

**Consumer Metrics Project Discussion
TRANSCRIPTION
Tuesday 10 January 2012 at 2000 UTC**

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Steve delBianco – CBUC

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Carlos Aguirre – NCA

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ICANN Staff:

Berry Cobb

Paul Redmond

Nathalie Peregrine

Apologies:

Rosemary Sinclair – NCSG / WG Chair

John Berard – CBUC

Nathalie Peregrine: Thank you, Tonya. Good morning, good afternoon, good evening. This is a CCI call on the 10th of January, 2012. On the call today we have Steve DelBianco, (Tobias Maliff), Cheryl Langdon-Orr, Carlos Aguirre, Olivier Crepin-LeBlond and (Paul Redmon). From staff we have Berry Cobb and myself, Nathalie Peregrine. We have an apology from John Berard.

I would like to remind you all to please state your name before speaking for transcription purposes. Thank you very much and over to you.

Berry Cobb: Great. Thank you, Nathalie. And also for the record I believe Rosemary Sinclair also has sent her apologies. She's traveling today and in her place Steve will act as chair today. And to answer the question I think Steve the one you have me is V1 as well.

Steve DelBianco: Berry, it's V1 but it was dated January 9. And I appreciate that. It has a change in the notes to the definition. I didn't make it a new version because it was something I did prior to circulating to the entire working group.

Berry Cobb: Okay, understood. And thank you, Cheryl. Okay, with that Steve, I'll turn it over to you to get things started. And then we can throw it back to me and we'll go through action items.

Steve DelBianco: Alright thanks Berry. So the agenda is listed right there on the adobe screen. Is there anyone on who cannot see adobe right now? Great. So the open action items is first on the agenda. And keeping with that, we just go down. It's right at the bottom there where we dip through several questions on the open action item. Berry, the first one was to figure out whether ICANN can even get wholesale pricing info from registries and whether I can be collected in an automated way as well as whether we can collect automated retail prices form registrars.

And additional info on that?

Berry Cobb: Yes, Steve. This is Berry. We have met with legal middle of last week. And they owe us a formal response that we'll be able to pass to the drafting team. We did - we have not yet received that response. But in short synopsis, there are competition concerns with acquiring that data. And outside of trying - it's

beyond my pay grade to try to get into the details of that. So I'll wait until we get the formal notice from legal and then we can deliberate from there.

But in short, I think there are issues with collection of that data.

Steve DelBianco: Berry, this is Steve. It turns out it's only a legal issue. But it could be otherwise collected. Interested to know if that's - if the team would like to have that appear in our advice to where we sort of punt that to the board where we would say that it's our recommendation that this pricing information be collected to determine the competition metric. We understand it's available but the board has to work out the competition legal issues before it can happen.

So we keep it alive rather than killing it on the assumption that the board working with governments might figure out whether they want to solve the legal competition questions. That sound okay? Any objections to that?

Berry Cobb: Hello this is Berry.

Steve DelBianco: Okay, great. The second carry over item - any further on that.

Berry Cobb: Nothing further. I do hope to have that response definitely by our next meeting. And as soon as I get that I'll be sure to send it out to the list and we can go from there.

Steve DelBianco: And the inquiry that you made within ICANN was separately for registrees and registrars right because a registry's wholesale price is presumably something that is published to all registrars who they know they can take advantage of that price. Is there even a competition concern with registry wholesale prices?

Berry Cobb: The legal team did not make that delineation. As soon as I do get the response back from them, hopefully it will make that delineation. We did

mention both aspects wholesale and regular prices between the two entities. And they just gave us a blanket statement of competition concerns across the board.

Steve DelBianco: Well Berry just to save a whole cycle on that, when you get the reply if they haven't dealt separately with registree and registrar wholesale resale, than ask them to clarify. And it would also clarify that it's not our intent to require that ICANN publish all the data. The idea would be that the review team would have access to at least aggregate pricing data both for new and existing gTLDs.

And be able to compare prices of the existing and prices of the new. So to do that, they don't even have to publish what .banks prices are at the wholesale level or what - I mean .net and .com is regulated b ICANN so we all know what their wholesale prices are. But there's not a requirement that we publish just to do the analysis to gather it. Just please try to make that point to them if you can so that we don't end up going multiple cycles on this.

Berry Cobb: I took note of that and I will.

Steve DelBianco: Any other questions on pricing? Let's go to number 2. Rosemary was going to get back to us on statistical measures of geographical diversity which first came to us at the (Dakar) meeting. Is there anything more on that?

Berry Cobb: This is Berry. I haven't received any notice form Rosemary so we'll go ahead and carry that one over. And hopefully she'll be around for the next meeting. And after the meeting...

Steve DelBianco: Tying in with that, Olivier, you were going to see if you could speak to Annalisa Rogers because she was the one that came up with that Idea in (Dakar). Any luck there?

Olivier Crepin-LeBlond: Yes, thanks Steve, it's Olivier. For the transcript, unfortunately no luck. I've even followed up on two occasions now and no reply from her by email. So, so far the only knowledge we have is from the actual transcripts that we can actually have access too. And if you wish, I can try and make something out of that. But I mean we were all there so we all know what she was saying at the time. But no further info. Thank you.

Steve DelBianco: And even at the time Olivier, you're quite correct. It was just sort of an idea that popped into her head. And if she's not willing to provide any follow-up this one might just have to be set aside for now.

Cheryl Langdon-Orr: Olivier, Cheryl here for the transcript records. God love Annalisa but you (unintelligible) it might be worthwhile trying Jenny, her PI who probably has more ability to respond and react to inquiries than Annalisa does who sort of works on a different (layer cloud of mischievous).

Olivier Crepin-LeBlond: Thanks - thank you, Cheryl. Olivier here. I don't have Jennie's details.

Cheryl Langdon-Orr: Alright, I think I'll have them somewhere. I'll ping them across. And that way if you just resend to Annalisa, copy to Jenny then you know it usually works better that way at least from my perspective.

Olivier Crepin-LeBlond: Okay. Thank you.

Steve DelBianco: Thanks. I mean it's clear - I hope we can say that it's clear. We're giving a good effort at trying to follow up on any suggestions we receive from the community but we're going to get lots of ideas like this that will come to us in the public comments once we publish the draft advice. So we can't give everything that's kind of tracking attention. But in this case, let's do it one more try.

Okay, the next one Cheryl, is with you. If you recall our definition of consumer is pretty tightly constrained to be users and registrants both potential and current. Two calls ago I think you suggested the idea that perhaps significantly interested parties would be something to add to the definition of consumer. We did not have universal support for that but there's an action item on here for you to look further into it and see whether it's still something you'd like us to do.

Cheryl Langdon-Orr: Well in fact I think the intended action item the details - the expectation was that the significantly interested parties part of the framework of interpretation work group should have been out - we expected within this last call for it to be out for public com - comment. She can't even speak English today. Well actually I never do, I speak Australian, before the end of the year.

And in fact, after our last meeting it was decided by the SOI work group that fiction of our work would not go out for public comment until January. So the definition of significantly interested party which I do still think may have some use to us won't be being turned through the glorious public comment work of ICANN until sometime through this month.

And that will then be through a 30-day I assume. So if you're happy to just let it lie until some of this can get a better look at what we're suggested from the SOI point of view, sorry SOI point of view, fine. If not, we can just (unintelligible) some use. But yes you're right, it did not get universal (unintelligible). And to my mind, it would be better if it were already out and having community review rather than us trying and pitch it to the community.

