

## Consumer Metrics Project Discussion

### TRANSCRIPTION

**Tuesday 20 December 2011 at 2000 UTC**

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#### **Participants on the Call:**

Rosemary Sinclair – NCSG / WG Chair  
Cheryl Langdon-Orr - ALAC  
Olivier Crepin Leblond – ALAC  
Steve delBianco – CBUC  
Wendy Seltzer - NCSG  
John Berard - CBUC  
Tobias Mahler - Individual

#### **ICANN Staff:**

Berry Cobb  
Paul Redmond  
Brian Peck  
Gisella Gruber

#### **Apologies:**

Alex Gakuru - NCSG  
Carlos Aguirre - NCA  
Margie Milam - Staff

Coordinator: Remind all participants, this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Gisella Gruber: Thank you. Good morning, good afternoon, good evening to everyone. On today's CCI call on Tuesday the 20th of December we have Cheryl Langdon-Orr, John Berard, Steve DelBianco, Olivier Crepin-LeBlond, Paul Redmond, Tobias Mahler.

From staff we have Berry Cobb, Brian Peck and myself, Gisella Gruber. Apologies noted from Carlos Aguirre, Alex Gakuru and Margie Milam.

If I could also please remind everyone to state their names when speaking for transcript purposes, also Rosemary Sinclair and Wendy Seltzer have just joined the call. Thank you very much, over to you Berry and Rosemary.

Rosemary Sinclair: Thanks Gisella. Good morning, good evening, good afternoon everybody. And yes, Merry Christmas and happy holidays to all. So we've done the roll call. Have we got any thought on the agenda?

Berry Cobb: Yes Rosemary this is Berry. Just before I kick off and pronounce the agenda, I'd just like to clarify (Paul Redmond) is with ICANN. And he's with the compliance team just listening in to start to get a sense for some of the metrics that we're starting to gather and those kinds of things. So just in case you see him on the call and on the distribution list.

Rosemary Sinclair: Thanks Berry and welcome (Paul).

(Paul Redmond): This is (Paul). Thank you.

Berry Cobb: So with that just I'll check off on the roll call real quick. Basically we're going to see if there's any additional items to add to the agenda. Take a quick review of our previous meeting's open action items.

Then our next two, which I've mis-numbered on the chat is to review through some potential new metrics that could be included in our CCI matrix.

And then we'll also take a quick review of the draft of the first CCI advice letter as well and any other business.

So Rosemary I'll turn that over to you. And then when you're ready we can kind of review through the last week's action items.

Rosemary Sinclair: Thanks Berry. So the open action items are - the first point was at pricing through the CCI measures matrix as a function of competition. That one is complete.

Second, determining if ICANN can acquire wholesale pricing of domains from registries. And if there's an automatic method to collect retail prices by registrars, that's the one I think we're going to discuss today.

And there's a couple of others. So how did we progress that one?

Berry Cobb: Rosemary this is Berry. We met with ICANN legal last week. And this is still an outstanding item. They'd like to review through some of the details around that.

It's probably a fair statement that this data isn't being collected now. But just in terms of - there was concerns with about collecting collection of wholesale prices and pricing in general with respect to competition.

And so we're just awaiting a response back from legal. And I really don't have much more to offer from that. But hopefully by our January meeting we'll have a response.

Rosemary Sinclair: Yes. It's a tricky one. So it will be interesting to see what legal has to say. Are there any comments on that particular issue? Because I know it was of interest to members on the group. No.

In that case, the third issue is complete. The fourth issue with me, and the academic that I was to talk too has gone on leave now until the end of January. So we should just leave that one as a carry forward, thank you.

The next one Cheryl and Olivier were to check with (Analisa Roger). Has there been any progress on that one, Olivier?

Olivier Crepin-LeBlond: Thank you Rosemary, Olivier for the transcripts. I have sent an email to (Analisa). I just admit I actually only sent it yesterday. So no reply yet. But as soon as I do get a reply I shall inform this group of her reply.

What I have done though is to have a look at the transcript of the session that has - that took place for in Dakar. And it was a little bit unclear as to what type of metrics would be obtained from the - from which she suggested. But I will pursue an answer for this, thank you.

Rosemary Sinclair: Okay thanks Olivier. And the next one Cheryl is, I've forgotten the acronym for this WIT Review team...

Olivier Crepin-LeBlond: With respect to...

Rosemary Sinclair: Respect to significantly interested party. And that's an open one. Is there any comment on that one?

Berry Cobb: Rosemary this is Berry. I couldn't recall which working group Cheryl was on. So I just put working group there. I was hoping that Cheryl would be able to interpret my lack of exploration.

Rosemary Sinclair: Okay. I understand Berry. Don't worry. All right, we'll just leave that open until Cheryl is able to join us next time. Okay, I don't know whichever nomenclature you'd like.

And the next two are complete. That's great. Okay so we go back to the agenda proper. And the third item is to discuss John's concern that there should be more to consumer trust security in the context of things like malware and current quantity of measures. Is there someone on the call whose got the background on this issue?

John Berard: Well John's on the call.

Rosemary Sinclair: Where's John? I can't see him.

John Berard: I'm not on the - I'm only on the phone. I apologize.

Rosemary Sinclair: Oh okay John great, sorry about that.

John Berard: Imagine that. I'm only on the phone talking lord knows to whom and where they are.

((Crosstalk))

Rosemary Sinclair: Life gets so complicated.

John Berard: My comment was instigated by two things. First of all I have a concern that if the list of metrics becomes too long, and truthfully I don't know how long too long is, that it becomes almost impossible then to determine that they're not being met.

Now that may be a strategic thing in our part. I mean we could put a list of 40 metrics together. And assume that, you know, on any given day 25 or 30 of the are going to be met.

And it sort of sets aside which are the most important right. I mean so prioritize as opposed to the length of the list I think is important.

And my feeling is that the program is better judged by fewer more important metrics as opposed to as many as we can conjure.

However, on the other hand I do think that there is one missing from the trust side of things. And, you know, I've been involved in this for a while. And I'm quite aware of how users will imbed all of their hopes and dreams in technologies and matters that have no basis for owning those hopes and dreams.

There was a time ten years ago or so where whatever computer problem you had was the problem of the browser, regardless of the operating system or the manufacturer of the computer.

In today's world where we all live online, especially as we've seen with the reliance upon smart phones, the rise of the Android system which is more susceptible to malware than more closed monitor systems.

I think what we are seeing a concern among consumers that by being online, they are exposing themselves and their data, their computers to malware.

And so I know that - so I'm not just offering up a question. I'm also offering up a solution. I know that companies like Symantec and McAfee track this stuff.

And so I'm suggesting that perhaps if we were to add in a metric under trust that essentially consumers have confidence that being online is not exposing them to unwarranted liability, that we could look at, you know, privacy rights clearing house for data breach data.

We could look to McAfee or Symantec for distribution of malware data. And have a couple of hard and fast numbers to suggest that the new gTLD program is inhibiting, encouraging or is the same as the old system.

Steve DelBianco: Hey John, this is Steve. Rosemary had to drop off. Asked me to pitch hit until she gets back on.

