

**Uniform Domain-Name Dispute-Resolution Drafting Team (UDRP-DT) Drafting
Team**

TRANSCRIPT

Monday 2 May 2011 at 1400 UTC

Note: The following is the output of transcribing from an audio recording of the UDRP DT call on Monday 2 May 2011 at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/gnso-urdp-20110502-en.mp3>

on page

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

Attendees:

Jeff Neuman

Kristina Rosette

David Taylor

Philip Sheppard

Staff:

Margie Milam

Marika Konings

Gisella Gruber-White

Apologies:

Carlos Aguirre

Coordinator: Excuse me, this is the conference coordinator. I'd like to remind all parties that today's conference is being recorded. Thank you. Please begin your conference.

Gisella Gruber-White: Thank you (Carol). Good morning, good afternoon to everyone on today's UDRP call on Monday the 2nd of May.

We have Jeff Neuman, Kristina Rosette...

Coordinator: Excuse me.

Gisella Gruber-White: ...David Taylor, Philip Sheppard. From staff we have Gisella Gruber-White, Glen Desaintgery, Margie Milam, Marika Konings.

Apologies noted today from Carlos Aguirre. And if I can please just remind everyone to state their names when speaking for transcript purposes. Thank you. Over to you Margie.

Margie Milam: Okay. Hi everybody. What I did this morning before the call was to go over the list of speakers that I had circulated on Friday. I didn't receive anything on the list that suggested that the speaker list should change. So I think that's probably a good sign.

And then I put it in a timeline so you could see how it would work.

And so I guess the agenda today really is to finalize the webinar format and see if you guys are all comfortable with that and then - and that's pretty much it unless there's any other business. How does that sound for an agenda for today's call?

Man: Sounds good.

Man: Good.

Margie Milam: Good. Okay. Okay so on the Adobe Connect, you know, I counted up all the speakers assuming they got - can all come. It's 17 plus a moderator. Obviously we need someone to set up the call and provide the background.

So with 18 speakers five minutes each you're talking about 90 minutes assuming everybody sticks to their time allotment which is a big question because I'm sure everyone has a lot to say.

So I think what we'll do from a staffing standpoint is to assume that the webinar will go over. And so we'll make sure, you know, that the phone facilities and everything are available so that, you know, we don't have to get cut off right at two hours.

So then I guess my first question for you all is who should be the moderator? I envision the moderator if you go down to the second slide, second page of the slide, you know I'm thinking it's only five minutes to provide an introduction and it's kind of the logistics of how the meeting can run.

Certainly it could be staff. It could be me or it could be someone else, you know, one of you if you'd like to do it. I don't really care but I just want to at least give you guys opportunity to suggest, you know, whether - you know, what you think with regard to the moderator.

Man: I vote for Kristina.

Kristina Rosette: You're funny. No actually I was - Marjorie I was thinking that it would just make the most sense to have you do it.

Margie Milam: Yes and I'm happy...

Kristina Rosette: That way we don't have to come up with a third person that we all agree on.

Margie Milam: Okay I just didn't want to - if that was the case, you know, I'm happy to do it.

And because of the - I have to manage the Adobe Connect anyways. You know if I had another moderator I'd have to be able to check, make sure that they're paying attention to the chat and everything.

Okay. Okay so then if you go down to the second page...

Man: I was just going to weigh in Margie. I agree with Kristina.

Margie Milam: Go ahead. I'm sorry.

Man: No, no. I was just going to agree with Kristina. I think you should do it. Just in case you wanted that extra support.

David Taylor: And David here. I'll give that extra support as well even if you really wanted it.

Margie Milam: Okay. Okay that's great. Philip do you have a comment or just a check?

Philip Sheppard: No I'm just saying yes, extra support. I was trying to avoid talking.

Margie Milam: Okay that's fine. So we'll get started that way.

I thought the best thing to do would be to start off with the UDRP providers. WIPO indicated they've got some time issue later on. And

so they wanted it to be set up early in the webinar because of another commitment.

So I thought, you know, so we'd just go right off the bat with WIPO 20 minutes 5 minutes each and just, you know, I don't have the names of each of these presenters from them although they've all confirmed that they will send someone. And I just thought we'd go in this order if that's okay. Any...

Woman: Margie I'm sorry to interrupt. I'm having my usual can't get into Adobe...

Margie Milam: Oh.

Woman: ...from our network. So can you just...

Margie Milam: I'll read it to you then.