Steve DelBianco: Cheryl, thank you. This is Steve. Let's assume for a minute that you were able to share with us a working definition of the works significantly interested parties that have been bedded through that other framework group. Let's assume that. Than the 6 of us on this call would then look at that definition. And it's not so much whether we like the definition but rather what do we

want to expand who our consumer definition is beyond just users and registrars to pick up some aspects of significantly interest parties.

So there's sort of a threshold question for the 6 of us on this call now whether we think we have the right definition in users and registrants. Or whether we think it needs to include others. And then we go casting about for what kind of definition of others to jam into that. So I was wondering whether we could maybe talk for a minute about the threshold question. Does anyone on the call feel that we need to be broader than just users and registrants with respect to just these consumer metrics?

I'll look or some from a queue.

Olivier Crepin-LeBlond: Steve, if I may just respond from a personal point of view now.

Steve DelBianco: Please go ahead.

Olivier Crepin-LeBlond: Oh, thanks. The advantage of using something that already exists in a slightly expanded form such as significantly interested parties from my perspective is that it is already looking at things like government interests because in the world of delegation and redelegation as you may imagine, there's a whole lot of people who claim to have significant interest in these things.

But we needed to make sure that it wasn't an industry perspective that was being promulgated but rather the public interest. And I think before they made the a match in some of those definitions that could be useful to us. That said, I will now go to the most recent draft from the SOI work group and see if I can cut and paste into our chart while you move on in the agenda what the current (unintelligible) is recognizing that it may indeed change before it goes out for public comment.

Steve DelBianco: Excellent. While you're digging for the significantly interested party's working definition from the FOI, any of the other folks on the call feel strongly that we should expand our definition in any way? Okay, so Cheryl we'll leave it to you to do a little digging. And we can move on while you're doing that. As soon as you see it, just pop it into the chat and then we'll get back to that topic.

Cheryl Langdon-Orr: (Unintelligible).

Steve DelBianco: Berry, the last item I think on the open action items is you circulated on December 23 - I'm sorry not the last item but you circulated on December 23 a new Excel sheet. I used that in preparing the draft advice. I guess you haven't made any updates since then right.

Berry Cobb: That is correct.

Steve DelBianco: Excellent. Thank you. Next one is the advice letter to the draft. I circulated that last night. I hope we can discuss it on today's call. A meeting schedule, Berry did that. And we have to understand the breach metrics types. Berry, we were hoping to get some help from you on that to figure out what defines a compliance breach. I think we discussed things like breach notice, a warning and then maybe even a finding of breach of compliance.

And we have to consider this in terms of both registrars and registrees of different kinds of agreements. And I wondered whether you can shed any more light on that.

Berry Cobb: Steve, this is Berry. Unfortunately I can't. Wasn't able to connect with the compliance team over the holiday break. However, at the conclusion of this meeting, I'll send out a meaning to the compliance lead to give them a heads up about what we're looking for. They did supply us an overall process diagram for the breach process. Just they didn't have specific breakouts of the different types of - types that they track.

And the policy team has a meeting with them scheduled next Wednesday. So I'll send out the heads up for them to try to collect some information and be able to meet with them Wednesday. And as soon as I get more details, I'll send that out on the list.

Steve DelBianco: Thanks Berry. We don't want to create any more work for the compliance team. But we want them to give us the vocabulary for measurable, countable things that they do when they're investigating the compliance issue. And I'm pretty sure that we know that they do formal breach notices because I saw the one that was issued to .jobs on account of .job's breaching it's charter. But prior to the formal breach notification there are probably actually I'm certain that issue things call warnings or preliminary notifications of a potential breach.

And I don't necessarily want to count them if they're entirely preliminary. But we want to be able to count the first concrete measure or metric that indicates a compliance problem that at least has been investigated by ICANN to the point of saying there's a compliance problem here. So given all that vocabulary, all we want them to do is to give us the vocabulary for what to say.

Berry Cobb: Understood. And I'm confident with what Maggie's doing within the compliance team that they'll have some of those - some of that vocabulary as you put it.

Steve DelBianco: Great. And for registry agreements, they call them you know because registry is working under a contract. So that's a contract compliance. But with the registrars it's just a registrar creditation agreement. It may have a different description for that. And we want to capture them both. Are there any other entities about which we would want to measure breach notices other than registrars and registrees here? I can't think of any.

We can finish up with the open action items unless somebody has something else. Great. Back to our main agenda which is number three which is whether we're going to want to schedule a meeting both either public or private or both when we're together in Costa Rica in March. I'd be speaking for myself, I believe we should. The aspiration here and schedule a review session in Costa Rica. Maybe a room that's somewhat larger than what we had in Dakar.

But I can't be too picky about rooms. And I guess the point of it would be similar walk through that we did in (Dakar) can be for public question and answer and public input. That would just be my point of view. I'm anxious to hear from all the rest of you. Olivier, do you have a hand up there?

Olivier Crepin-LeBlond: Thank you. I had - Olivier here. I had to tick a green tick which was not a hand up which was just my agreement but I can voice that agreement as well. I think we should indeed have a meeting in Costa Rica. What I would suggest perhaps to keep the presentation and the time spent of us presenting things to a minimum and engage into a provoking dialogue in the room.

And I have think most of the session taken up by dialogue and basically gathering input from the floor rather than us telling what we've been doing.

Steve DelBianco: And in Dakar Olivier I think you remember we were under 15 minutes with our slides and dedicated the entire remainder of that session to Q and A.

Olivier Crepin-LeBlond: Yes and....

Steve DelBianco: And if we hold to that, would you be satisfied?

Olivier Crepin-LeBlond: I think that'd be great, yes, absolutely.

Steve DelBianco: Cheryl, I see a checkmark there. Anything you want to add?

Cheryl Langdon-Orr: Nope.

Steve DelBianco: Okay, so if there are no objections than Berry, please do secure for us a room. Folks on the call let's think about what period of the week because on the Saturday/Sunday we're all going to be busy briefing our respective ACSOs on our progress. If we're fortunate enough to have posted our draft advice for Publicon, we'll be busier than ever in Costa Rica. So at what point in the week, which day of the week makes the most sense for us holding that session.

For point of reference, I believe we did it on Wednesday. I believe it was Wednesday in Dakar.

Berry Cobb: Steve, this is Berry. Just to inform the working group, I have submitted a preliminary request for the public sessions. Unlike similar working group that meets on Monday, they had choose to try to go for the same time since we're in you know basic one time zone off of the regularly scheduled meeting. It would have been nice to do it for this session. However, we would conflict with constituency day.

And so just in terms of the preliminary request, I mentioned Wednesday which was similar to what we did in Dakar. And so next week is the formal collection of the request and per the action item, I'll get that submitted and get us a room.

Steve DelBianco: Anyone else on the call have strong feelings about Wednesday versus any other day assuming of course we would not conflict with council, okay. Okay, Berry, full steam ahead, our only perimeter being to try to avoid constituency and council conflicts. As I recall Wendy Seltzer was on our group and had to leave us early in Dakar because council began.

So we basically had an hour in Dakar. So folks, don't you think we want to give us at least 90 minutes for this session in Dakar? Can we shoot for that Berry?

Berry Cobb: (Unintelligible).

Steve DelBianco: So that's finishes on our meeting schedule. I would add that if we do have a session on Wednesday, I for one would ask that as people arrive late Sunday or whenever they get in is that our working group should try to have a pre-meeting particularly if we've already published draft advice and are going to be spokespersons for our draft document.

