let Marika jump in here if I get this wrong - but I think the substantive one is the (Gripesite) recommendation change.

And again I think that that's my mistake so I'm fine with that change. But, Greg, go ahead.

Greg Aaron: I was going to say, yeah, do you want to handle those two first and then we'll make a run through the document top to bottom?

Mikey O'Connor: Yeah that's what I was thinking and...

Greg Aaron: Okay.

Mikey O'Connor: ...you know, it may be that it's good enough that we don't even need to run through but I did want to handle those two because they are the bigger changes.

Greg Aaron: Okay. My suggestion is let's do those two first and then let's run through because I found a few little things here and there that we should probably discuss.

Mikey O'Connor: Oh okay.

Greg Aaron: Yeah, so okay so (Gripesite), let's go to that section then.

Mikey O'Connor: Yeah. And so that's on Page - I have to find it.

Marika Konings: Seven.

Mikey O'Connor: Thank you.

Greg Aaron: Number 7?

Mikey O'Connor: Yeah, it starts on Page 7. So if you click the little arrows on the thing to get yourself to Page 7 in the Adobe Connect thing you'll see a - Marika, you want to run us through the proposal that you've got?

Marika Konings: Yeah, this is Marika. Because what I noticed as (unintelligible) the recommendation had a rough consensus, the first part of the recommendation and the second part is the ultimate view that was supported by a couple of members.

But the approach of the working group seems to have taken in categorizing the different items is the one of the ultimate view. So my question is - because for example if you look at next steps it says there request issues report and that's basically part of the ultimate view which suggests launching

a PDP while the rough consensus recommendation actually says, you know, make no recommendation, there's no need to do anything. So in that case the next step should be, you know, nothing or none.

Another item might be here because in other cases where there was no unanimous consensus the group has suggested referring things to the council for further discussion so that will be another option for a next step is referring to the council for them to review. And then I guess the nature of effort or approach would be as well to be decided basically.

Mikey O'Connor: Yeah, and this is Mikey. I think that I'd be pretty uncomfortable myself with the request issue report. I have a feeling that's another table error from yours truly so I'll just throw that into the pile before I get to the queue. Greg, go ahead.

Greg Aaron: Yeah, I think also we could probably tweak our labeling to make clear, a little, what's going on. The rough consensus view was make no recommendation. So what I think we could do is first we need to clearly label the alternate view. So I'd suggest the insertion of the words alternate view. And then it goes on the UDRP should be revisited, etcetera.

Mikey O'Connor: Yeah.

Greg Aaron: So we clearly label what the main recommendation is and then the alternate view that got the minority support. So...

Mikey O'Connor: And then refer it to the council right?

Greg Aaron: Yeah. So I think what it would say is RAP level of consensus would be rough consensus not alternative view. I think alternate view should be stricken.

Mikey O'Connor: Right.

Greg Aaron: And then - yeah the next step would be refer to council. Either do...

Mikey O'Connor: So maybe we have two labels. Maybe we - right up by the Roman Number 7 we have RAP recommendation as a label for that first paragraph. And then a label for the second paragraph that says alternate view. And then in parens behind those two labels we have rough consensus for the first one and alternate view for the second one.

And then in the table - the RAP WG level of consensus is rough consensus just to make it really clear what's going on.

Greg Aaron: Yeah, so I think next steps would be you refer it to council.

Mikey O'Connor: Yeah.

Greg Aaron: You either do nothing as per the rough consensus and if the - or the council would request an issues report if they decide to go with the alternate view.

Mikey O'Connor: Right. Yeah, I think that's a good approach. Anybody got a serious case of heartburn with that approach? Speak now.

Faisal Shah: Hey Mikey, this is Faisal. I just - I guess I'm a little confused in connection with the email that was sent by Marika which was she talks about support for (Gripesite)'s recommendations of the two was wrongly identified as rough consensus. There should be strong support but also significant opposition. I guess I'm trying to figure out so are there two recommendations here or just one?

Mikey O'Connor: There's two. There's one that has rough consensus, the first paragraph on Page 7...

Greg Aaron: Yeah, right now we're on Recommendation - (Gripesite)'s Recommendation 1.

Faisal Shah: Okay I got it.

Greg Aaron: Right.

Mikey O'Connor: Yeah.