Woman: Yes.

Margie Milam: Okay. Okay so from 1505 to 1525 it'll be first the WIPO speaker, than the NAS speaker, than the CAC speaker and then the Hong Kong speaker. I just chose that. I mean any order's fine.

Woman: No I think that makes sense because I think that's the order in which they were credited.

Margie Milam: No that's what I - I was trying to find some logical way to do it. And that's the way I came up with it.

David Taylor: I think HK - sorry David here. I think HKIUC was accredited before CHC though.

Woman: Oh were they? Okay.

David Taylor: Yes.

Woman: Yes. Then I would just use whatever that order is.

Margie Milam: Okay. So I'll do order of accreditation, got it.

And then the next speaker I thought the order should be -- and this is just my initial thoughts -- compliance next. So I was thinking (Cleo) could go next followed by the registrar speaker. I was thinking, you know, that that would make more sense.

My question is is five minutes enough time for compliance and for the registrar speaker? We have (stat in) from Network Solutions as the registrar speaker. At the moment I've got them down for 5 minutes.

But the question for you is does that order makes sense and is 5 minutes enough time for those categories?

David Taylor: David here. Just is 5 minutes ever enough time for somebody who's speaking?

Margie Milam: Yes I know. I know. That's the problem I have is that we have fantastic speakers and very important topics of...

Woman: I don't see that we have much choice. I think we have to keep it to 5 minutes. I have no strong feelings as to whether or not, you know, (Cleo), you know, ICANN goes before the registrar or vice versa.

So, you know, if anyone else has any strong feelings or the registrar stakeholder group has strong feelings about it then, you know, switch the order. I'm fine with that.

David Taylor: I think, you know, and David here. I think if we're giving everybody five minutes then we haven't got a lot of choice but to keep everybody at five minutes.

Otherwise as soon as we start breaking out and give somebody ten minutes and somebody else will want to claim ten minutes.

Margie Milam: Okay. Okay. Well I mean I think that's fine. Like I said before this is just a preliminary discussion. And I think we'll have, you know, obviously more time in Singapore and other, you know, to flush out these issues. But for this call I'll assume everyone has five minutes for this webinar.

So then the next category, so that puts us at - with 5 minutes each it - we're now at 1535. Then we go - I thought we'd go next to the five panelists that we suggested.

And I did switch the order on this. I just - I essentially thought we would - should do the opposite order of what we did on the UDRP providers.

But if you think I should just keep the same order that's fine too.

Kristina Rosette: Margie, this is Kristina. I'm just looking, you know, I only have that email that you sent around on Friday. And it looks as if at least based on that email you've got Bernstein, Willoughby and Harris. Are they for both WIPO and CAC?

Margie Milam: I'm sorry, CAC is Harris.

Kristina Rosette: Oh okay, all right.

Margie Milam: Okay. And then the other two are just WIPO.

So I guess a question to you all is that panelist next, does that seem like the right order? And then should I change the order of speaking among the various, you know, provider panelists that...

David Taylor: David here. I think it's great having the panelist next. I fully agree with that. And I'd just say why not do exactly what you said, to reverse the order, that you probably that means you'll start with the AC and then HK IAC the (unintelligible) finished with WIPO.

Margie Milam: Any other comments on that?

Okay. Okay so that puts us at - they'll conclude at 1600. So we're now one hour into the session.

Then the next group I have is the complainants and their counsel. So that's (Amy Gestner) from BMW and - hold on a second. Let me scroll down, and Paul McGrady. So they have ten minutes, five minutes each. So that would put us at 16:10.

And then I have the respondents in their counsel. So that's John Berryhill and the Hong Kong speaker which would go from 16:10 to 16:20.

And then I have the academics for ten minutes -- two of them, Konstantinos and (Cedric) if he's available from 16:22 16:30.

And then from 16:30 on till we end would be Q&A.

Any comments on that order?

David Taylor: Looks good.

Man: Yes.

Margie Milam: Okay.

Man: Seems to work.

Margie Milam: Okay. Good. Good. Okay then the last thing I have on the - in Adobe Connect are the guidelines for the webinar because I do want to be clear with the speakers given that if they - if any of them start going over we're really going to be in trouble.

And so I have slides are unnecessary but limited to no more than three to four. I don't see how you could do more than that in five minutes.

I - what I thought to be fair because I assume, you know, others would have - you know, they may want to cover more content but can't, I'm going to set up a wiki page where if they want to provide additional

content or comments we can post it there and they can refer to it for, you know, for others to glance through.