And I say that because it's Saturday and Sunday when (GNSO), ALAC. GNSO and even the GAC when they meet they may well be asking us to come in and walk through it with them. So as we get closer and Costa Rica and get our schedules nailed, let's try to do a pre-meeting before our public session on Wednesday.

Before we go to the next agenda item, let's return to an open item from earlier in the call which is a definition of consumer. Cheryl was able to track down the working definition for significantly interested parties. And Cheryl's been good enough to paste that into the chat. There's a been a couple of us that have reacted to it. The question before us is that given a definition of significantly interested parties, should it be added to in place of the definition of consumer we have today.

And Cheryl, I can let you walk us through what the SIP definition is.

Cheryl Langdon-Orr: I'm muted now or not.

Steve DelBianco: I hear you, Cheryl.

Cheryl Langdon-Orr: Good heaven above, it took me forever to unmute (unintelligible). Sorry about that. I do apologize. I keep pushing star 6 it keeps mute oning on instead of mute offing. Okay, the significantly interest parties SIP definition which is clearly being worked specifically for the ccTLD community and in the matters of delegation and re-delegation is fairly expansive but in fact was designed particularly to include things that were not just specifically industry interests which is of course one of the fears many people have in the issues of delegation and re-delegation.

So the current working model which is version 2.7 is not limited to but is inclusive of the government or territorial authority for the country or territory in this case. We would be reworking that I assume to be more as a definition of people of public interest such as government or territorial authorities, any other individual organizations, companies, associations, educational institutions and others that have a direct material legitimate and demonstrable interest in the operation as the GTLD.

And again, there we need to be careful of what we're not doing should we adopt either this or a variation on this remembering that this in itself is still subject to the public comment and scrutiny of an ICANN Process. That we don't have it so that it is being doing the opposite of what this is intended to do which is to be inclusive of more than just a definition of a registrant or consumer. For example, some people have the issue with consumer that one has to have actually interacted into a financial exchange for some kind of good or service.

And therefore, we may be excluding in that definition internet end users who are simply using such detailed Acer browsing or information services without any purchase or implied contract between the service provider and them as the end user. So as Carlos said, it may be a place to start. But it will be a reference that is out there and being subject to the public interest of an ICANN multi-site (unintelligible) and process.

That's it for me. I'll try and mute again without so much problem as I had the unmuting.

Steve DelBianco: I'll take a queue on this. But my first reaction is that the definition includes the very parties we don't want to include because it includes registrees and registrars, contract parties and domainers. And if the real appeal of this is that it's a definition that's been subject to public scrutiny, Cheryl, our own definition which is proposed in the draft advice would be subject to just as much public scrutiny. You recall our definition for consumer was actual and potential internet users and registrant.

So the work users and registrants in our definition are roles that entities can play. The SIP definition that you have is about entities. Let me see if I can elaborate that distinction. The work internet users and registrant in our draft definition could include entities of any kind. In other words, a government, law enforcement, a non-profit, a business or an individual could be a user.

They could play that role. And government, law enforcement, a non-profit and a business could also be a registrant by registering a domain name. So they can play that role. Clearly when we define the definition consumer it was about roles that were played when one was consuming the services that ICANN regulates, not providing but consuming the services.

So the SIP definition that you've laid out is very different because it identifies entities who would be significantly interest parties. And I fear that it would take us in the wrong direction.

Cheryl Langdon-Orr: Certainly it is...

Steve DelBianco: I wanted to register my view on that. Cheryl, go ahead.

Cheryl Langdon-Orr: I think that is a risk, yes. And in fact what we would then need to do is insure that our definition is as expansively footnoted as possible. Because

what we don't want to have for example, your expansion to make clear the inclusion of entities as opposed to individuals. You should perhaps see a permanent parentheses in everything other than a shorthand of the definition. Because every time people put a definition together, they tend to skew it to their own vested interest.

And we're certainly seeing in the At Large world haven't we, Olivier, where anything to do with any formal instrumentality MGO or government is to be shunned like it carried the plague. And we had to fight against that in some of our own definitions even in what it means to the At Large. If we get it right in this consumer choice, then that would be a boom across the board.

Steve DelBianco: Thanks, Cheryl. Olivier's got his hand up. But Cheryl, let me ask you to clarify are you - are you on board that we want to talk about the role of consumer.

Cheryl Langdon-Orr: Absolutely.

Steve DelBianco: And parenthetically indicate in our definition any entities can play that role. But it's only their interest in playing the role of a consumer, a user or registrant. It should be considered (unintelligible).

Cheryl Langdon-Orr: Let me give you the example why. And then I'll pitch to Olivier. To the extent that as you may remember At Large structures have to be in the interest of internet users, right. They have to be able to declare that they are representatives of the interests of internet users to be an at large structure. There was a considerable debate in the days - in the dim dark days of around 2004, '05 and '06 where even having an association by grant funding organizations.

There were people arguing to have organizations that simply had grant funding and support not fit that category as being representative of internet interests and end users. And it's that sort of thing that I want to desperately avoid. And therefore entity definition and the role that the entity is playing

being clearly defined as a consuming role as opposed to a regulatory or industry role is critical for my comfort at least. Thank you, Steve.

Steve DelBianco: Thank you, Cheryl. Olivier.

Olivier Crepin-LeBlond: Thank you Steve, Olivier, for the transcript. I just want to touch on something you've mentioned a moment ago, equating consumer to a registrant. I know I've said it in the past but I certainly see the consumer to be also non-registrants and I'm concerned that we are again going in the direction of equating consumer and registrant. We really have to look at the effects on non-registrants too. Thank you.

Steve DelBianco: Olivier, the definition that we've proposed for the last several meetings is this. The consumer is an actual and potential internet user and registrant.

Olivier Crepin-LeBlond: That's right. That's right. But you just mentioned...

Steve DelBianco: Users but not registrants. You wanted use as the internet anyone that plays the role as an internet user is who we're talking about as a consumer and in addition, someone who consumes ICANN services by registering a domain name. That would also be a consumer for our purposes.

Olivier Crepin-LeBlond: Yes. So we're in agreement, Steve. But it's just I was just saying I'm touching on what you just said earlier because you seemed to have focused specifically in this - in this discussion on the registrar.

Steve DelBianco: Got it. I didn't mean to. I meant to cover both users and registrants.

Olivier Crepin-LeBlond: No worries. Thanks.

Steve DelBianco: And I - after Cheryl held forth with the difficulties and those dark days of defining eligible entities for membership, I sympathize with that struggle that you went through. Let's avoid that by all means by not attempting to define

entities. But instead, I would suggest we do it by defining the role of being a consumer of the services that ICANN facilitates because that is in fact the consumer that I think their writing about in the affirmation of commitments when they talk about public interests in the word - because the word consumer shows up all over the place in the entire section of the affirmation that was used by the board to draft this request for advice.

Anybody else in the queue on this and I don't know whether we can draw a conclusion because Cheryl you're the one I want to give the most deference to because you've worked at bringing up with SIP as either an addition or an alternative. And now that we've sort of been through it, do you still believe we want to deviate from the draft definition of consumer in the current advice documents?

Cheryl Langdon-Orr: No, I'm not - I'm not pushing the SIP definition as a (unintelligible) alternative providing we make sure that the entity uses includes you know things that are not just purely Mary Smiths or registrant.

Steve DelBianco: That's an excellent point. And if you wish to draft a note or parenthetical that we can stick right in there, it's on page three underneath the definition of consumer. We could put in here that our intent was to capture the role of being a user and registrant and that role can be played by any kind of entity. And then we might even list half a dozen entity types as a non-inclusive list. (Unintelligible).