Greg Aaron: And then we'll have to go down the document to find Recommendation 2.

Faisal Shah: Got it, I got it. All right.

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

Marika Konings: Yeah, this is Marika. I just would like a clarification on the label you were talking about. So you would like to have at the start of each of the two paragraphs rough consensus and alternative view instead of at the end?

Mikey O'Connor: No what I was going to - thinking was that the first paragraph would have a label recommendation and then in parens rough consensus close parens. And the second paragraph would have alternate view as its introductory label. And then the RAP WG level of consensus would be rough consensus just to keep the table intact and we'd strike the slash alternate view from that.

Marika Konings: Right so you just want to change the order because I guess that would affect then others because what I've done for most of them now where there were two views I've just put a parenthesis at the end of the recommendation, you know, View A or View B or the, you know, consensus view and the alternate view.

So that's what you would like to do for all the recommendations is to basically put on - at the start of the text for the recommendation, you know, which level of support it received? Am I understanding that correctly?

Mikey O'Connor: Yeah, I think that's a good way to clarify these so that the council - because most of these ones with a split view are referring to the council. And this way the council will know the level of consensus for each of the two recommendations when they're - you know, it's all right there. I think that's a good approach for all of them.

Marika Konings: Okay.

Mikey O'Connor: Greg, is your hand up from before or have you got another point? It's left up from before. Okay not hearing anything else about this so going once, going twice. We'll call that complete.

Let's see on (Gripesite)'s Recommendation Number 2 which is way down at the bottom I think somewhere. Again it's sort of a race to...

Greg Aaron: I think we may have a labeling problem Mikey. This is Greg.

Mikey O'Connor: What?

Greg Aaron: Because actually it says Number 1 again.

Mikey O'Connor: Ah. Where is it in the document? What page? Oh page...

Greg Aaron: It's Number 13, XIII.

Marika Konings: This is Marika. That's probably my mistake, I probably just copied and pasted the previous text and forgot to change one to two.

Greg Aaron: Yeah, yeah I think we need to just change it to Number 2.

Mikey O'Connor: Okay and then weren't there three or was that something else that had three?

Greg Aaron: There were two.

Mikey O'Connor: Okay.

Greg Aaron: If you go down to the Annex 2...

Mikey O'Connor: That clarifies it, okay.

Greg Aaron: It's - yeah, you can check it out there. But...

Mikey O'Connor: Okay cool. Well that's easily...

Greg Aaron: (Gripesite)'s Recommendation 2, there was strong support to turn down the proposed recommendation that registries develop best practices to restrict the registration of offensive strings. So this one would say - I think we need to do the same thing again. The recommendation was to basically do nothing.

Mikey O'Connor: Right.

Greg Aaron: Then the alternate view needs to be labeled alternate view, colon, registries should consider developing.

Mikey O'Connor: Right.

Greg Aaron: And then after - yeah and this is View B. So that's - now that would be labeled clearly.

Mikey O'Connor: Yeah. And that I think applies to sort of all of the split opinion ones that we want to make that labeling a little bit clearer and then consistent throughout. Okay, that's it for the two things that Marika raised. Greg, you get to take us from the top.

Greg Aaron: I was just reading Marika's document this morning and I made a few little notations. So what I could do is just simply go through the document and raise those items in order.

Also if anybody else has seen something as we go through the document feel free to raise your hand and we'll tackle it then. But if you don't mind I'll just go through. On the first page under methodology, second bullet, says, "Expected size complexity and scope of the work..." and I suggested we insert the words for the GNSO.

The point being that these are things that are easy for the GNSO to do the work may have to be undertaken by somebody else, you know, like the compliance staff for example. So I just wanted to make clear who - it's for the GNSO, somebody else may actually have some work to do.

Any objections? I see Fred's hand up.

Fred Felman: No, no objection. I just had a question on this section so...

Greg Aaron: Okay, go ahead.

Fred Felman: I was just curious because, you know, when we went through the whole process we decided that we would look at expected size and complexity, nature of effort, dependencies and next steps. And that was sort of part of the matrix and then we overlaid the level of consensus over this which now floated up to the top which was really an overlay. So I'm just curious why this is at the top?

Greg Aaron: Well, Mikey, you want to comment on that?