And I think that's probably a way to allow them to provide more content without speaking to it. So I'll set up a wiki page for that.

Woman: Margie?

Margie Milam: Yes? Go ahead.

Woman: I'm sorry to interrupt. I would actually say that you just cap everybody at three slides because if you say three or four everybody's going to take four. And then you're already in trouble of running over.

Margie Milam: Okay. That's fair. Three slides. And I also, you know, I indicated no self-promotion. I mean, you know, and we can put up bios on the wiki page but we just don't have time for that on this webinar.

And then I guess the question is if other speakers in a particular group are unavailable, so say, you know, only one academic can come do you think it's fair to give them both time slots, in other words ten minutes to cover, you know, you know, the academic viewpoint or do you think it should just be five minutes no matter what even if we don't, you know, have all the speakers that we planned for?

Jeff Neuman: This is Jeff. I would save five no matter what. It'll just leave more time for Q&A.

Woman: I agree.

Philip Sheppard: Philip here. I agreed too.

David Taylor: Yes David, I agree.

Margie Milam: Okay. Oh you guys, great. I really...

David Taylor: Consensus.

Margie Milam: I wish all groups were like this.

((Crosstalk))

Woman: (Unintelligible).

Margie Milam: And then the last point I have -- and then you guys can suggest other ones -- is that, you know, just to point out this is really an issue spotting exercise to identify key issues and problems with the UDRP.

And it's administration. But it's not meant to be a solution, you know, not meant at this point to be talking about solutions. So I just wanted to clarify that in the note that I'll provide to the speakers.

Do you guys have other suggestions for what I should tell them as we prepare? I didn't put this on my slide here but I will have a preparatory session probably Thursday of this week with them to kind of walk through it.

Kristina Rosette: This is Kristina, two things. First would be that with regard to the providers I would actually encourage them to consult amongst

themselves to avoid duplication because I don't think it's very productive if you have all four providers raising the same issue.

And then if it turns out that all four providers do in fact have the same concern then just have one of them. They should just work out amongst themselves who will raise it and note that there's unanimity among the providers.

Wendy Seltzer: This is Wendy. And while that sounds like a great suggestion I wonder whether we can get that kind of preparation for a five minute slot or whether it's easier just to let them do what they are planning to do.

Man: But they will - we can always (unintelligible) if they do or they don't.

Wendy Seltzer: Yes. And just, you know, we - you know, you're encouraged to because this will be our only opportunity for this webinar you're encouraged to coordinate amongst yourselves.

And maybe you could do that with for example the complainant panelists. Then the respondent panelists and, you know, academics I think are going to be different. But for each group have them identify - you know, encourage them.

And if you send the same - if you send out separate emails to each group on which, but it's one email to the group and everybody's copied then they can just - then they've got everybody's email addresses and they can just coordinate right there. So you eliminate that obstacle.

Margie Milam: Okay. Okay I don't have a problem with that.

David Taylor: Yes David. I think it's a good idea. If they can do it, they can do it because it would make it smoother. And if they can't do it then...

((Crosstalk))

Wendy Seltzer: Then they can or if they don't want to that's, you know...

David Taylor: Yes.

Wendy Seltzer: ...that's fine too.

David Taylor: Okay.

Wendy Seltzer: Can I ask a question since I had to miss Friday? I apologize. Why do we have two from complainants and respondents? I'm not objecting to it I just want to make sure I understand it.

Margie Milam: Two as opposed to more or...

Wendy Seltzer: Two as opposed to one, two as opposed to more, you know?

David Taylor: I think it was just time-wise trying to get the right number of speakers into the chat (unintelligible) should we have two or three for each category and three was going to get accepted so we went for two.

Wendy Seltzer: Got it. Okay.

Margie Milam: Any other suggestions for the note that I sent over to the speakers?

Philip Sheppard: Philip here. No I think know that's fine. And so really the only other wish is going to be the conduct of the Q&A. And that's going to be down to you Margie as the moderator.

And I think, you know, the same guidelines to introduce that might be useful. It's all about an issue spotting exercise.

And I think you must, you know, feel free to interrupt questioners if they're making speeches rather than asking questions. And then I would limit each person to one question at a time then go down the list and then go back to the same person again rather than allow the same person to pose six questions because they got to the microphone first.

Margie Milam: Thanks.