Cheryl Langdon-Orr: Steve, to be honest what I would love to have...

Steve DelBianco: I'm happy to do that in the next draft or have you send an email around with new language.

Cheryl Langdon-Orr: Yes, that would be great, Steve. But what I would actually like to have happen is that that be one of the main discussion points with our communities in Costa Rica because as Olivier will remember, this is (unintelligible) that

took the majority of our (unintelligible) At Large briefing. They got their knickers in a knot and very hot and bothered all about the definition of consumer before we even got to slide 3.

Steve DelBianco: That's a great point. So let's do that. We'll make sure we devote some of that initial 15 minutes, well, the Costa Rica meeting. We'll devote as much of it as they want to that. But we shouldn't anticipate the same kind of hassle that you had since our definition doesn't exclude or include any entities at all. So there will never be this dilemma about people saying, "I can't believe you're not counting me" because we're saying that it doesn't matter who you are, it matters what role you're playing.

I hope that that will make it go smoother.

Cheryl Langdon-Orr: No, that's fine. And I think we'll just get some of those entity - I'll blatantly steel it from DSRT sections that I can live with. And we'll see whether they can work the parenthetical.

Steve DelBianco: And Berry indicates to that if we do our job well in the next few weeks, we'll be right in the middle of or perhaps at the end of a public comment period on our draft advice document so that there will already have been some feedback on that.

Cheryl Langdon-Orr: Great.

Steve DelBianco: But, Cheryl, I'll go ahead and make an addition to this draft advice document on page three and invite you to really take a hard look at it, see if you can expand upon and improve it. But let me turn to Olivier who's hand is up.

Olivier Crepin-LeBlond: Thank you, Steve. It's Olivier here. I think yes, what you just had as a discussion with Cheryl pretty much sum - sort of summarizes what I wanted to say actually. Just that, you also mentioned a consumer of ICANN services. And of course a consumer of ICANN services can also be anyone

who uses the DNS certainly being affected by the (unintelligible) contract, etcetera. So yes, the definition of consumer is probably the thing that's going to be the stickiest or has been the stickiest in our community. And a...

Steve DelBianco: I remember it having no controversy in Dakar. But you're saying I'm a little diluted there. You think this will heat up.

Olivier Crepin-LeBlond: Not heat up. I think I'll just - just to make sure that we actually look at wide enough set of perimeters that includes everyone basically on the internet rather than just looking at specific choice given to a registrant wishing to register a domain name today and saying there's an improvement in a year's time because there will be more choice for that registrant to register their domain.

So that we know there will be more choice. But how do we know how it will affect the non-registrants. That's another question. And I think a lot of the people in our community are quite concerned about this because this is sort of question they're being asked by their community and their local at large structures. No necessary people who register domain names but internet users who read the press and who hear all these horror stores.

And well, we need to make sure that we address this. Thank you.

Steve DelBianco: That's a great point. Just below the definition of definition of consumer are our draft definitions of consumer trust and consumer choice. And in both of those definitions, we reference both users and registrar which is to say registrants and non-registrants. And the way we had framed choice in our draft advice document is the choice is about the options you have for scripts and languages which gets to our attention to global internet users who don't use Latin.

Fifty-six percent of the planet doesn't use Latin as their written language, their written script. We also said choices among TLDs that offer different purposes

and integrity for the domain name registrant so that if I'm going to do business with a bank, I might want to have a choice about somebody who's in a Dot bank TLD having more - I have more confidence in that they I might in a DotCom. So those would be examples of choice from the standpoint of a user and a registrant.

So when we do the definition of consumer, all I'm really arguing for is that we look at the definition we adopt for consumer and always keep our other eyeball on the definitions of consumer trust and consumer choice. Because that's the - that's the only context where this is relevant is the work consumer is guiding the definitions we come up for consumer trust and consumer choice. So there won't be metrics on the thing called consumer. It's simply a definition that's a means toward understanding how we came up with the definitions and metrics for consumer trust and consumer choice.

Now that we've beaten this one to death, why don't we move on to the agenda. It's number 4 on the agenda which is reworking our charter if at all necessary to reconfirm the work direction. I'm not positive I know what this one's about. Anyone shed any light on it?

Berry Cobb: Hello Steve, this is Berry. Rosemary had asked that this be added at the end of our last session last year. And it was just to reconfirm that the effort and work that we're doing now is still in line with what the charter originally laid out. And if you'd like, we can postpone this one until the next meeting when she returns.

Steve DelBianco: I will confess that I have not re-read the charter in several weeks. So I'm not even sure how closely aligned we are to it. Has anyone on the call gone through that exercise? It came out of GNSO so I would maybe Rosemary, John Berard and I ought to take a hard look at that and figure out how close we are. But I didn't want to use the time on this call if we don't need to for that.

Anyone want to dive into the charter check right now?

Olivier Crepin-LeBlond: Steve, it's Olivier. I think we can just punt it to the next call.

Steve DelBianco: I would agree, Olivier, so with -especially since Rosemary is not with us. We'll try to take it up than. Evan, I see you typing something. Is it relevant to this topic or can we move on?

Evan Leibovitch: It is but it's actually a pretty big thing so it might not be appropriate for right now. In terms of the charter and the scope, my thoughts that I've, you know as you know, I haven't been in on many of the calls but I've been reading them from afar. And in order for this to me to be really useful it needs to consider not only consumer choice within ICANN's purview but of different choices between using the DNS in different ways in which other people access internet information.

And that we have to be cognate into that as well. It's a much bigger issue than we're going to spend in a few minutes here.

Steve DelBianco: Evan, ironically that came up in Dakar when someone in the audience asked us about alternative identifiers, non-DNS identifiers. I can summarize - I don't think you were in the room but I can summarize the kind of an answer the working group gave is that all of our work is in the context of evaluating ICANN's plan to expand the gTLD space because we're defining definitions, measures and metrics to evaluate ICANN's expansion pursuant to the affirmation of commitment.

So that if in fact there were non-DNS or DNS alternatives outside of ICANN's purview, I don't know how they would enter in any way in the evaluation or how ICANN can even manage them since part of the definitions and metrics is to give ICANN goals to manage towards. So I'm aware...

Evan Leibovitch: I have an answer to that. I just don't know if you want to take the time on the call for it.

Steve DelBianco: I'll stop there and let you respond.

Evan Leibovitch: Well I have an answer for that. I just don't know if you want to take this time on the call to do it. I mean I do have an answer for that issue.

Steve DelBianco: Please, please try to go into it since this could be a threshold issue for us because it would significantly change the direction if we decided to expand beyond the DNS that ICANN manages.

Evan Leibovitch: Okay. If there's a legitimate issue of trying to measure consumer trust, the consumer trust can't just be measured within ICANN. If there is - if there's a deficiency within either the gTLD program either in it's current form or in it's expanded form and people choose to use other methods to get to the internet, there's very much an issue of consumer choice. If people are getting to corporate websites through their Facebook pages opposed to their URL, that to me is a loss for the domain system.

And thinking of everything inside the ICANN bubble without thinking of ICANN's relevance to end users as one choice amongst many I think is really missing the boat. If we're really looking at the issue of what is consumer choice, it can't just be limited to the choice of registries. There has to be a bigger picture of between all registries and other ways of getting to internet information.

In the intent of trying to make ICANN better, it has to be seen in that kind of a competitive environment. The competition isn't just between registries and registrars. It's between the domain system and the entire - and the entire TLD infrastructure and other ways of getting places. Every time somebody uses a QL code - QR code to get to a website, their bypassing direct use of the DNS.