Marika Konings: This is Marika. I think it's actually on the top because I just went through the order of the table when building this. I'm happy to put it at the end; there's no specific reason. That's the reason why it comes up first basically.

Greg Aaron: Yeah, I mean, also the level of consensus in the RAP is an extremely important measure of value and interest. To not make it a major point would be to let that issue be subsumed and make it perhaps of equal or lesser value than all the other factors.

Mikey O'Connor: Yeah and this is Mikey. I don't have real strong opinions about where this goes in the list. It was one of the things that I thought about when I was doing my ranking and I think it's fair to say that it's important for the council to know that we, you know, that we thought about it. And coincidentally and I think correctly our rankings are pretty much in line with the level of consensus.

Most of the unanimous consensus things are very close to the top of our list. So I'm not terribly concerned but I'm open to any changes that are proposed. Fred, anything beyond that?

Fred Felman: I mean, the only thing that I see I suppose is the related question which is - which is why Recommendation 4 is shared by the two items which are UDRP - a re-look at the UDRP and uniformity of contracts because I thought that uniformity of contracts actually bubbled up higher than the other.

Mikey O'Connor: You know, that's an artifact of the table.

Fred Felman: And so in actually I thought those two were reversed. And that's why I thought these two were related questions.

Mikey O'Connor: Yeah.

((Crosstalk))

Greg Aaron: Also my recollection was that uniformity of contracts did not receive a unanimous recommendation from the RAP while the other one did.

Fred Felman: Still I think it was ranked much higher.

Greg Aaron: I don't recall if it was or not. Mikey...

Mikey O'Connor: I'm frantically headed for the spreadsheet but just realized that I upgraded Excel and so I've lost all of my chicken tracks. So I'm, you know, the - this is from memory now. The ranking in the spreadsheet placed both of those at Rank Number 4. And that's just a little calculated field that I had put in there.

And so what I was going to go down is look at the actual number. I think effectively we as a group ranked them the same. And given that I would tend to lean towards Greg's interpretation that if you have a tie then the one that gets the unanimous consensus from the prior working group should get a little bit of an edge because of that.

Ah, at last the dang spreadsheet is open. Hang on now.

Fred Felman: I don't remember it being a tie so that's - maybe that's an artifact of my memory but I don't know if anyone else actually saw that as well.

Mikey O'Connor: Yeah, the two that were - uniformity - well let me go back one notch.

Greg Aaron: Mikey, this is Greg. I think at one point you had not factored in some people's votes like mine for example. And once he did that they ended up being equal.

Mikey O'Connor: Tied. I think - so the raw number on uniformity of contracts was 4.77 and the raw number on the cyber squatting one - oh wait a minute, no I'm looking - they have the identical number, 5.70. I was looking at the wrong column. But they are exactly precisely tied in the spreadsheet that had Greg's and James' and Mary's responses put back in.

And so what the little calculated field did is it said okay that's a tie for fourth rank. And then when you look at the uniformity of contracts one has strong

support but significant opposition whereas the cyber squatting one had unanimous consensus from the RAP working group. That's why the cyber squatting one bumped up one notch from...

((Crosstalk))

Fred Felman: So after James' vote was added this changed the ranking. So I missed that cycle.

Mikey O'Connor: Yeah, yeah.

Greg Aaron: Yeah that's what I mentioned it was...

((Crosstalk))

Greg Aaron: ...they weren't equal and then when we got everything in they ended up being the same.

Mikey O'Connor: Yeah.

Fred Felman: It was actually James' vote and Greg's vote at the very end.

Greg Aaron: And Mary's.

Mikey O'Connor: Yeah. Yeah I think it's those three votes that came in a little bit later that brought the two in alignment.

Greg Aaron: Or in my case mine was already expressed it just wasn't calculated. I sent my...

((Crosstalk))

Mikey O'Connor: Yeah.

Greg Aaron: ...a while back.

Mikey O'Connor: Yeah, that's right. That's back into the misty memory zone for me. But anyway I'm pretty comfortable with the underpinnings of the way that we got to this.

Faisal Shah: So can we - on this document, Mikey, can we flip it around so cyber squatting is ahead of uniformity of contracts? Where uniformity of contracts goes to four - the first four and then cyber squatting comes later on?