David Taylor: Just - David here. Just out of interest are the questions going to be by microphone or are they going to actually be just by email or on the wiki?

Margie Milam: Let me ask Marika. Marika what do we usually do on the policy webinars because they seem to go pretty well?

Marika Konings: Sorry. Could you repeat the question?

Margie Milam: When we do our policy webinars how do we handle the questions? Is it just threw chat usually?

Marika Konings: Yes we encourage people normally to already ask the questions on the chat. And that will come to them at the end.

Often the challenge is if there are many people on the call we might have to mute all of those that are, you know, not actually presenting. And then difficult at the end we often try then to release all the lines but it sometimes causes interference.

So I think the best thing is to encourage people to already raise questions in the chat and then the moderator can either collect those or, you know, they can already be answered in the chat by, you know, whoever the question is addressed to.

David Taylor: Okay.

Margie Milam: And Marika I think if Glen's on the call I think she mentioned last week that we already have 60 RSVPs. This is as of last week. So I expect it to be of fairly well attended webinar which means they probably do need to mute the lines.

And I think that probably provides a little more order and less likelihood of, you know, making a speech if you're doing it through chat.

Marika Konings: Right.

And you just need to make sure then to provide the operator with all the names of the people presenting to make sure that those lines are open and that they are aware.

Margie Milam: Yes that's right. Okay.

Any other suggestions for the guidelines for the webinar? Okay. I guess I don't hear anything else. Any other comments or business you guys want to talk about?

Wendy Seltzer: Is there an auto reply that goes out to people who RSVP?

Margie Milam: I don't know, Gisella?

Wendy Seltzer: Here's what I'm thinking. First I think given that INTA just put a thing in their bulletin that went out today, they put an entry in about the webinar so your registration volume is about to go up tremendously, I would actually suggest that you think about doing that.

And if - and in the auto reply indicate that, you know, if we are going to encourage people to submit questions in writing ahead of time indicate the address to which they should go.

Margie Milam: Oh that's not a bad idea. Actually maybe when I put up a wiki page with information and bios I might have a place there for submitting questions.

Marika do you think that's possible? You're more familiar with how the wiki can get set up?

Marika Konings: We have to look into that. You might need to check with Glen how she's handling it currently.

Gisella Gruber-White: Sorry Glen, I think she is on the call. She might be on mute. It's Gisella here just to say that when people actually send they wish to

participate in the webinar we just return an email with all the dial-in information to them. It's not and auto reply.

Wendy Seltzer: You may want to think about changing that only because I really actually think you're about to get bombarded.

Margie Milam: Do - Marika, do you have any idea if we have a limitation on the number of people that we can handle in a webinar or Glen?

Marika Konings: Yes. I think there's a limit in Adobe Connect of I think 200 or something. But I think we've handled - you know, we've never had an issue for example at ICANN meetings.

But and on the call just, you know, we know the number of people that are signing up so the - at same number of lines is requested. I don't know if there's a limit to there but I think it's more a question that, you know, we request it in advance.

I mean an alternative indeed would be if indeed we really get bombarded. That - but auto - I think an auto response would be difficult because I think all emails are going to Glen.

But instead of sending all the details, you know, replying to them with a link to the wiki page where you provide all the information, you know, could be another option as well.

But then of course it is public so you might not - if people just go straight to the wiki you don't have any idea of how many people are actually going to dial in.

Margie Milam: Yes I think an RSVP is probably better so we have a better sense for how many people to expect.

Okay well that's all I had for today, any other comments or questions?

I think the next thing we can do is probably regroup after the webinar just to - you know, to see any reactions and any follow-up particularly because I think, you know, we'll need to plan the Singapore meeting session unless you guys don't want to be involved in that.

I'm happy to, you know, just do it. But I think you guys probably would prefer to be involved in that.

Wendy Seltzer: Yes I would.

Jeff Neuman: Yes this is Jeff. I would too.

Margie Milam: Okay. Okay. So basically we won't - there's no need for another call before the webinar. But Gisella, if you could send out a Doodle for a call after the webinar that would be terrific.

Gisella Gruber-White: Okay will do so.

Margie Milam: Okay. Well thank you everyone. I really appreciate all your help. I'm really excited about this session. I think it's going to be very informative and a terrific session all in all.

Wendy Seltzer: Thank you.

Man: Okay thank you Margie.

Woman: Bye everyone.

Man: Thanks a lot Margie. Bye-bye.

Woman: Thank you. Bye.

END