Every time somebody uses Facebook or Twitter to get to a corporate website, their bypassing the DNS. Every time somebody goes into using Google Chrome and they type the name of a company and they go to a Google search term instead of a QRL, their bypassing the DNS. I mean...

Steve DelBianco: Evan, can you clarify on that because in every single one of those examples, a domain name gets resolved to an IP address.

Evan Leibovitch: Yes. It could be a - but it could be a random string - it could be a random string.

Steve DelBianco: But they're all being resolved by the DNS resolvers and the zones that are under ICANN management.

Evan Leibovitch: Yes. But that can all be done...

Steve DelBianco: It is not being bypassed by any of those examples.

Evan Leibovitch: But that could all be done using one TLD and random strings. Everything I've just said could involve using absolutely random strings using a single TLD and doesn't require any expansion of the name space. It could all be done using second level domains.

Steve DelBianco: The board resolution that we're given ends with a key phrase, "in the context of the DNS."

Evan Leibovitch: I understand.

Steve DelBianco: Scope is important and we don't want to doom our project by expanding the scope to where it's unmanageable. But I would really love to capture some essence of what you're saying even if it's just a note we make to explain to people that we are cognoscente of alternatives to the DNS. We are

cognoscente of them and we realize that consumers may exercise by choice by going there instead of the DNS.

But we choose to stay within the scope of the DNS context that was in the board resolution for which the advice is sought.

Evan Leibovitch: It's your call. I think.

Steve DelBianco: You're always - you're very intriguing with respect to what you came up with. But none of the examples you gave bypass the DNS.

Evan Leibovitch: Okay, they bypass consumer use of advertised strings. They bypass the registry, registrar whole situation because you could do everything I said using random strings and a single TLD. They bypass the need for the expansion period. That's the relevant thing. Yes, they all use the DNS but they can all do it under a single TLD.

Steve DelBianco: Alright. What - just to raise dorm for 30 seconds more. How would that effect - have you read the draft that we circulated last night?

Evan Leibovitch: No. I have what I've got on the Adobe screen right now.

Steve DelBianco: Got it. So that's a charter. That's not the draft. So I would ask you don't lose enthusiasm for your point. Please review the draft we circulated of the advice document.

Evan Leibovitch: Okay.

Steve DelBianco: And when you've read through it, if you still believe we need...

Evan Leibovitch: I'm just saying - I'm just saying there's a big picture...

Steve DelBianco: Any suggestion to the list and we all take a look at putting it in.

Evan Leibovitch: Okay. The advice is on the screen right now. Somebody's been kind enough to put it up.

Steve DelBianco: And it was emailed to everyone. If you don't have a copy, I'll shoot it to you right now.

Evan Leibovitch: Okay. You have my word that I will go through this. I'm just saying that there may be a restriction in scope here. But there's a big picture that if it's ignored it is to ICANN's detriment. And I'll just leave it at that.

Steve DelBianco: Yes. And I don't want to let go of this because I love the idea of us noting it in our draft advice that we're aware of alternatives to DNS. And we specifically identify what they are. We identify the fact that consumers may choose to use alternative because they hate the DNS that ICANN is managing. But it isn't part of scope to evaluate it. For something like that, totally on board because it doesn't really expand our scope but it shows we had an expansion view of the world before we began.

And I see Cheryl in the queue.

Cheryl Langdon-Orr: Thank you very much. Cheryl for the transcript record. I'm absolutely supportive of that approach, Steve. I think making the document (unintelligible) to show our awareness of that is fine. I'm certainly going to expand beyond the resolution remembering that what we're really trying to do is get foundation work done for a review team that is mandated as a result of the affirmation of commitments process.

And having worked on one of those, I know all the help they can get to begin with will be very useful. But it might be worthwhile, an additional line or us considering and discussing in the future meeting, an additional line that indicates a measure which we wouldn't necessarily need to have as a metric base line yet but a future measure of consumer migration to (unintelligible)

the use of these alternatives as opposed to the not expanded name space maybe of interest of ICANN to look at in the future.

Something along those lines.

Steve DelBianco: Good. So what I've noted in the draft on page two is right where we quote the board resolution. The board resolution is the one that told us to look at competition trust and choice "in the context of the domain name system." That would be a place to...

Cheryl Langdon-Orr: Yes.

Steve DelBianco: To pivot off of there and describe this acknowledge of alternatives to the DNS. Because really we're encouraging - ICANN doesn't manage those things so it's not a (unintelligible) metrics that ICANN's management will work on because they can't manage what they don't manage. But instead, we're inviting the review team who's going to kick in a year after the first one is launched in January of 2013.

And we hope the review team will consider that maybe the trust inside of ICANN is not the only thing to look at. I mean you look at the trust that occurred in the alternative to the DNS.

Cheryl Langdon-Orr. Happy with that.

Steve DelBianco: Any other comments on that? Evan, thank you very much for bringing it up and I appreciate your promise to find out how to fit it in once you've had a chance to review the document. Thank you. And they definitely are competitive threat to ICANN strategy, absolutely. And if ICANN ignores them, it would be at their own peril, at our own peril I should say. Berry, the next thing on our agenda is another review of the matrix and then a review of the advice letter.

I want to make sure we leave some time to review the advice letter. We're at one hour right now. We have another 35 minutes. Let's use that 35 minutes to look at the advice letter which includes a summarized copy of the matrix itself. And when we get through with that, if there are matrix specific items that Berry has put into the December 23 update, please, Berry, call them out to us so that when we get to the section of the matrix that's relevant that you could bring those questions up.

So we can use the next 35 minutes to walk through the advice draft. Would that be okay with everyone?

Berry Cobb: Steve this is Berry. I agree with that as well. The intent of this line item in the agenda was just to go through each metric line by line so that we're all on the same page and the like. So probably be best if we had a, you know a bigger audience to do that. So...

Steve DelBianco: Okay. And yet we will see a line by line analysis because all the lines I attempt to move them into this document. I did consolidate some of them in a way that I'll describe in a minute. Yes, Cheryl's asking if we can have individual scroll control of the document. But even if that were not possible, Cheryl, do you have a document that I emailed out last night? Perhaps you can use that too.

Okay, great. Okay, let's dive right in. The outline for this and some of the background was covered on the last call. I don't really know for sure what process Rosemary as our chair wants to use. But clearly the goal is for the 6-7 of us on this call and any other method of our working group to comment on our draft and get it in a point where we have a consensus draft. And the consensus will work off the charter definition of consensus since we have not much else to go on.

When it's to a point where we're comfortable with it, we would publish it for public comment. Staff would assist us at consolidating the comments. We

discussed it in Costa Rica. We'd issue a final draft advice. And then we would send it not to the board, but to GNSO, ccNSO, ALAC, and the GAC so that they could individually consider whether they want to amend or adopt and forward it to the board in response to the board's request for advice.

So that was a mouth full but how do you folks feel about - about that? Does that sound like the plan we have in front of us? (Tobias), are you not on the list for this group. You said you did not receive this document.

(Tobias Maliff): Thanks, this is (Tobias). I thought I was on the list but I didn't receive anything.

Steve DelBianco: Berry, you have his email?

(Tobias Maliff): I've just looked in the archives and I didn't find it there either.

Berry Cobb: Alright, yes. (Tobias), can you paste your email in the chat and I'll send it to you right now. Thanks.

(Tobias Maliff): Okay. I'll do it. Thanks.

Steve DelBianco: Alright, so what I described was the process by which we would try to get this to a consensus position. We can't do it on today's call obviously. I imagined it would take the next four weeks, early in February before we would have this at a point where the working group feels good about it to post it for public comments. I'd like to stop there and say did that seem like a realistic goal for us?