Mikey O'Connor: No it - I'm looking at the spreadsheet now. Cyber squatting ought to be before uniformity of contracts.

Faisal Shah: And that's only because of the level of consensus; that's what bumped it up, right?

Mikey O'Connor: Yeah that's right, that's the only difference. Everything else the number are identical. Well the other - the other drawback to uniformity of contracts is that we have much higher dispersion within our group on the answers - the standard deviation for so we as a group have a lower level of consensus on the uniformity of contracts ranking than the cyber squatting one.

So, you know, I think cyber squatting is four and uniformity of contracts is five. I think that's the way we ought to do it. Is that...

((Crosstalk))

Mikey O'Connor: ...now I've got to go back...

Faisal Shah: Well actually, Mikey, I just think - I think the majority - I though the majority of the group actually had uniformity of contracts before cyber squatting. And maybe - and I know I understand the methodology and everything but from a

rough - from roughly just taking everybody where everybody had uniformity of contracts I always thought it was ahead.

Mikey O'Connor: Well it was until some folks who feel pretty strongly the other way got included in the tally. And then what we had is a similar situation to the one that we had on the working group where we have - because of the dispersion in the answers we have a lower level of consensus around that ranking within our group too.

I mean, you know, this gets into that tricky area of consensus that I am uncomfortable going which is to say, you know, there's rough consensus but there are three people in the group that feel very strongly the other way. And I would prefer not to venture down that road.

I think that the difference of one place in the ranking is not going to be material when it comes to the GNSO deciding what to do. But that's just my interpretation. So I would - even though I'm in the same camp and would prefer to see uniformity of contracts like way high in the list I am not comfortable moving it in front of the cyber squatting one given the tally that we've got.

Faisal Shah: So Mikey I have another question?

Mikey O'Connor: Go ahead.

Faisal Shah: The Annex 2 isn't referenced in this letter at the beginning. I don't see it. So I'm just trying to figure out - maybe I'm missing it?

Mikey O'Connor: Missing the reference to it?

Faisal Shah: Yeah, so there's a - the Annex 2 is the RAP's recommendation - original recommendations, right? Is that what it's - yeah. So I was just trying to figure out...

Mikey O'Connor: Yeah.

Faisal Shah: ...where...

((Crosstalk))

Mikey O'Connor: Yeah, we should probably introduce it somewhere.

Faisal Shah: And I guess that raises the issue of do we even need to incorporate it at all if we're just basically pushing them to the final report anyway?

Mikey O'Connor: I'm on the fence on that one. I think from - I was uncomfortable with it in the first draft because it confused people and it confused me. It was first in the list, you know, that's why Danny Unger's blog post sort of drove the point home for me that the sequence in that annex is different than the sequence that we're recommending. And I was a bit uncomfortable about that.

So in, you know, a prior life I was planning to lobby that we move that annex to the end and put our ranking before it. Well effectively that's what we've done. And I'm comfortable with the idea of having the recommendations included in the same document if nothing else for ease of use by the people who are going to have to pick this up so they don't have to have two documents in front of them or on their screen; they've got it all in one place.

So the way it sits now I'm pretty okay with but we do need to introduce it in the letter.

Faisal Shah: Okay.

Mikey O'Connor: Marika?

Greg Aaron: Marika's hand is up.

Mikey O'Connor: Yeah.

Marika Konings: Yeah this is Marika. I actually, you know, didn't reference it on purpose like we didn't reference the annex with the members as just background information. I saw it like that as well that, you know, it's information that some members might find handy to have but it doesn't have any specific purpose in relation to the Annex 1 which is the main focus.

But, you know, I think the table - and maybe I should clarify there that it's, you know, it's taken directly from the final report so it's clear for members where this comes from and it's not a new table or a new order. But it does give an overview as well on which recommendations are on the same topic which is less difficult - less easy to change Annex 1 where it's on ranking.

I think the RAP's final report table shows a bit more clearly the different recommendations that are linked to certain subject areas. But if people feel strongly that there should be a link or a reference to it in the latter than please suggest some language and I'm happy to insert it.

Mikey O'Connor: Actually I think you just said it, Marika. I think it's there for ease of use and convenience and clarity.

Greg Aaron: And perhaps - this is Greg - just perhaps just label it just say it's directly from the RAP WG final report so just copied verbatim.