John Berard: Okay.

Steve DelBianco: So John you've identified two potential concerns, the sheer quantity of measures that are currently listed as candidates under consumer trust.

And the second is this notion of consumer trust of what happens on the Web. Far beyond the scope of the domain name system that ICANN manages. It's a valid concern. But it is a scope question for us.

Why don't we take the quantity of measures first. And I don't think anybody on this call would differ from you in this - in the regard that we would like to have fewer measures.

It wasn't strategic to have lots (to that). It was an imaginative suggestion. But we did in fact want to have measures that did the two parts of consumer trust. Because consumer trust definition has two aspects which is registrants and users having confidence in the consistency of name resolution.

And there are a few of those. I think I would really say the first four measures in the matrix John. And if you can't see that, those four were the percentage of DNS, service availability, percentage of RDDS availability, EPP service availability and registrar up time. Which I am told is very difficult to measure registrar up time.

So there are four for that. But there are well over a dozen for the second half of the sentence in metric. It was the degree of confidence among registrants

and users that a TLD registry operator is fulfilling their proposed purpose.  
And that they're complying with ICANN's policies in applicable national laws.

And for that we dove heavily into RPMs, rights protection mechanisms and looked at the incidence of both complaints and decisions for things like the URS, the UDRP, breach notices of registrars and registries.

And also, you know, whether there are registry operators who violated their own contracts. So I agree we have a lot. Where would you think we could begun to call that list down?

John Berard: Well my disadvantage is, and I don't have a copy of it in front of me. I apologize. But are there any two-year - and maybe we can take this offline. But are there any that seem duplicative?

Are there any that seem, you know, if we have that number essentially we don't need this other one or two numbers.

Steve DelBianco: But one idea John is that we could probably cut the ones that related to the second half of the definition, cut them in half by saying this. For instance there's two of them in there. One for the percentage of UDRP complaints and the quantity of UDRP decisions after 2011.

And those really could be the same right. We would say the percentage of UDRP complaints and decisions resolved. And make that one line. That would make it apparently one less metric.

But it's, because it's really the same category, it's two different ways to measure UDRP activity.

John Berard: True.

Steve DelBianco: Now that's, that might be cosmetic because it would cut the number of rows in half. But it's the same...

((Crosstalk))

John Berard: So I guess my question is driven by the fact that I would like this to be more than a cosmetic exercise right?

Steve DelBianco: Okay.

John Berard: So if I've got 15 measures, you know, which ones, you know, are there seven or eight that I can easily manage too? And if I get the seven or eight and I've got four or five that are hard for me to meet, can I make the political argument that hey look, I've got, you know, ten of them done. These - the other five we'll get to.

Steve DelBianco: And who is the you when you're speaking in first person? Is that ICANN or is that registrar or a registrant?

John Berard: I'm leaving that wide open because who is it that's going to bear the burden of the review? You know, who, you know, who is...

Steve DelBianco: Well I think it's ICANN because ICANN, the entity, will be reviewed on the basis of consumer trusts, (choice) and competition in the new gTLD program.

John Berard: You know, and they in turn will, you know, seek to encourage better behavior from the constituencies' right?

Steve DelBianco: Right and the fact that so many of these are marked easy in terms of ICANN's ability to report them to us. In this particular category of consumer trust nearly all of them are easy and a few of them are moderate when it comes to being able to report them.

Two of them are very difficult to obtain. And they have to do with the trust survey of consumers. Which probably comes closest to be our second request (unintelligible).

John Berard: You know, I don't want to be an outlier on this thing. Okay, you know, I feel, I mean I felt strongly enough that I wanted to raise the points. I do think that one of the ways that Internet user's confidence in the Internet is undermined is when they wind up with, you know, having their computer become a bot - or data get corrupted or stolen.

Nobody likes those letters from the credit card companies that say your identity's been - that your credit card's been misused. But, you know, for misuse of data on the Internet you don't get a letter. You just get misused.

And so I thought that if we could in terms of scope, ICANN is yes responsible for the domain name system. But the use of the domain name system is so ubiquitous at this point. It's not limited to any country. It's not limited to any culture. It's not limited to any economic or social group.

Steve DelBianco: Yes.

John Berard: That it becomes important for ICANN to appreciate that the incredible - the potentially incredible expansion of the gTLD space is going to create more opportunity for people to do good and more opportunity for people to do bad.

And is there any way that we can incorporate measures into this that would help us get a grip on...

Steve DelBianco: I was going to turn it back over to Rosemary since she's back online. But John I would point you to the trust survey, fixed element in the consumer trust category.

John Berard: No, I got it. I got it.

Steve DelBianco: It's a lot like what the who is review team under the affirmation did is they conducted, they had an outside firm conduct a survey of consumer trust. Try to focus on with respect to who is.

John Berard: Yes.

Steve DelBianco: I imagine that a lot of the thoughts you have could be steered towards constructing the questions that that trust survey would measure.

John Berard: All right well if that's the sense of the working group, then sure. Then I would turn my attention to being a part of helping design that instrument.

Rosemary Sinclair: Thanks Steve and thanks John. I think you made some important points. Now the (unintelligible) in terms of telepathy that we have shared of having a (unintelligible) number of actionable measures to really make this work make a difference. Wendy is in the queue.

Wendy Seltzer: Thanks. And my question is if we're considering expanding the definition of trust in this way? I think we really have to ask ourselves how it's related to trust in the domain name system and related to new TLDs?

What it sounds as though we would be measuring is sort of simply an activity level problem that as more people use the Internet there's more bad stuff. And there's also more good stuff. What does that tell us about the new domain name system?

I would pause at nothing. So rather than giving us metrics for how well we're doing in managing an orderly domain name system, I think that would be sort of feeding into various interpretations of whether the Internet itself is good or bad. Which is simply not what I think we're able to do or trying to do here.

Rosemary Sinclair: Thanks Wendy. I think that's a clear statement of this scope issue for this work, Berry.

Berry Cobb: Thank you Rosemary. This is Berry. In some ways I do agree with John. And it's really a double-edged sword. And might I recommend that as we move forward and progress with this working group that it's always easier to throw everything up against the wall and then see which ones stick.

And so to translate that perhaps, you know, when we go to public comment we throw everything up on the wall and get proper community feedback on everything that's possible.

And then when we've received that feedback then we can conduct a prioritization exercise as to which ones seem the most relevant to try to narrow it down. And that's just a suggestion. Thank you.

Rosemary Sinclair: Rosemary here. I think that's an important point Berry. And I'm the one who mostly forgets that what we're doing here is writing advice that will go to the board as background for the review change for the new gTLDs.

So in that context I think it's useful for people to understand the thinking that we've done and the reasoning behind whatever it is that we end up advising because it's taken us a lot of work to get to this point.

So I think perhaps putting a bigger picture forward and allowing others to then review and prioritize. And this of course as you said there is after our public comment period can be kind of our approach, Steve.

Steve DelBianco: Thanks. I did want to make a point that it's not just cosmetics to consolidate some of the metrics under consumer trust. It's not just cosmetics.