No. Hearing nothing I'll assume that that's consent. Berry, I see you're dealing with emails from (Tobias) and Carlos. I'm a little troubled though. I thought that the way that we would do documents is that when I send things to the CCI email list, that it goes to everyone. Cheryl, for instance, Olivier, did you guys receive a copy of the document last night? Anyone?

Man: Steve, I know that I did.

Steve DelBianco: Now Cheryl's saying she hasn't. So Berry, I'll seek your assistance.

Olivier Crepin-LeBlond: Steve, Olivier here. I haven't received anything either.

Steve DelBianco: Did I use the same email address that Nathalie uses to inform you all about you know the dial in and the call.

Berry Cobb: Yes, Steve. Yes I used the notify-gnso-consumercci and it's just gnso-consumercci-(unintelligible).

Steve DelBianco: Okay. I screwed up then. My bad everyone.

Berry Cobb: I will go ahead and forward this out to the entire list now of what you sent.

Steve DelBianco: No wonder I was hearing so many blanks there.

Berry Cobb: Okay. That's just now been sent to the list.

Steve DelBianco: That means that virtually none of the folks on the call have had the time to review the document with an intent towards walking through it? So given that, what I would recommend is just discussing a few highlighted elements in there which we can do on screen and then we'll probably be able to end a bit early.

Apologies to everyone, I used the wrong email address. I'm sorry. Berry, can I ask you to scroll down to the definitions that appear on the top of page 3, the advice.

Berry Cobb: I un-synced everybody else has their own control. Shall I re-sync so that I have.

Steve DelBianco: No, that's good. If everyone would please scroll to page 3, you'll see the definitions. Thank you. And underneath the definitions are notes and what I tried to capture there were some of the discussion that the working groups had on what's behind these definitions. For instance, note 1 sort of breaks out what's behind consumer trust. And note two is Carlos' point about the joint definition between competition and choice, Carlos.

You may remember discussing that with Andy Mack in Dakar. And I used Andy's best translation here. It's under note two at the top of page 4.

Carlos Aguirre: At this point, it's okay. But I need time to read the other part of the document.

Steve DelBianco: Exactly. That's why it won't be very constructive to do a full walk through. I was endeavoring just to point a few things out knowing that all of you will have to take time to read it later on. And make our comments via email on the list. Thank you, Berry. After the notes, on the bottom of page 4, we get into the actual advice on the measures.

And as a separate section where I brought in the chunk of the matrix that Berry did complete with the columns on how obtainable and reportable it is and what the source would be. Now in doing that, there are fewer rows in my document on page 5 than there are in Berry's spreadsheet because I did what I proposed on the previous call was for some of these items I consolidated. Let me give you an example. In the spreadsheet it says the quantity of UDRP complaints prior to 2011. There's another row for the quantity after 2011. There's another row for the relative incidents of the UDRP before and after 2011. So that's four rows on UDRP complaints.

And I put them as one row that reads like this "the quantity and relative incidents of UDRP complaints before and after expansion." And the purpose of doing that, I want to keep the Excel sheet as detailed as possible but this is

in terms of a document we would share with the community. It's far more easy for them to absorb what we're getting that there is UDRP complaints.

It's not only the raw but the percentage of complaints, it's a percentage of total registration. So, Berry, it's possible that in bringing them over and consolidating, it's possible something will have dropped out. I think it will fall to you and me to keep your spreadsheet synchronized with the document. But I don't think it's constructive to have a dozen of extra rows in there when it's same statistic captured at a different time or divided by a different denominator.

So each definition in measures there and I did want to call out the bottom, sorry the top of page 6. Olivier, you gave us 5 new measures that we need to find a home for or discuss. And it would be really constructive for us to take the five that you've articulated, use the next five minutes or so to talk about whether and where they would live in our advice document. If it's possible to get everybody to go just to the top of page 6 where it says ALAC members and the working group suggested additional measures.

And this is me speaking. I said they seem to fit within the consumer trust definition. And if you all agreed, I would end up just adding them to the matrix. But we would have to start figuring out whether the pros is captured correctly. So, Olivier, if you'd like, I can turn it over to you to lead us through the little white grid at the top of page 6.

Olivier Crepin-LeBlond: Thank you, Steve. It's Olivier here. I'm actually discovering this document as you speak so it's a little tough to sort of work on it like this. Well societal confusion induced by internet users by introduction of new detail, that one I guess. Did we not discuss those the last time we had a call and say whether this fitted with some of the other headings that we had there?

Steve DelBianco: There was some discussion but I don't think we were conclusive. And Berry's last matrix had them as a standalone area. I guess my goal is to see if they

really do belong here in consumer trust. We wouldn't make them standalone anymore. We'd just integrate it in.

Olivier Crepin-LeBlond: Well...

Steve DelBianco: It was my parenthetical there is that I believe that we could ask this question on the poll - the consumer poll which is on the previous page. And if that's the case, we just add it as a note to the consumer poll measure called confusion.

Olivier Crepin-LeBlond: Many of these are not actually - are not actually consumer pollable somehow. There are some actual - there's some actual data that is out there regarding fraud for example. There is data that has been compiled out there and it's pretty straight forward to collect data about fraud prior to the introduction of the new GTLDs and finding out if there has been more fraud after the introduction of the new GTLD. Bearing in mind of course the fact that you know incidents of fraud has it's got it's own life in there as well.

So it might go up or down. It might continue to increase as more people start using the internet. But if we do see a real bump in the amount of fraud - sharp increase in the amount of fraud on the net, then we can say that there has been some fraud caused by the introduction of new GTLDs. If on the other hand, we don't see any sharp increase in this, then we say that the accusations that fraud would increase dramatically if new gTLDs were launched. That definitely is not the case.

So that's data that is actually - that can be found out there. Organizations track this, on the societal side of things. Confusion, yes, I think that will definitely have to go from the poll which - and that can actually be included in what we had earlier, survey of perceived consumer trust in DNS. And of course, you know, is it obtainable? Yes. It's as difficult? Yes. It's not the first time I think ICANN can conduct worldwide surveys.

They can do that and really probably is one of the duties that they're going to have to do is to conduct surveys with consumers. Find out how they respond to what's going on. Spam, now that there is data out there that is being compiled by organizations. I'm not asking for ICANN to compile it. Just data that can be simply checked at specific time periods before the introduction now. And then afterwards and find out historically if there's any increase of spam. And again of course this is something that I think we're well aware of having it's own life.

Spam bots, networks, (unintelligible) are sharp decrease in spam. And a new network starts operating and there's an increase of spam. But there might be or night not be correlation with the amount of spam being received and the introduction of new GTLDs. And this is something which we need to know.

And I think that fits really very much within the mandate that the board has done - you know has asked for. And then further down, well records. Who is records? I think this is already - is this. Well there is a wider issue with regards to who is records. And in fact that's another - it appears to have been another very sharp point that has been - like a stumbling block of some sort you will have seen critics of ICANN saying, "well if ICANN cannot deal with accurate (unintelligible) records from a small number of registrars and registrees, how is it going to be able to cope with a larger amount?"

That's something which ICANN can tract obviously. And I guess that it will. And then finally...

Steve DelBianco: Olivier, if I could just quickly intervene. At the end of last call, we had asked Berry to check with compliance on that too because I think an inaccurate who is record is reported to ICANN. And then the inaccuracies are turned over by compliance to the registrars. Whoever is holding the who is record. But I think that there is data on reported inaccurate who is. And Berry, I was...