Mikey O'Connor: Yeah. Yeah. Fred, are you okay with that? This was your issue and I want to make sure we've put it to bed before we move on.

Fred Felman: I think that works for me. Faisal, do you agree as well?

Mikey O'Connor: Oh Faisal, I'm sorry.

Faisal Shah: Yeah that's fine.

Mikey O'Connor: Sorry about that. Cool. All right back to you, Greg, you're batting 1000 so far; keep going.

Greg Aaron: All right so at the bottom of the first page the footnote should say see list of members in Annex 3 so that's Number 3 now not 4. Okay next page, Annex 1, so it's A, low hanging fruit, low resource requirements and then insert for GNSO. Yeah, now in...

Mikey O'Connor: Let me just hook Elisa into the conversation at this point to make sure that - is this in relation to some of the stuff that Greg's talking about, Elisa or is it...

((Crosstalk))

Elisa Cooper: Yes so just in relation to the reference to the annex with the list of member names my name is actually not included.

Mikey O'Connor: Ack. Eh-gad. Gadzooks. That's no good.

Greg Aaron: Okay we will make sure to get that in there.

Marika Konings: Yeah, apologies for that, it's probably again it's not included in the wiki either because that's where I took the table from. I'll fix that in the next version.

Elisa Cooper: Thank you.

Greg Aaron: Thank you for mentioning that Elisa.

Elisa Cooper: Yeah.

Greg Aaron: Okay so the first recommendation is WHOIS access, Recommendation 2. Under nature of effort slash approach it says implementation. And this was

something that Chuck Gomes had said. I think he's kind of asking what does implementation mean? What should we actually do?

Mikey O'Connor: Yeah.

Greg Aaron: I mean, I think we were just trying to say this is just - go to the compliance department and get it done, right?

Mikey O'Connor: Right.

Greg Aaron: Ask them to get it done. Maybe just another way of saying it would be helpful and help Chuck or anybody else who saw that. What should it say?

Mikey O'Connor: We need words; we just need a word.

Greg Aaron: Nature of effort. Obtain data for community or - I don't know what it should say but...

Mikey O'Connor: Let's see. We could just say request to compliance department. How about that?

Greg Aaron: Okay, yeah, something like that would just be...

Mikey O'Connor: Will make it a little clearer. You know, implementation was a word that I stuck into the dropdown menu on the spreadsheet and it is a bit broad and not very clear. So...

Greg Aaron: All right, well, I mean, that sounds fine to me if that works for everybody else just make request to compliance department. Seeing no hands...

Mikey O'Connor: Fred, is your hand up on this one or is that an old one?

Fred Felman: That is old, I'm sorry.

Mikey O'Connor: No worries. That's what I thought that's why I wasn't calling on you but I just wanted to make sure. Okay dokey back to you, Greg.

Greg Aaron: My next question was on Number 3, malicious use of domain names. And it says, okay nature of effort slash approach best practices PDP or process approach. Is...

Mikey O'Connor: Yeah this was the - I think that later we solved this by using a different term. I think this was the first time that we'd run into a thing that we wanted to use the PDP process but we weren't making policy.

Greg Aaron: Right, we wanted to make it clear. So in the notes what it says - well it doesn't really address that, right?

Mikey O'Connor: No.

Greg Aaron: It says new PDP for process approach. So Margie had also helped us with this. It was technically be a PDP because you would - you could use the whole approach; the endpoint is just kind of known, you're working towards best practices. You would still need an issues report which I recall Marika saying, you know, that could be done pretty easily.

So do we just say PDP and then just say something, you know, the endpoint is best practices but we'd...

Mikey O'Connor: Yeah.

Greg Aaron: I want the council to understand what the endpoint is and why we're recommending the process because it's a good...

Mikey O'Connor: Right.

Greg Aaron: ...I mean, it's an existing framework.

Mikey O'Connor: Yeah and it's a good process. I think we're in agreement. I think we just need to get the words squared away so they're clear. So a PDP is fine in the nature of the effort approach. We could just leave it at that and then expand that note just a little bit to say - to make clearer this notion that we are aware that the PDP will not end up with policy it will end up with best practices but we preferred the PDP structure to the work.

Marika can you - you think you can capture that sentiment?

Marika Konings: I think so.