For instance we have three items up there for UDRP. But they're really the same metrics. It's the complaints and decisions in UDRP both in raw numbers and as a percentage of the total registry - total names in the DNS.

So it might be easier to phrase it this way. And I know Berry you put each statistic in there as an individual. But under UDRP we might rephrase it as saying the absolute and relative quantity of complaints and decisions in UDRP.

And that eliminates - that's one row which captures the essence of our need to get metrics on UDRP without having four rows. Each of which makes it seem as if we have lots of metrics. And invite somebody to pick and choose which ones we would take off.

The same thing would - instead of URS's. So at least eight of our rows are potentially consolidated down to two. And the other point I would make is that John's concerns about consumer trust, which several of us have agreed with, ought to be reflected in the matrix. Because we ought to say that the survey of consumer trust, the trust survey in the sixth row, that it could include measures of consumer trust on Internet activity that goes beyond the DNS because it's good to ask for it.

But we don't want to imply that ICANN can be held accountable, the DNS manager could be held accountable of raising consumer trust in what happens online just because ICANN runs the DNS. Thank you.

Rosemary Sinclair: Berry.

Berry Cobb: Thank you Rosemary. I just wanted to point out real quick as well, you know, and we're also making a distinction of pre-new gTLDs and post new gTLDs. And hence why there's a separation between the two.

And I was going to point this out when we actually reviewed through the matrix. But I made a booboo in the fact that I delineated everything greater than 2011.

And so for example for the quantity and percentage of UDRP decisions on Rows 13 and 14, that would actually denote, I'm sorry on the Rows 11 and 12 would be less than 2011 so that we establish some sort of baseline.

And then be greater than 2011 as everything post-new gTLDs. But we'll decide that later. Thank you.

Rosemary Sinclair: Thanks Berry. Rosemary, just wanted to respond to Steve's point. I don't think it's such a good idea to collect things so early in our process. I think indicating just thinking and the options behind single measures would be useful to the people who are going to take our work forward.

So just if we could just hold that thought when we get to really considering what we want to send as our advice. Now are there anymore comments on this particular Item Number 3?

Berry Cobb: Rosemary I think there is one other half of John's point. And that was with respect to distribution and malware data and those kinds of things.

Rosemary Sinclair: Yes. I was probably off the call Berry when that point was being made. So perhaps of someone could step in at this point.

John Berard: Hi this is John. I thought we had moved to a point where rather than add it as a metric, that we would move to cover it in the survey.

Rosemary Sinclair: Okay.

((Crosstalk))

John Berard: Steve are you on the phone?

Steve DelBianco: Yes John. John that's what I was thinking is that we would measure those in the survey.

John Berard: Okay.

Steve DelBianco: On the other hand, if Berry was about to tell us that ICANN does collect some kind of metric about stuff that happens on the Internet, it would be possible to measure a before and after of that metric. Is that where you were going Berry?

Berry Cobb: This is Berry. No, I spaced on that one. So I retracted my statement. I'll just make a note that what's been discussed here under the survey comments.

Steve DelBianco: Cool.

Rosemary Sinclair: Thank you. So now we move to (unintelligible) 4, which is to review Olivier's proposed user metrics societal stand for records technical. Olivier I wonder if you could just give us a quick background on this issue?

Olivier Crepin-LeBlond: Thank you very much Rosemary. It's Olivier for the transcript. Yes the concern that I had while I was looking at the matrix that Berry had very kindly shared with all of us was that very few of the metrics actually included Internet users that were not registrants as such.

I think several of them actually of these concerns were also shared I guess by John who just mentioned them a little bit earlier. And so the number of metrics that I suggested were a little bit broader than just registrants, which really is, a registrant is a sub-set, a very small subset of the actual Internet user out there.

One of the big concerns that I have is the amount of noise that we recently heard from various segments of Internet users whether they are companies that have IP rights. Or whether it is actually users that are being - that are a little concerned that they will get confused later on.

And also not be able to know who to deal with when they actually go on the Website. It's quite a complex set of issues. And one thing that has triggered me into asking whether we could actually add these additional metrics there was that in the recent dotXXX allegation, although I know the people that own the company.

I've met them on many, many occasions. I have recently been quite enraged and unhappy about the fact that I've had several of my current domains, my company owns several domains for business purposes. And I've had advertising received from various I don't even think their registrars.

I think they might even be just agents saying oh, you can now make sure that your domain name does not get used in the porn industry by making sure you block off your domain name dotXXX.

That is something which I personally saw as being - as bringing a loss of confidence in thinking that this is running correctly. Some people might think it's totally legitimate. I don't think it is because, you know, it just doesn't demonstrate nice, pleasant practice.

It seems to be more of a protection record than anything else. So anyway, the various things that I've suggested here. The first one is societal as in the confusion induced in Internet users by introduction of the new gTLDs.

And this is something which I thought could be derived from a regular online opinion poll, a little bit like the survey that we just mentioned. Survey now, survey in a few years, in a year or two years time.

And it is true that originally people will probably get quite confused with the new extensions. But as with everything, people, users will at some point start getting used to these new extensions. And will probably - we will probably see a reduction in the societal impact.

The next one is the spam, percentage of spam connected by a honey pot using new gTLD as a percentage of all spam received. That's the metric I think that could be used. It's something that is totally usable.

I think that what we might find out is that some new gTLDs will be used quite extensively by spammers. Because they will be run by registrars and registries that do not enforce anything, well that basically don't run their domain name system in a way that makes sure spam is reduced.

Of course some people are going to say well it's not their job to do so. But then, you know, whose job is it to make sure that we don't get so much spam in our mailboxes?

So then the next one is fraud. Again, same thing as with spam. Some new gTLDs might be used primarily by people committing fraud or will have a high instance of domain names used for fraudulent - fraudulently and for fraudulent purposes.

Same thing also with regards to the who is records, percentage of invalid or suspect who is records in each new gTLD. I'm not quite sure whether, well I guess the whole group must have recently read some of the comments or should I say criticism from various organizations including the FTC.

That basically points the finger at who is being an absolute mess today with the few registries and registrars that ICANN has to deal with. And question being when there will be hundreds of new gTLDs, some even say thousands of new gTLDs, so thousands of new potential registries.

And I guess maybe tens of thousands, who knows how many registrars that will be there. How in the world are we going to be able to get who is records to be accurate?

And then finally the last one is a technical metric. A whole set of metrics about the actual cleanliness of the new gTLD zones. I think this is something that's already included in some of our metrics because we actually ask the registries to make sure that the zone is clean.

But it might be something that we run some kind of warm on the second level. Having - have some work, having done some work in cleanliness of the DNS, it often is problems like semicolons instead of a dot, commas in domain names, this sort of thing that just basically makes a certain percentage, between 6 and 10% in general of a zone totally unusable. Because the second level domains are just not working in there.

So these are the set of metrics that I suggested. And now I guess it's over to discussion. Thank you Rosemary.

Rosemary Sinclair: And thank you Olivier. I have Wendy and Steve in the queue, so Wendy.