Olivier Crepin-LeBlond: There is indeed. But Berry, maybe Berry knows...

Steve DelBianco: Let's add it to you know the green table on the prior page as the quantity and relative incident. I say relative because if you have a hundred inaccuracies over a million names, it's less significant than.

Olivier Crepin-LeBlond: I thought you were going to say a million in accuracies out of a hundred names. I'm only kidding here.

Steve DelBianco: Alright, good point. But I would believe that this particular one we would want to just integrate it as just another row in the table on the page before. And I did want to get Berry's help at figuring out if compliance has a vocabulary for what they call - I know they did an audit from time to time but most of the inaccuracy on who is reported to ICANN. Right by people who spot Mickey Mouse or an inaccurate who is and then turn it over.

So, Berry, is there anything you happen to know on that right now or something you can look into?

Berry Cobb: I don't have any specific information right now. I would say that what is reported to ICANN is typically an escalation perspective after the reporter has tried working with a specific registrar and didn't get any action taken. So it's only small subset of what actually goes on out there and what is reported.

But I will add that to the list to meet - when we meet with compliance next week.

Steve DelBianco: Okay. That's fantastic. And Olivier, I'm sorry to interrupt. You were about to get to technical. And then we have Evan in the queue.

Olivier Crepin-LeBlond: I'll be very short on technical. I believe that technical can be tracked by is it our rSACC or sSACC. They've already done some work on this. And so certainly stability and security falls straight into this measure of

(unintelligible) of the new gTLD zones and of course, the existing ones and finding out the errors and etcetera. So that..

Steve DelBianco: So let me clarify, does SSAC do audits of data cleanliness today of the zones?

Olivier Crepin-LeBlond: I don't believe that they actually do. But I think as part of the - let me just think. As part of the launch of the new gTLD process, was there not a survey that was done or some work that was done to find out the stability of the internet system and the resilience of it?

Steve DelBianco: I believe that was about how many you could add to the route in any given week. I don't really believe that had to do...

Olivier Crepin-LeBlond: Okay, so in such a case then I retract from this. However, the DSSA working group, DNS stability and security working group of which I'm a co-chair is currently looking at this type of work. We have not reached the point where we're actually collecting such data. But I expect that at some point, such data will be handed over by registrars and registrees. But of course, as you can understand it's particularly important to have high confidentiality in this in order for operators to share their data.

And so this we will only find out later on when we actually engage with the operators.

Steve DelBianco: And when you do, as soon as you have language for that, get it into this - we need to get it into the document because it would be something that would be done once sometime in the middle of 2012 by DSSA and presumably, we would recommend that ICANN do it again one year after the new details are in. And then they could compare the findings from 2012 to the findings in 2013. Is that about right? One time audits, they're not routine reports like service level agreement.

Olivier Crepin-LeBlond: For the time being, yes, it's - we're looking at it as being once - once thing. But I think that we will all etch towards saying that this needs to be done regularly.

Steve DelBianco: Olivier, I don't there's anyone else on the call who is on DSSA, so we'll look for you to transfer to our group whatever particular measure can be obtained on this. And we'll be able to cite the DSSA work in doing it. Oh, Cheryl, you're on the DSSA as well. Then fantastic, I hope you can both help with that. We'll note that in the description. But I do believe we want to move this into trust.

Hand up from Evan Leibovitch. Evan, you're still in the queue.

Evan Leibovitch: I've lowered it. I guess part of - there's just to me a little bit as I'm reading through this, I just seeing a little bit of what seems to be a bit of a blend of choice issues for end users as opposed to choice users for registrars. Like URS issues aren't going to filter down to end users and aren't going to be seen by end users as trust. But on the other hand, for instance, the concept of cyper squatting - if somebody types in a name and gets something totally unexpected, is that accounted for here at all?

Steve DelBianco: That's a great point because in a URS proceeding or a UDRP proceeding, the trademark owner is specifically trying to remedy the consumer confusion. You know people that went to a squatter site when they in fact thought they were going to the real one. So when a trademark owner pursues a URS or UDRP, they're doing it to avoid the consumer confusion. So this is a unique data element that applies equally to registrars and users.

I'm glad you picked that example. But some of our examples do address users. And some of our measures do address registrants. There intentionally both kinds in each of the matrices of measures for each of the three (unintelligible).

Evan Leibovitch: Okay. And I just wanted to go to the issue of the difficulty of transparency of offerings and things like that. Whether people like them or hate them, there's somebody within at large that a lot of people in the domain industry know Garth Braun who has been doing an awful lot of research. Now while some of his data has been disputed, the mechanisms that he's been using to collect information are highly automated. And while there's abilities to say well it's not looking for the right thing and the right place, I would imagine that for things like being able to check the address in a who is is a valid address as opposed to saying Wrigley Field.

Might be something that can be automated and doesn't necessarily have to be as difficult as shown on the grid.

Steve DelBianco: If you're speaking of the grid on below Olivier's grid.

Evan Leibovitch: Correct.

Steve DelBianco: You are. The first two rows.

Evan Leibovitch: Yes.

Steve DelBianco: Again, folks this is on page 6. The first two rows are transparency and clarity of what's being offered to the registrant. I believe that the registrant. So it's the clarity...

Evan Leibovitch: I'm thinking here of who is. Like what's available to the end user to be able to get you know who owns this domain. When I look at those two lines.

Steve DelBianco: That is not what is meant here. I guess that would end up being the accuracy of who is and the accessibility of who is which would be up in consumer trust. Here in choice, it's different than that. Here in choice, it's a registrant who wants to do something in the banking area, is thinking about which TLD they want to choose hence the name choice. And when they're making that

decision, they will want to look at what DotBank offers, what Dot Finance offers or what Dot Loan offers. Just giving you a hypothetical. So there's gTLDs all of which were approved.

They're in the route. But how does a registrant choose between Dot bank, Dot finance and Dot Loan. Wendy Seltzer I believe is the one who came up with these two. And if Wendy's is on the next call, we'll ask her to expand. We should probably explain and I think her concern here is the registrant before they plunk their money down, put the sign outside their building, print new business cards for their new domain name, they want to really understand the transparency and the clarity of what this gTLD operator is doing...

Evan Leibovitch: Okay, then these line of - okay I'm just suggest that these line items need to be clarified a bit. Because they could be construed - I mean if I'm reasonably versed in this and I interpreted those to mean who is offering. Then another...

Steve DelBianco: Yes, alt of it Evan is looking at the context that it's under choice. But folks on the call, what are your thoughts on this? I mean you heard me go on way too long with an example. But should we have examples next to each and every one of those rows.

Evan Leibovitch: I'm not even saying that. I'm just saying maybe a little bit slightly different wording of those things. So it's a transparent of the offerings to registrants even by saying - by making it clear as in offerings to registrants as opposed to registrant offerings. Even that very slight change of phrase makes that a lot less ambiguous.

Steve DelBianco: And Berry, Berry had written the sources unknown. But the source of the data is supposed to be the gTLD operator's marketing material which is presumably on line at the time that the registrant is making the choice. But Berry has correctly listed these as very difficult to report and obtain because there's no automated objective way to answer Wendy's challenge to say what's a transparent and is it clear.

Evan Leibovitch: Unless somebody wants to make a third-party website. That sort of does a side by side comparison. That's totally in the offer.

Steve DelBianco: That might be true for Dot Bank, Dot Finance and Dot Loan, Evan. It may not be true for the hundreds of TLDs that could be applicable. And we can't very well demand that ICANN set up...