Mikey O'Connor: Okay.

Greg Aaron: Okay. And then the next step - it says pre-issues report but I'm not sure what that means. Would the next step just be request issues report? If indeed we're going to use the PDP process?

Mikey O'Connor: Well I think the reason that we wrote that kind of convoluted language, and again it needs clarification, is that we were thinking about putting a drafting team together to do some work on the approach before we asked for the issue report. So we might - I think we've got another one that's kind of like that in the...

Greg Aaron: I was a little fuzzy on it.

Mikey O'Connor: It's fuzzy, yeah, we need to sharpen that up a bit. So the one on Number 5, cyber squatting Recommendation Number 1 we say drafting team and then dash roadmap.

And I think that's effectively the same thing that we're proposing for this one is that before we get to an issues report we get a roadmap laid out that talks

about what's going to happen so that - and I think the concern was that it puts - that would put some fences around what the staff effort would be and that, you know, it would layout the parameters for what should be in the issues report.

((Crosstalk))

Mikey O'Connor: ...as roadmap instead of...

Greg Aaron: Well would the - or if we do a PDP - if a PDP happened would the step be - because, I don't know, it seems like we're kind of inventing a different process? It would be - it might still be request issues report but that request needs to be clear about what we're shooting for.

Mikey O'Connor: Well we could do a drafting team for a charter and let the charter define the roadmap.

Marika Konings: This is Marika. The charter is normally linked to the working group that follows the issues report and the initiation of a PDP.

Mikey O'Connor: Oh, okay.

Greg Aaron: Yeah.

Mikey O'Connor: So that wouldn't...

Greg Aaron: So that would be the follow-on step. I mean...

Mikey O'Connor: We just need some sort of gizmo prior to the issue's report to refine it. Now Marika, do you - and I note that Margie is on the call too, maybe Margie can chime in. Is there any flexibility in the activity that precedes an issues report that we could just simply accommodate within the issuer report writing process itself?

Marika Konings: This is Marika. What you could do is basically specify that the request for the issues report should be narrowly drafted or to address, you know, the points that the drafting team makes. And normally the request for an issues report is made, you know, by one of the council members. So, normally the constituency has a role in that as well.

So it's the request that basically defines what is in the issues report. If that's narrowly defined with certain guidance or parameters that will help staff to determine what actually needs to be included.

Mikey O'Connor: So then the drafting team would be - next step drafting team and then dash issue's report requests.

Greg Aaron: Or would it be issues - request issues report, request for the issues report should provide guidance and be appropriately...

Mikey O'Connor: Detailed...

Greg Aaron: ...scoped or whatever you want to say.

Mikey O'Connor: Yeah, I think either of those accomplishes the same thing but it's probably a good idea to get some of that language that you've just described, Greg, in there.

Greg Aaron: Yeah because I think, Mikey, you're saying is if you say there's going to be another group that means another working group like this one which...

Mikey O'Connor: Right.

Greg Aaron: ...may not be necessary. Somebody on the council just has to say what they're asking for which is a lot easier.

Mikey O'Connor: Yeah although I think in this case...

((Crosstalk))

Mikey O'Connor: I think actually, you know, part of this goes back to a request that Marika was making is, you know, give me some parameters before I write this issues report.

Greg Aaron: Right.

Mikey O'Connor: Right? And so we might need a little group to do that. Again I don't think...

((Crosstalk))

Greg Aaron: We can leave that up to the - we can leave that up to the council to decide how they want to do it.

Mikey O'Connor: Yeah.

Greg Aaron: And Margie's hand is up by the way.

Mikey O'Connor: Oh.

Margie Milam: Yeah, this is Margie. Yeah I just wanted to confirm what Greg was saying, there's a lot of flexibility in the format of the issues report and request - the request for the issues report. So to the extent that this group wants to limit what the issues report addresses you could do it all kinds of ways; you could just put it in this report, you could, you know, suggest a drafting to put it together but there's really no limitations on that.

And I think that's where you'd want to scope out the - what the request would look like.

Mikey O'Connor: Yeah. And I don't think that it's in our charter to do that, you know, I think that - I would really want to tip-toe away from that because that turns into a great big piece of work. I would much rather refer that to somebody else to do.