Wendy Seltzer: Thank you. This is Wendy. It's gotten to the point in this conversation where I feel compelled to repeat my feeling that if something can't be misused, it also can't be used in all sorts of unexpected but productive ways.

And therefore I hear a lot of the metrics that Olivier is proposing as requiring constraint on what (Jonathan Zitran) would call the generatively. What I would call just simply the general purpose nature of the DNS.

So while I don't think spam per say is a good thing. I think a system that is incapable of being used for spam is less useful than one that is open to whatever use someone would throw at it.

So I go back to my earlier concern that we carefully distinguish between descriptive and normative statements here. And as we go too far into constraining what can be done with the DNS in reporting to measure trust, I think that we are going down the wrong path.

I would object to the inclusion of any except perhaps the technical elements of Olivier's suggestions.

Rosemary Sinclair: Thanks Wendy, Steve.

Steve DelBianco: Thanks, Steve DelBianco. Olivier I'm interested to know with Berry's help whether some of these proposed metrics are already captured in Row 10? Row 10 is quantity of breach notice violations for registrar agreements.

And again, the RAA, the Registrar Accreditation Agreement is undergoing a change. For instance the first one you mentioned Olivier, the notion of somebody saying to you you'd better reserve your name in dotXXX.

That I believe has been studied for two years at ICANN in a working group in the GNSO called the cross TLD registration scam. It was part of the registration abuse policies working group, or RAP. It even has a name right, the cross TLD registry - registration scam that you received.

And I'd like for Berry to clarify whether if a registrar, which is one of the contract parties, registrar reseller, one of the parties that ICANN has jurisdiction over. If one of those parties is judged to have done the cross TLD registration scam, will that show up as a breach notice in the measure we already have in under Row 10 for the RAA?

And Berry you could shed some light on that. And then I wanted to speak to the who is accuracy concern.

Berry Cobb: I think Steve, this is Berry. Having identified that as an issue in the RAP working group, the only thing I can point out is that it's still under review.

From the Dakar session there was some positive light shed on the issue from a country code perspective, then some of their dealings with it. And just recently at the latest GNSO council meeting they approved continued dialogue with the country code group so that we can better understand the issue.

It's unclear at this time if in fact these are accredited parties that are involved in these scams. And at which I think still warrant a lot more data collection before any kind of PDP or something could be put together to take it to home.

But it's definitely one of those things. And I think I agree with you in general that if anyone of these five that were - are proposed here are somehow directly attached to provisions in the RAA, then yes they should show up as breach notices.

What I can't provide for you right now is for instance, you know, spam is quite a prevalent provision within many of the agreements, both the RAA and I believe practically as a whole boatload of the registration agreements which are somewhat outside of the scope of ICANN.

I don't know if what percentage of those have actually ever showed up as breach. You know, we - spam is very prevalent in agreements out there. But we still have a lot of spam so...

Steve DelBianco: Okay Berry thank you for that. Then I would recommend that next to the row that says breach notices or registrar agreements, either the note to the far right or something below it should indicate cross TLD registration scam by registrars and resellers. Because I don't want to just assume that will be a breach notice.

It's a measurable metric of activity of one of the contract parties that ICANN has to manage. And ICANN has to manage compliance for. So Olivier that is a good one, not if it's conducted by your average Joe on the street, but if it's done by an ICANN contract party, like I registrar or reseller.

And I think the same could be said of who is accuracy because again that is an ICANN compliance party issue. And Berry is who is accuracy findings, those that are done through complaints and subsequent complaint follow up by the compliance department.

Does failure to address who is accuracy result in a registrar receiving a breach notice?

Berry Cobb: This is Berry. I'll have to go back to the compliance team to understand the details. I'm not 100% familiar with everything that is being reported and recorded.

And taking it through the entire breach notification process. So I'll take that as an action to understand what some of their other metrics and how they're addressing it.

Steve DelBianco: So and finally I would just say to Olivier you can see that I fully support trying to hold ICANN to goals that get to consumer trust. But I am trying to focus off on things that we can measure that are violations of agreements that we have with the people that ICANN can control.

Rosemary Sinclair: Thanks Steve, Rosemary here. I think the last two points, 3 and 4 has raised an important issue that when other people look at our work, they may come with a much broader breach then we actually have.

So when we pull our work together, I think we're going to have to be very clear that in the, if you like the ecosystem of the Internet, our focus is on ICANN's management of the domain name system.

And the contribution that that task is well done can make to consumer trust, consumer confidence and choice. And in that context our recommendations go to measures which will allow firstly clarity on what's happening with the management of that task in the context of the new gTLDs.

And that clarity may then resolve into some further work for other groups looking at how performance can be improved. But this issue of being very clear about the scope of this task when we present our work to other people I think is a really important issue.

And as we've just seen in the discussion on 3 and 4, there are contributions that ICANN's work in the domain name space can make to these very broad issues that have been raised.

But those contributions are not the total answer. So that's just my own reflections on this.

Now we're going I think if there's nothing more on 4, Olivier.

Olivier Crepin-LeBlond: Thank you very much Rosemary, just a comment on Steve DelBianco's comments in regards to fraud or spam not being within scope.

I do agree in some sense that yes we are pulling the - we are going a little further than the ICANN scope as such in looking at overall consequences of the new gTLD process being launched.

We're not looking at whether ICANN is doing the job that it's trying to do. What we're doing here is to find out the actual, or what I'm suggesting is that we're doing is to find out the actual effects that the launch of the new gTLDs will have on the overall Internet.

And that is a set of metrics that if we don't do ourselves, will be done elsewhere. And I am concerned that if those metrics are done elsewhere, they will be used against ICANN rather than being used by ICANN to make its processes better. Thank you.

Rosemary Sinclair: Thank you. That's (unintelligible) background on that point. So I think now we'll move to (Point) 5 which is to review the second versions of our metrics. So are you able to put that up on the screen Berry?

Berry Cobb: I'm sorry, I was on mute. This is Berry. I'll try putting it up. I don't believe that it's, again Adobe Connect doesn't really warrant for - or work very well with spreadsheets. So I guess if people can I'd recommend you have it up on your screen.

And when I talk through it I'll be sure just to call out the row and column for which we're referencing. But let me start the share.

Rosemary Sinclair: Thank you.

Berry Cobb: Okay it should be sharing. How well is that viewable?

Rosemary Sinclair: Well I think if (Berry's) right here, it's better looking at this then the letter. So it's bearably viewable if that's a category.

Steve DelBianco: Is there anyone on the call who is relying on the Adobe and doesn't have Excel open?

Rosemary Sinclair: If the answer was yes Steve, what would you say next?

Steve DelBianco: Then I would recommend Berry expand the zoom on the Adobe window. But we don't need to focus on the Adobe window if everybody has Excel open where it's much easier to work with.

Rosemary Sinclair: Okay well I think we're right. So I guess Berry if you could take us through this.

Berry Cobb: Okay. This version has changed quite a bit since the last one from our previous meeting two weeks ago. I think before I go into the details of what - of each measure, I probably ought to list, you know, real quick some of the main items that I changed.