Evan Leibovitch: Understood.

Steve DelBianco: Third-party auditing vehicle to do that.

Evan Leibovitch: Okay.

Steve DelBianco: I don't know for sure if this one will survive because it is so difficult to do. And it s not automated.

Evan Leibovitch: I understand the point. All I was trying to say was we don't necessarily need example sin these tables. I'm just saying that maybe slightly different wording of these would make them less ambiguous.

Steve DelBianco: Great.

Evan Leibovitch: With something that could be misconstrued as say who is.

Steve DelBianco: Absolutely agreed. And so these two rows of transparency of TLDs offering to potential registrar.

Evan Leibovitch: Just something like that. Just something that makes clear.

Steve DelBianco: I think that will help as well.

Evan Leibovitch: Any wording that...

Steve DelBianco: We're making notes all over my copy. But I realize that many of you have seen it just in the last 30 minutes. So I'm sure there's going to be a lot more comment as they come in.

Evan Leibovitch: And then the fourth row, the word quantity is spelled wrong.

Steve DelBianco: Got it.

Berry Cobb: Steve, this is Berry.

Steve DelBianco: Go ahead, Berry.

Berry Cobb: I would just like to remind the working group that you know the source of these tables in this document comes from the spreadsheet matrix which is ultimately only my interpretation of extracting what was from the original presentation that started all of this. And most certainly any of the degrees of difficulty that are listed here is solely my interpretation and thus why we have on the agenda item to review through each one of these line by line so that we can flush out things just like Evan raised etcetera.

Steve DelBianco: Absolutely, Berry. And I was just applauding your rating of difficult. I was differing with them. Paul Redmond's in the queue. Paul, go ahead.

Paul Redmond: Hello. This is Paul Redmond. I've got an operational view of this matrix. And I just have a question. Have you given I any thought to putting on here what action you want taken based on these measures. And also perhaps throwing in some type of threshold amount you know spam, the quantity of spam received compared to what? You know is it a million? Is it one?

I need some way to sort of one, start figuring out the operational piece of this one . And to put in perspective and want - what function do you want us to pursue based on some of these values? If I get spam over a million is that

good or bad, you know. I'm picking on that one. But take it and apply to any of these measure? What are you trying? What's the goal of it? You know, it's a good measures but what?

Steve DelBianco: Thanks, Paul. That's great. When you get a chance to read the first two pages of context which is the affirmation and the resolution that we were given, I think you'll see that we would never have a recommended action in this advice. The board has asked us for advice that says a year after the detailed program it up they're supposed to evaluate the new gTLD program to see if it enhanced consumer trust, choice and competition. So the board said, we need advice from the community as to what those words mean.

We want definitions for those words. We'd like to tell you to tell us things that we should measure. And we'd like you to give us three year targets. And you just did bring up targets. You said - you asked two questions, what about the action and the answer is there is no action. That is not in the scope of what we're doing.

But you did ask about relative values. And that is the most difficult part of the work in front of us because the board has asked for advice as to what appropriate targets would be. And they used the work three year target, not one-year target. So to give you an example in spam, a three year target would be that spam originating - spam targeting or originating from new gTLDs should be no worse than the spam from the original gTLDs that were in place in 2011.

That's an example of three year target. You may be more ambitious and say the three years out, the amount of spam in new gTLDs is 10% less than it was in 2011. That's another way to go. But we are supposed to put that in our advice document.

This working group didn't want to put the cart before the horse and we're trying to get definitions and measures down before we turn to coming up with apps - three year...

Paul Redmond: Oh, no. No, there's a sequence. I understand that. But I did know as a placeholder, if that was on your list of scope. So that's good.

Steve DelBianco: Yes. It's on page 8 and I'm not - I'm not optimistic of how that's going to go. Some of these numbers, we'd be pulling them out of the air. And there are community members who would say our target was too high. They'll be community members that say it's too low. But the board is simply looking for advice. Then it will then turn around and hand to management and say, you want to make your bonus next year, meet these targets.

All of this is an attempt to try to get ICANN to run like a real operation to try to achieve measurable improvements in things that it can control.

We have three minutes left. I'm looking quickly at the queue and the chat. And Berry, I agree with what you said in the chat. One of the points of the advice is to start gathering now. And to measure today so we have a baseline to compare two three year out. That's why the beauty of something like the DSSA's audit of data cleanliness is if it's done in the middle of 2012, fantastic. That becomes your baseline. We do it again three years out and compare.

Are there any other closing comments. And if not, I'll turn to Berry to pick our next meet.

Olivier Crepin-LeBlond: Steve, it's Olivier. I was just going to ask whether I addressed your questions in going through the table?

Steve DelBianco: Thanks for asking. You and Cheryl weighed in as well on the chat. And I believe that the societal item on confusion is going to be moved up underneath the consumer trust survey in the table before. Spam will be a

standalone line under consumer trust. Fraud will be a standalone line out of consumer trust. Inaccurate who is will be a line right underneath registrar compliance complaints in the hopes that it is something compliance will tell us about.

And measures of cleanliness, we'd stick it probably at the end of the consumer trust table, but we'd leave a place over there while we wait to see if DSSA is actually going to do a survey so that we can measure that. We have been tried to be disciplined by only putting things in our tables that we know we at least have a change of getting a measure. I hope that answers your question.

Olivier Crepin-LeBlond: Okay. Perfect. Thank you. And of course, from the transcript or I gather Berry might have noted this, the source each of these metrics.

Steve DelBianco: Yes. Great point.

Berry Cobb: This is Berry. I did take some notes and I will update the spreadsheet matrix with these changes. I think I've got most of them. But I may have missed one or two. And we can - when we go through these line by line matrix with these changes. I think I've got most of them. But I may have missed one or two. And we can - when we go through these line by line we'll of course correct as necessary.

Olivier Crepin-LeBlond: Okay. Thank you.

Steve DelBianco: Alright, we're at 90 minutes. That was our target completion. But Carlos I know is typing. I don't want to cut him off.

Berry Cobb: While Carlos is typing, so our next meeting will be schedule for the 24 which is two weeks from today at the same time. And if I recall again, our deadline to have, we're shooting for February 1 to have our first draft of all of these complete. Is that correct?

Woman: Yes.

Berry Cobb: Might I suggest because we have a lot to review, I'll send out a doodle poll for also the 31 and let's meet week to week until the first so we can spend as much time together as possible. I imagine when we start to review through some of these specific line items, collaboration like we just had with Evan's suggestion may take some time to get through. Is that acceptable to everyone?

Steve DelBianco: Berry, it is to me. But I certainly don't think we can wait two weeks for people to read and provide comments on the draft. Given that we made some changes today, I can promise to get an update circulated tomorrow night - Wednesday night that incorporates what happened on this call. And that could be the one that those of you and everyone in the working group responds to via email. And I'll use the right address this time because I don't think we want to wait two weeks to walk through version 2. If we do, I'm afraid there almost no chance we'd make our goal of getting it out for public comment sometime in February.

And Berry, I would also add that getting it out in February is about as ambitious as I think we can accomplish so that during a 30-day public comment period, the March meeting falls somewhere while the public comment period is open.

I believe that would be a good balance to strike.

Berry Cobb: Understood.

Steve DelBianco: Alright, if there's no other comments, thanks everyone for participating. Again, I'm sorry I that I used the wrong address for the draft. Please look over - look for version two to come out in the next day. And don't hesitate to quickly comment and send in edits. It will be a word doc and not a PDF so

everyone could do edits with track changes. Berry, and staff thanks very much. Take care everyone.

END