Marika Konings: This is Marika. Can I make a suggestion that maybe the next steps would read then a request for issue report then in the notes we add request for issue report should include appropriate guidance and focus, could be developed by a drafting team.

Mikey O'Connor: Yeah I like that, is that okay with you Greg and the others?

Greg Aaron: Let's see, can you say that again Marika?

Marika Konings: So the next step would be request for issue report and then added to the notes I would add a sentence saying something like request for issue report should include appropriate guidance and focus hyphen could be developed by a drafting team.

Faisal Shah: Hey guys, this is Faisal. Are we - we seem like we're kind of going back over what we've done before in this group. I mean, I thought that the drafting team was exactly what it said here which is to (unintelligible) before we even got to the issues report.

So I guess now we're kind of changing up a little bit, right? Or are we saying the same thing with Marika's new statement? I mean, I guess - I thought there was an interim step before the actual issues report so we can actually have an idea as to how we're going to, you know, take a look at all the issues and figure out how we were going to set up the issues reports.

And there could be several of them, you know, as it - as it related to the IRTP. So I guess I'm - I feel like we're kind of going backwards. But...

Greg Aaron: I think actually - this is Greg. I think we're going forwards because the premise has always been we want to use the PDP process. That process gets kicked off with an issues report.

Now - and if - after an issues report is done there has to be a drafting team to create a charter for the resulting working group. To create another drafting charter in front of the issues report seems like (cruft) or an extra process. And the council has to decide if it's going to go ahead and if it does how.

So the first thing is we have to deal with getting an issues report. Exactly how they...

Mikey O'Connor: Well...

Greg Aaron: ...want to request it we're saying is up to them.

Marika Konings: Yeah and...

((Crosstalk))

Mikey O'Connor: Yeah although Faisal is right. Go ahead Marika.

Marika Konings: Look just to add, I mean, staff is not the one who writes the request for an issues report; this comes through the council. So I think there, you know, we can write in as much as we want but if a council member or, you know, support of ICANN constituency puts forward a request in whatever shape or form that's being taken forward through the normal channels, you know, it's discussed, adopted or not.

So I think there's a lot of flexibility here and if people feel very strongly about how this should look I think when the time comes when the council starts looking at this issue I think it's done for, you know, go over this group or all of us with an interest in this to work through that council members to make sure

that the request is right and appropriately framed and scoped so it fits with the actual recommendations.

Mikey O'Connor: Yeah and part of these notes are my notes and they're always a little spacey because I was running the meeting and typing at the same time. I think the key - and maybe what we do is we run down the middle here and say that in the note that - the language that Marika proposed a minute ago we say the council should take care to make clear the roadmap prior to - in - during the process of drafting the request for an issues report or something like that.

Because I think we're all in agreement that this is kind of an unusual one; it's kind of not really a PDP, it's - and it's the first ever best practices one etcetera, etcetera. And so some care is probably required in the crafting of that request for the issue report, a somewhat higher level of care than normal I think.

And I think that's pretty aligned with where we were before. I agree with Faisal that when we had the conversation about this the first time we actually did intend, Greg, to have a process in front of the issues report that was a bit more thoughtful than normal.

Greg Aaron: Yeah. Mary has posted a note in the chat box about that process I think.

Mikey O'Connor: Oh okay.

Greg Aaron: Mary's on the council of course so she's really familiar with how things go. And she says, quote, "The council has to vote to request an issues report. It may and some probably will ask for feedback from the community/constituency for voting." So that's her post.

Mikey O'Connor: Yeah and I think that that kind of feedback - I think the key that we wanted to - the key point that we wanted to make is that there's just an unusual level of

care required for the drafting of the request for issues report on this particular one because it's so unusual. And so that feedback could get folded into that.

And then I think we can leave the process up to the council as long as we make it clear that this isn't just the normal cut and dried request an issues report kind of deal. You can't just copy the language from this report and staple a resolution on top of it. There's really some thinking that needs to go into that before it gets proposed.

Greg Aaron: Yes.

Mikey O'Connor: Mary? If you want to...

Mary Wong: Sure, sure thanks Mikey. And actually I was about to say exactly what you just said. And those of you who have followed the council procedures for a while essentially there's a lot of thought and discussion about the exact wording of the resolution. So I suspect a lot of the discussion will occur then.