And then from there we can start to review through some of the metrics. And I did send this out on the December 12 kind of bulleted item of some of the major changes. And I'll just walk through those. And if anybody has a quick question or response, just raise your hand and I'll try to respond to those.

So from Version 2 created a title page, what to do. Second bullet incorporated the definitions into Column B. So I think from our previous call, or definitely from the previous version I had the definitions on a different tab.

And instead of them being on a different tab, I moved them over into Column B. That way they're a little, it's more easily referable as your looking at each individual metric.

Now there was one component of the reason why I didn't do this. Or there was one action that I didn't do because I was having a little difficulty assigning sections of a particular definition to each metric.

And I believe it was Wendy and Rosemary that were trying to bring this up. So as an example and I think Steve touched on it a little bit in the call today is that, you know, looking at the definition refers to the confidence registrants and users can have in the consistency of name resolution. Which would kind of apply to the first four of service availability and up time and those kinds of things.

Whereas on the degree of confidence among registrants and users that the TLD registry operators fulfilling it's proposed purpose and complying with actual laws.

At any rate my point is I had a difficult time trying to dissect the definition, and assign it to each metric. And when we go, if we feel that that exercise is still warranted as we go through each particular line item, I would ask for assistance from the working group for what they feel what section of the definition should be assigned to that. And then on the next version I can incorporate that in.

Next basically I had from our prev - oops, please Steve go ahead.

Steve DelBianco: If you were to assign the definitional segment to a give row, we would need a short hand for that. For instance your category of SLA or service level agreement is almost short hand for the first half of the consumer trust definition percentage of up time.

The rest of them are more about fulfilling their contract and adhering to policies and laws. So we would need some sort of short hand way of abbreviating the part of the definitions since I'm pretty sure we don't want to paste entire sentences in on every single row to show which part of the definition it relates to.

So I'd invite you to try to find a short hand way of doing it.

Berry Cobb: Yes thank you. And that was kind of my reasoning for creating Column D to begin with. So I'm open to suggestions on what those short hands might be.

And again I think if when we go to review each one of these individually, we'll keep that in mind and try to determine what those short hands are if that's okay.

Rosemary Sinclair: That's good.

Berry Cobb: Okay the next couple of things. I had modified the definition of consumer to include potential Internet users. So in Cell Bravo 3, consumer - the original definition was Internet users and registrants.

And then we had our discussion about potential Internet users as a footnote. And then I think we had finalized on just potential Internet users and registrants.

But then when I was actually putting the defini - or, you know, putting pen to paper so to speak, just only including potential Internet users seemed to omit Internet users.

And so now we have what we have here, Internet users, potential Internet users and registrants. And is that what agreed upon by the working group?

Steve DelBianco: Steve here.

Rosemary Sinclair: Yes Steve.

Steve DelBianco: I don't clearly recall the exact consensus we arrived at last time. But if we are expanding beyond just present and actual to potential, there's no reason to limit it just to the users because potential registrants would have just as much interest in a new gTLD program as actual registrants today.

Just like potential users are worried about consumer trust. And they might have interest just like the actual users. So as a proposal we might say actual and potential Internet users and registrants. Thank you.

Rosemary Sinclair: Yes I think that's a good suggestion because I was grappling with the same point. Sorry, Rosemary here, if we've got actual and potential Internet users. But we don't have any actual registrants, then we're limiting the scope.

So I think Steve's suggestion was in the chat area a good way of dealing with this issue. Back to you Berry.

Berry Cobb: Okay great. Thank you Rosemary. And I guess just does anybody disagree on the phone with this change? Okay great. Thank you.

Next item is modify the definition of competition to clearly state gTLD strings. And on this one again I think with respect to our conversation about registry operators versus registry service providers.

And then in reference back to our definition of competition, our original definition just had gTLD. And it was agreed upon by the group that we would qualify it further with gTLD string TLD registry operators and registrars.

And if there's any objection to that change, then please note so. Okay the next change is we added comments to F2 and G2 to define obtainable versus reportable.

I think Steve you had mentioned what the actual - what they were actually defined for. And what I tried to do here was just to include in the comments. And certainly we'll be sure to incorporate this in an explanation of how to navigate the matrix within the advice letter.

But for now what I've come up with, and I'm definitely open to suggestions, obtainable means how easily or difficult it will be to obtain the data and/or metric from the designated source.

And that's classified as easy, moderate, difficult or doubtful. And the equivalent for reportable is how easily or difficult it will be to conduct a, or I'm sorry construct a meaningful report of the data and/or metric collected from that designated source with the same spectrum, easy, moderate or difficult and doubtful.

So if that's still not clear, I'm certainly open to more suggestions.

Man: Seems pretty clear.

Rosemary Sinclair: Yes I think that's good Berry.

Berry Cobb: Okay great. Thank you. Next change, Rows 4, 5 and 6 were to expand registry service level agreements. Or I think we originally just had percentage up time of registry and registrar.

We now have four metrics. I pulled these three and expanded from the regis - the proposed registry agreement for the new gTLD program. And specifically they call out DNS, RDDS, which is the who is and EPP service availability.

Over in the comment section have the proposed SLA that was defined in the contract. And as for the percent up time of registrar, we're presently the RAA does not take specific system service level agreements, even with respect to who is.

Of course this is why it's classified as difficult because ICANN does not collect that data at the present time. So we'll - we can expand on that one when we address it in detail. Steve please.

Steve DelBianco: Thanks. Berry would both of these measures, the RDDS and the EPP, are those things that registries provide to registrars?

Berry Cobb: They also provide it to ICANN on a monthly basis. And...

Steve DelBianco: Oh so they provide the statistics. But the services themselves are provided in real time by registries to registrars?

Berry Cobb: Yes.

Steve DelBianco: Okay and so therefore, without - we have it indicated on here. But I'm pretty sure what Wendy wants to get at is we would measure these two SLA performance measures for the new TLD operators versus the total population or perhaps versus the existing TLD operators because again we're trying to access the new gTLD programs.

So both the RDDS and EPP performance is a measure of just the new TLD registries that are up and running. And if Wendy's still with us, you can weigh in on what you were thinking with respect to that. Thank you.

Wendy Seltzer: This is Wendy. And I'm not recalling that I had a specific comment there.

Berry Cobb: This is Berry. I concur with that. And correct me if I'm wrong Steve, but what you're pointing to is the existing Gs today are operating at certain percentage SLAs.

And of course they're registry agreements have like service level agreements applied within the contract that they report to ICANN. And versus the new pool of generic top level domains that get employed 2013 and beyond will have the same exact systems while probably classified differently.

You know, there's definitely pure language in the new guidebook that says these are the five registry critical systems. But I think with respect to trying to compare pre versus post, it's all about just meeting the service level.

And so if these numbers that are reported to ICANN for instance with RDDS show up at 97%, I'm not sure I understand the connection to whether it's they provide the registry services in real time to registrars or not.

At the end of the month when they report their metric to ICANN, if they've missed that availability there will be red flag against it.

Steve DelBianco: Well what I was getting at is it may not be sufficient to measure simply binary at the end of the month to say did they or did they not meet their SLA.

If you're collecting the statistic on what their actual percentage of up time is, we would compare that to the same month for the old existing TLDs. And not worry about before and after because it's really just a relative comparison in real time between the new operators and the existing operators.

Berry Cobb: Okay understood. This is Berry, understood. But is it a fair comparison? I - the services are the same. But at, you know, at the root of this is it still the system availability? And we may not necessarily be comparing like for like systems.

Steve DelBianco: How would it be different? If dot Web comes up in February of 2013, and we would measure it's percentage up time at offering RDDS and EPP to all those registrars that are out there trying to give people new names that end in dot Web.

And we compare their per - their up time percentage for the month of March against the same month for other TLDs, like Dot Org and Dot Com, Dot net.

I do think that's a relevant - and the reason I defer to Wendy is that this all hinges off the first half of our consumer trust definition. And Wendy that was something that you wanted in there to sort of measure their ability to provide consistent and reliable registrations and resolution.

Berry Cobb: Okay and I'll just rebut one more. And then I can go either way. The reason why I say that it may not be like for like is the new Dot Web registry services environment could be the latest and greatest version. Versus the Dot Name environment as an example or Dot Com or whichever that may be two or three revs behind on EPP or DNS and/or who is.

So that's why I'm kind of concerned that it's not necessarily like for like. But again I can go either way. But I tell you what, let's we'll chew on this one a little bit longer. Especially when we start to walk through these on a line by item.

I'd like to get through some of the, oh yes we only have 27 minutes left. I'd like to get through the changes. And hopefully we can at least start on a few of these individuals. Any other comments with - go ahead Steve.

Steve DelBianco: It wasn't me.

Berry Cobb: Oh.

Rosemary Sinclair: It was Rosemary Berry. I was just going to suggest that perhaps on this call perhaps if we just, as you have just suggested, make a list of items that people want to come back to for discussion so that we get through all the changes this time.

And then we can have a look at the issues next time. Pardon me. Back to you Berry.

Berry Cobb: That's great thank you. So the next change was Rows 9 and 10 was with respect to the quantity of violations which used to be just quantity violations of registry agreements.

And then a further delineating between breach notices. Since the previous call I did have a small email dialogue with the compliance team. And I have a process that was defined that I can't necessarily share at this moment. But I can speak to it real quick.

Essentially there's a standard compliance approach. And within this overall process there are two phases. The first phase is what has been defined as prevention.

And within prevention they have the first inquiry of a breach, a second inquiry and a final inquiry. If upon the final inquiry it will kick over into the second branch, which is defined as the enforcement notice.

And so this sub-process within enforcement is delineated between the breach notice actually being sent. And if certain criteria are not met to fix this specific breach then the suspension, termination or non-renewal would follow from that point forward.

Now this is just a standard process. For each type of breach may be a little bit more unique from one to the next. For instance if it's a UDRP version versus a who is compliance issue for accessibility and those things.

At the time - at the current time we don't have details of each of those particular types of breach. But the compliance team is working on that. And as they flush out those individual processes, I'll be looking for them as well.

And per Steve's comment on the chat suggests that the first breach notice is the state we want to measure. Which if I recall is basically the enforcement bucket.

And that's definitely the more formalized, publicly posted so and so has breached. And I would agree with that as well.

Okay all right, any comments on that little dialogue there? Okay. Next change, Row 28 is statistical measure of diversity as a placeholder until we determine its inclusion or not.

So basically we have on Row 28 under consumer choice, I added this is a placeholder until we get more information back. Yes, I can't remember her name off the top of my head.

But those are two open items - action items that when we get more information, at which point we'll make a determination whether this will belong under this bucket or not belong at all.

Next item is Rows 33 and 34. We changed back end operators to registry service providers. I think everybody agreed with that. Rows 39 through 42, I did add pricing as a function of competition. And that is also an open action item and we're waiting on a response from ICANN legal about what they think about the acquisition of that data.

Then Rows 43, edit a placeholder for John Berard. Which we have reviewed and it would probably be a function of consumer trust under the trust survey. And I added that as a comment over here.

Rows 44 through 48 is a placeholder for Olivier's suggestions. And I think that that's still half and half. I'm going to keep these as placeholders down here until we review through each individual metric.

And if we happen to agree that there's a home with them, then we'll move them where appropriately.

And then lastly, created a new measures pivot tab. And again so pivot tables are a really easy way to compare certain sets of data. And the only idea behind this is just so that we can pretty much roll up in a summer review of what a particular metric may be versus it's difficultly to obtain that particular metric.

So as an example, for this one I've taken a count of the metrics. And we're at 40 metrics right now. And I'm comparing it by the category that we've assigned, which will I think evolve into the short hand version of segments of our definitions.

Versus whether that data or metric is obtainable, difficult, helpful, easy, moderate. And so I sorted these by the greatest to the smallest. And moderate being our RPM shows up at the top of the list as being the most - the greatest quantity of metric.

And has a moderate rating of acquiring. And so again this is just kind of a quicker view as to see a summarization of the measures. And I don't think for purposes of our advice letter anything will necessarily include it.

It's going to be more useful down the road when we actually start putting pen to paper with some of these metrics.

So that's a review of the changes that I had from the last version. Any comments or suggestions?

Steve DelBianco: Great work Berry.

Rosemary Sinclair: Yes no it's really terrific Berry. And I really like the - that inclusion of the items under discussion still at the end of the table. It captures them clearly so that we can just figure out whether, you know, they belong or they don't belong.

Steve DelBianco: You know, with respect to that Berry, they could be moved all to the consumer trust section as opposed to the bottom of the table. It could still be TBD with respect to how we include them. But isn't it clear that all six of those are with respect to consumer trust?

Berry Cobb: This is Berry. I don't think I can fully feel like I can answer that for Olivier. But if the group seems to think that, then I can - I'll make sure to migrate them up and just keep the TBD tag on them.

Rosemary Sinclair: Berry Rosemary here. I actually have a different view because I think we're not agreed about those measures. So keeping them at the bottom of the table, I think just provides that scope for us to continue the discussion.

And when we are agreed that that measure should be included, then my suggestion would be we then move it up into its development definition areas.

Steve DelBianco: Rosemary all I'm suggesting is that if they would ever be included, we know these six would be under consumer trust. And I was suggesting moving them there so they get discussed in the context of consumer trust.

But I don't by any means mean that we've already accepted them. But we already know where they would live if they were accepted. That's all my point was.

Rosemary Sinclair: No, no, I agree with - I understand that background. But I just think it's beautifully clear that these things are under discussion at the moment being separated out in this way.

And Olivier has had to go to another meeting. So he's not on the call at the moment. So I don't feel strongly. If you would like to move them into the body under their definition, then I'm okay with that.

Could I suggest, given that we're 10 past 8 or at my time at any rate 12 minutes past 8 that we just get Berry to explain Agenda Item Number 6. I'm not sure what you're suggesting to us Berry in that context. And then we can go back into the matrix for however much time we've got left.