And I'll just also agree with Marika about, you know, the process from - and Greg - to the process about some issues report being prepared and then submitted to council and then discussion and then launching the PDP upon which there will be another drafting team.

I think there'll be plenty of opportunities for comments. And I think it probably is a little bit beyond our remit at this point.

Mikey O'Connor: Yeah, okay. I want to circle back to Faisal real quick and make sure that that's okay with you.

Faisal Shah: So can we - can I - can we go through exactly how it's going to look now?

Mikey O'Connor: Yeah although I can't do it. Marika can you summarize this or do we need to write it and get it out to the list?

Marika Konings: Yeah, this is Marika. I've taken notes and made changes as I, you know, as I just read out. And I've taken in Greg's suggestions on the chat. But my suggestion would be that after this call I'll send out an updated draft so everyone still has a couple of days to look at it and make comments and, you know, discuss on the list before we actually push out the final version.

Mikey O'Connor: Okay. I'm going to do a little process check; it's five minutes to the hour right now. And I don't know how many more of these Greg's got. But we could do one of two things, we could either go a little bit long depending on people's schedules or we could cut it off and we could push out another draft, review it on the list and try and finalize it next week which coincidentally is the 15th.

So if we get through our work in the morning we could slide it under the door for Cartagena and still be on schedule. Which would people prefer? I'll put the go a little bit longer up there if you use your checkmarks on your - either checks or Xs to indicate whether you can go long today.

Greg Aaron: And by the way, Mikey, this is Greg. I have very few things left on my list.

Mikey O'Connor: Oh good.

Greg Aaron: So...

Mikey O'Connor: Well we're getting - we're getting enough Xs that maybe what we do is let's go ahead and we'll drive - Greg and I will stay on the call and anybody who wants to is welcome to but we will not make substantive final decisions on the call; we'll drive things into the draft and then highlight those and chop off on the final draft in a week, how about that?

Okay carry on, Greg. And for those of you who have to drop off right at the top of the hour feel free to do that and we'll go probably I would guess - well I don't know, we'll just see how long it takes. Keep going, Greg.

Greg Aaron: Okay so let's see we did that one; we finished (Gripesites) and so on.
Number 12, meta issue uniformity of reporting...

Mikey O'Connor: What page?

Greg Aaron: This is Number 12.

Mikey O'Connor: Okay hang on a minute.

Marika Konings: Page 9.

Mikey O'Connor: Thanks Marika.

Marika Konings: At the bottom.

Greg Aaron: Yeah, the dependencies say workload but I guess that's true of all of them.

Mikey O'Connor: Yeah...

((Crosstalk))

Mikey O'Connor: ...get rid of that, yeah.

Greg Aaron: Yeah.

Mikey O'Connor: I would - that was just a - on the fly note by Mikey. I'll take that as a friendly amendment.

Greg Aaron: Okay. And I think that was it, that's all I saw.

Mikey O'Connor: Oh cool.

Greg Aaron: I think we've discussed all the rest of them in the call today.

Mikey O'Connor: Oh well maybe we - okay so what I think - I think we're at then is a new draft gets circulated in the next day or so and we should all give it one last really hard look preferably raising issues on the list just because next week's call will be right on the deadline for the Cartagena stuff.

Greg Aaron: Yes. My suggestion is if the - any issue should be raised on the list this week...

Mikey O'Connor: Yeah.

Greg Aaron: ...not in the call on Monday so we can prepare ahead of time. Monday is the absolute deadline.

Mikey O'Connor: Yeah. Yeah I agree.

Greg Aaron: So can we all agree to that? If there are any issues they need to be raised on list this week.

Mikey O'Connor: Sounds like a plan. Cool. All right two minutes to spare. I think we're done. Thanks folks. I think we're getting awfully close here. We'll see you in a week.

Mary Wong: Thanks Mikey and Greg, everyone. Talk to you next week.

Marika Konings: Thank you everyone.

Greg Aaron: Thank you everyone.

((Crosstalk))

Mikey O'Connor: (Melissa), if you're still with us I think we can end the recording now.

Marika Konings: Thank you (Melissa).

Coordinator: You're welcome. Thank you. Have a good day.

Marika Konings: Have a good day. Take care, bye-bye.

Coordinator: Bye-bye.

Mikey O'Connor: Bye-bye.

END