Berry Cobb: Thank you Rosemary. This basically Steve had the action item to provide a draft of materials that was being used to inform the business constituency about our efforts here.

And which he's done so and sent out to the list. And so this is the first draft of drafts of drafts of what our advice letter may become. And I just wanted, I put - included this on the agenda just to start to review it.

There are basically two documents. What I have posted up now is the advice letter outline which is just a skeleton of the contents of what this advice letter may look like.

And then there's a second version that's actually filled out a little bit more, which contains the resolutions from the board, and some other details. And I'll really turn it over to Steve for him to advise us as to what and how.

Steve DelBianco: Rosemary should I proceed?

Rosemary Sinclair: Yes please.

Steve DelBianco: Great. I would have hoped to have made greater progress on the drafting of an advice letter. But as Berry indicated, I've tried to provide a six-part outline. I wanted to get everyone's input on whether we're on the right track here.

The first thing I did was to look for templates for advice that had come from ALAC, CCNSO or GNSO. And I looked high and low on the ICANN Website and found only two instances of advice to the board that was labeled as such.

And there was no real template that suggested it to me. I think in many cases if GNSO adopts resolution, they send the resolution to the board. They don't call it advice. They just sort of pass it along. And the same seemed to be true of the ALAC or the CCNSO.

If anyone on the call has knowledge of an example of a good template where letter advice was provided to the board by any of our ACSOs, could you point it out to us? And that would be a perhaps a good starting point too.

Berry Cobb: And Steve this is Berry. Actually I may have a good example that was passed to me by Margie, which is from the Req 6 initiative a while back, which I'm unfamiliar with.

But it was a more of a letter format that's quite long. And I'll send that out to the list for review. And perhaps that may act as a template.

Steve DelBianco: Fantastic. And hopefully that Req 6 was advice that was provided to the board pursuant to a board request or a board resolution. Because that's really what we're trying to mimic here.

And the four-page backgrounder I sent out was what I had been using as context or background as to how and why the board requested advice from the four ACSOs.

It, in that document is where we probably have to address Olivier's pivotal point about scope. Olivier's, I know he's not with us anymore. But he was bringing up the notion that the world may want to know in the review of new gTLDs whether the new gTLDs were a good idea to being with.

Did they improve consumer trust choice and competition? And that is a higher level question than the question of how well did ICANN execute the new gTLD program right?

It becomes a question of gosh, I wish we hadn't done it. Versus well I think we could have done it better. Because you can't put this toothpaste back in the tube a year after the first gTLD is launched. So that's a good question for our group. Rosemary go ahead.

Rosemary Sinclair: It absolutely is. Wendy just wanted to ask a quick question, so Wendy.

Wendy Seltzer: Yes thanks. And just a question about the framing here. Scheduled concurrently to this meeting is the cross community working group which has

been spending a lot of time discussing what can - what the output of groups like this is.

And there it's been very clear that those have to go up through the constituent, or rather the creating entities. I'm assuming that this is - would be treated similarly. And the letter would go...

Scott DelBianco: Look at Item 3 on my proposed structure Wendy. The...

((Crosstalk))

Scott DelBianco: And it includes not only public comment, but approval by the respective ALAC, GNSO and CCNSO. They would have to approve this because our working group is not authorized to send anything to ICANN's board.

Wendy Seltzer: Right. And so I would just suggest we don't need to spend a lot of time framing the what sort of format our advice takes. If GNSO chooses when it sends things on just to send a resolution, that seems...

((Crosstalk))

Scott DelBianco: The wrong word. It was more about the structure of laying out what we set out to do and it's context. How we decided to limit our scope. What process we as a working group used. That's really what 1, 2 and 3 are about.

Wendy Seltzer: And if could just follow a quickly on that. I think we - I've seen documents from some parts of ICANN that are so overlaid with descriptions of process that you wonder whether anything of substance actually came out of them. And I would urge us not to spend the entire document talking about process.

Rosemary Sinclair: Thank you Wendy. And, pardon me, the process is very clear in the charter that what we're doing goes back to our respective ACSOs.

And I agree completely with Wendy that we need to find, you know, some contemporary short process description in our advice. Even if we then attach the entire charter and, you know, half of ICANN's documentary repository.

But our letter, you know, it should be just very short and sharp, so back to you Steve with the 1, 2, 3.

Steve DelBianco: You know, one of the challenges is we intend to put this out for public comment. And the consensus of this group two weeks ago was that the working group would post it for public comment prior to conveying it to the four respective ACSOs for their formal consideration.

If we're still heading down that path, then it's essential that when it's posted as a draft advice letter for public comment. That it be posted with enough background and process, just enough that is, so that a reader would pick it up and say oh, I see what this is.

It's pursuant to the affirmation board resolution. I see where the scope is defined. I see how they went about doing it and where it's going to go next. So it's important to just find a way of explaining that in the minimum possible words because this draft advice letter has to stand-alone when it's posted for public comment. What do folks think of that?

Rosemary Sinclair: Rosemary here. I complete agree with that. Any - I just have this general approach. Anything that's posted for public comment should not require the person who wants to comment on it to go delving around through a whole bunch of other documents.

I think it should stand-alone and be very clear as to purpose and scope so that people are not discouraged from giving us their views.

Wendy Seltzer: Wendy with an agreement with a slight twist that where things have been agreed to before and can be incorporated by reference and hyperlinks. We don't need to re-argue them.

On the other hand if we try to summarize them, we may find ourselves arguing about the accuracy of various summaries.

Rosemary Sinclair: Yes that's a very good point Wendy.

Steve DelBianco: So Wendy let me just ask you if you get a chance to read those little four-page summary that I circulated. And if any of that is argumentative, let me know. Otherwise I would propose that - the first three pages of that be the context.

Wendy Seltzer: I don't believe, I'm sorry I don't believe I got a four-page summary. I got a background.

Steve DelBianco: That's it. That's the background because all that would do is fit into the context part.

Wendy Seltzer: Okay. Sorry, the way it was headed it, all right.

Steve DelBianco: That's all, you know, that's all. And what I had in there was not only the context of where this came from and what the board asked us to do. But I did put in there the first three definitions, which don't even show up until you get to Item 6 of the structure where we get into the substance of our advice.

Wendy Seltzer: All right, I haven't had a chance to look at that because I didn't recognize it from the subject. But thank you and I will.

Steve DelBianco: In the middle here Rosemary I have aspiration and qualification. And those are stupid titles for the document. But I meant to convey that at some point in our draft advice, I want to suggest that we aspire that this document helped to

create measurable metrics so that ICANN can manage to it in the new gTLD program. That's our aspiration. And the board's as well.

But the qualification is that we understand that when the affirmation review team is created that they may not pay much attention to what we did.

Rosemary Sinclair: Yes, no I understand. And I'm comfortable with 4 and 5. Just on that point, back to Olivier's discussion and the question of, you know, whether to gTLD or not to gTLD.

I mean I actually think that question has been argued extensively. And ICANN has got to a position which perhaps is not supportive by all. But I wouldn't want that argument to creep back into this work.

And that's where I think we do have to be very clear about the scope of this particular piece of work in the context of the Internet system and a range of issues that people will prosecute in other forums.

But this particular piece of work is quite specific in its scope. And I think that we really need to work very hard to make sure that our final piece of advice is focused within that scope. And not kind of leaking out into all sorts of other areas.

Steve DelBianco: Rosemary if I could respond to that on behalf of Olivier. I know he's not here. But on the chat I was letting him know that I sort of, I saw what he was getting at.

And said to him that it's not for us to invent this or to look to what the board did. All we have to look at is the affirmation. So I went back and re-read the affirmations mandate regarding this review.

The key phrase which is on the PowerPoints that we showed in Dakar is that ICANN will do a review that will examine the extent to which the introduction or expansion of gTLDs has promoted competition, trust and choice.

Rosemary Sinclair: Yes.

Steve DelBianco: So he's kind of right in that the affirmation raises the question of to gTLD or not to gTLD. Even though we as a working group that followed your instinct with full agreement that we wanted to focus on things that ICANN could actually manage too. Because it's sort of beyond, you can't put that toothpaste back in the tube.

We're not trying to say undo all the new gTLDs if the review comes back and says that they actually lowered the consumer trust and choice.

Rosemary Sinclair: Yes.

Steve DelBianco: Right, it's really a do a better job executing, enforce your contracts better. We're really never suggesting that you strip them out of the Internet if the review comes up and says that it didn't improve things.

Rosemary Sinclair: Well that's the work that we do. If we just stick within scope and do the mission that we've been asked to do, if the - if that measurement indicates that the new gTLDs are not promoting competition, consumer trust and consumer choice but are referred.

Then that would surely be a matter for discussion within the ICANN community. That's why I think we should just be very true to our task. And leave the implications of what is found for further discussion. And not try and preempt any of that.

Steve DelBianco: Rosemary this is Steve. To put a finer point on this though, the affirmation raised the bigger question. But our group shows a narrower scope. We chose a scope that was just the stuff that ICANN controls through its contracts.

So that's a choice we made. And I hope that we can stick to it as well. I just wanted to reveal that that's not necessarily something that the affirmation restricted us to.

Rosemary Sinclair: Do you know what? I have this discussion, Rosemary here. I wonder if at the next meeting it might be useful to start the meeting by going right back to the beginning? And just reviewing our interpretation of the work that now that we've been working at it for some number of months to just confirm our direction.

That need not take very long. And we can probably use the slides from Dakar. But sometimes when you get lost in the long run, it's useful to just come back and have a check of the actual requirements.

So is anyone happy if we use that for the next meeting, just to start the meeting with that review?

Man: Yes.

Rosemary Sinclair: Great. Now so what we need to do in regard to Number 6 is to have a look at Steve's work. And then go back to Steve with any suggestions at this framework level, not the detail of what we're going to say but at its framework level. Is that what would be helpful Steve?

Steve DelBianco: I would actually welcome input now on that structure. And if the structure is acceptable, I guess I would do what I promised to do, you know, a week and a half ago which was to start to actually draft it.

I would jam into Number 1, the context, just three of the first four pages for the backgrounder. And then I'd try to write some pros with placeholders that fits this structure.

But I didn't want to begin to write too much without agreement on what the structure would look like.

Rosemary Sinclair: So we've got the context, the community, the process, why we're doing this in the first place. The fact that we understand this is a piece of advice that's going to be at the beginning of another process and then our actual advice.

Just on a personal basis I'm comfortable with that structure. Are there any other comments from the group or any advice from Berry?

Berry Cobb: Rosemary this is Berry. I just, like I said, I'll send out that Req 6 letter that was given to the GNSO council a while back for Steve's input into that as well.

Rosemary Sinclair: That would be helpful.

Steve DelBianco: But Berry that was advice from the GAK to GNSO? Or was it from GNSO to the board?

Berry Cobb: In all honesty I don't - I haven't really looked at it. Margie had sent it to me as a suggestion for an outline, for a possible outline for a letter.

Steve DelBianco: Well we'll have to look at that because GAK advice letters are very scant on establishing the basis, the context and the process because the GAK doesn't have any need to do any of that. That's why I didn't think a GAK template was a good one to follow.

Rosemary Sinclair: Steve, Wendy in the chat is just saying that she sees the document as a two-page document. I also see it as a two-page document, not a four-page document. So could you just check that we've got the right document.

Steve DelBianco: I will right now.

Rosemary Sinclair: Okay. That's the one Wendy and I have got. Oh it says it's four pages, but we only see two. And there have been some introduction pages for your stakeholder group (pad).

Steve DelBianco: Yes you guys are absolutely right. I printed it twice. So I'm sitting here looking at four pages. No, it's only two, sorry about that.

Rosemary Sinclair: Well at least we've all got the right document. And it's now 8:30. So we need to wrap up pretty quickly. So we'll come back to the matrix next meeting. We'll review - provide, we've given Steve support to go forward with the advice letter draft. Is there any other business very quickly?

Berry Cobb: Yes Rosemary, this is Berry. So I'm looking on the calendar and it looks like the most logical next date for our meeting will be January 10 at the same time. I'm assuming that that will be acceptable?

Rosemary Sinclair: Yes that's fine. I'll be in Hong Kong. So I'll need a call out. But I'll let you know about that.

Wendy Seltzer: I apologize in advance. I won't be at that meeting.

Steve DelBianco: Works for me.

Berry Cobb: And I think what I'll do, a second follow up question is I'm going to go ahead and send out a proposed meeting schedule for the 24, February 7, 21st, etcetera. I just want to reconfirm we still want to meet every other week.

And it seems we've been consistently meeting for 90 minutes. So I'll be sure to communicate that these are 90-minute meetings as well.

Steve DelBianco: Agreed.

Rosemary Sinclair: Yes Berry that seems to be where we're at, 90 minutes every fourth night.

Berry Cobb: And something that I don't have off the top of my head is what due dates do we have for any of this? Or what targets are we aiming for?

Rosemary Sinclair: Gosh I think we're probably trying to get ourselves in good shape for the next ICANN meeting because the due dates are way past in terms of the initial resolution.

Berry Cobb: So kind of a, just thumbing it in the wind right now, maybe target February 7 that we have the draft advice letter and metrics ready for public comment so that that gives about just over a month of public comment just prior to the Costa Rica meeting?

Steve DelBianco: That sounds about right.

Rosemary Sinclair: Yes that makes sense to me too.

Berry Cobb: Okay. I'll be sure to include that in the longer-term schedule so that kind of gives a heads up.

Rosemary Sinclair: Yes that's good. Okay, well I think we're there.

Berry Cobb: Great and just to close out, I'll send out all the updated action items, the next rough agenda and post that all into the Wiki. And sometime later this week I'll send out the next version of the matrix as well.

Steve DelBianco: You're the best Berry.

Berry Cobb: Okay everybody. Have a great holiday. And thanks for all the work people are putting into this.

Rosemary Sinclair: Yes and it's really been a great group and a great view. So have a terrific break everybody. And we'll be back on track 10th of January.

Steve DelBianco: Great.

((Crosstalk))

END