

**IRTP C
TRANSCRIPTION
Tuesday 06 March 2012 at 1500 UTC**

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On page:<http://gnso.icann.org/calendar#mar>
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Attendees:

Mike O'Connor - CBUC
Kevin Erdman - IPC
Roy Dykes - RySG
Philip Corwin - CBUC
Simonetta Batteiger - RrSG
James Bladel -co-chair
Avri Doria - co-chair
Matt Serlin - RrSG
Michele Neylon - RrSG
Bob Mountain - Registrar SG
Angie Graves – CBUC
Rob Villeneuve – RrSG
Barbara Knight - RySG
Rob Golding – RrSG
Jonathan Tenebaum - RrSG

ICANN Staff:

Marika Konings
Nathalie Peregrine

Apologies

Chris Chaplow - CBUC
Erick Iriarte Ahon
Paul Diaz RrSg

Coordinator: Excuse me; I'd like to remind all participants this conference is being recorded. If you have any objections you may disconnect at this time. You may begin.

Nathalie Peregrine: Thank you very much, Kelly. Good morning, good afternoon, good evening. This is the IRTP-C call on the 6th of March, 2012. On the call today we have Michele Neylon, Mikey O'Connor, Angie Graves, Bob Mountain, James Bladel, Kevin Erdman, Matt Serlin, Philip Corwin, Roy Dykes, Simonetta Batteiger, Avri Doria and Rob Villeneuve.

From staff we have Marika Konings and myself, Nathalie Peregrine. And we have apologies from Chris Chaplow, Erick Iriarte Ahon and Paul Diaz.

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

James Bladel: Thank you and good morning, good afternoon and good day everyone and welcome to the IRTP-C call. Last one before we all head out to San Jose, Costa Rica for the ICANN meeting.

Very quickly here if possible can we have any updates for individuals who have changed their statements of interest? Very well and has everyone had a chance to review the agenda and any comments or additions to the agenda that you see in the right hand column of your Adobe screen?

Excellent, okay so let's get started. We just have a few housekeeping items to cover and then we'll definitely get some updates from the heads of the two sub-teams. We'll continue our deliberations on Charter Question A and we will then probably wrap up the meeting here and look forward to seeing everyone as we head towards Central America.

So the first item is that there's a meeting agenda for our face to face meeting. Has everyone had a chance to review that meeting - and it's here on the

screen, thank you, Marika, for putting that up. Does anyone have any comments or additions to this meeting format?

And I think as we discussed earlier this month or possibly even late last month that this meeting would consist of a one-hour typical working group meeting with an agenda that very closely mirrors that of our teleconferences with an additional 30 minutes allocated at the end for Q&A. So hopefully we'll get some lively discussions from other attendees that maybe are not normal participants or regular attendees to our teleconferences.

So if there are no objections we'll go ahead and consider this our working agenda for the face to face meeting in Costa Rica. Obviously if you see anything between now and Costa Rica please indicate and we'll get that added. And we will review the agenda once we kick off as well.

Simonetta.

Simonetta Batteiger: I don't have an objection but I have a suggestion. Coming out of the data gathering sub-team we put together a questionnaire and there's two slides in the questionnaire that kind of explain to the people that we want to get information from what it is that we're even looking for.

I think those two slides would be a very nice way to kick off that Q&A session because that way we could ask for this type of input for the Q&A as well.

James Bladel: Okay. So would you like to then - where would you see that being added to this agenda?

Simonetta Batteiger: Oh I just would put - I mean, I wouldn't add anything to the agenda I would just start the Q&A session with that. So...

James Bladel: Okay.

Simonetta Batteiger: ...that was just an idea and you don't even have to do it I just thought that maybe that would be a - because the resource is already there, it's already written up and we could just put it on two slides and kind of kick off the conversation that way.

James Bladel: Okay I think that's a good suggestion, Simonetta. Marika, maybe you can just put a note in parentheses there on Item Number 8 that we'll kick off the discussion with that and possibly, you know, if Mikey can be prepared as well with some of his very snazzy mind maps then that could also help as a conversation starter for that Q&A session.

Michele.

Michele Neylon: Good afternoon, James. Item Number 6: Prepare for meeting with the ccNSO, which leads me to the obvious question when is the meeting with the ccNSO?

James Bladel: Maybe Marika can help me with the date. I think it's...

Marika Konings: Yeah, this is Marika. The meeting is as well on Wednesday from quarter past 10 to quarter to 11 so just after our face to face meeting.

Michele Neylon: Oh okay so basically what we're saying then is that we actually have two meetings not one?

Marika Konings: Correct.

James Bladel: Well the meeting with the ccNSO of course is open to everyone but we certainly - I think part of our discussions when we were trying to arrange the scheduling, Michele, was that not everyone would be available that there were numerous conflicts...

Michele Neylon: No, no, no, no, no, that's fine I was just trying to understand. I mean, I probably missed the call as usual. But as I say I was just trying to understand what that was and that's fine, that's cool, it's grand.

James Bladel: Yeah and so please attend if you can.

Michele Neylon: I will try.

James Bladel: Mr. Mountain.

Bob Mountain: Yeah, thanks. So I guess just a question on the Q&A session with community; has this meeting been promoted to the community? Are we expecting a big turnout? And I actually love the idea - I would support Simonetta's comment on having some material as well as the mind map in case we're falling flat and there just isn't that - there aren't that many questions. I think it's really good to have some material to start to prompt that.

I'm just wondering though having - maybe only having one of these - attended one of those types of sessions are we expecting a lot of attendees, a lot of questions, what's the general expectation for that session?

James Bladel: Answering personally I would say it's a wildcard. I think if we want to promote it or reach out to specific groups to attend I think that that we certainly had the opportunity to do that but I think it would be difficult to predict.

Marika, we did I think at one point - oh I thought that there was a question of whether or not all stakeholders when we were doing the stakeholder statements or constituency statements that we were taking - making certain that we were extending an invitation to other folks. Or maybe I'm crossing my wires with a different working group. But can you speak to whether or not there's been any active promotion of this or active invitation of this to other groups?

Marika Konings: This is Marika. I think what you're referring to I think at some point we were discussing whether it would make sense to meet with the Registrar Stakeholder Group if we would have more of a sense of this change of control process.

But as far as specific outreach, no, I mean, this is part of the schedule so, you know, the information is public and out there. You know, I probably would be counting on actually the members of the working group to promote this to either their respective constituencies or stakeholder groups or, you know, other individuals that they think might be interested.

And of course, you know, I'm happy to send it as well to anyone you think might be, you know, might be willing to receive the information and interested to attend.

James Bladel: Okay well why don't we take that approach then and volunteer - I'll volunteer to send a note to the registrar mailing list. And if other folks would like to reach out actively to both the registries and other GNSO stakeholders and constituencies and then as well as outside the GNSO - I feel like we've got the ccNSO fairly well covered with a separate meeting - but if there's anyone else that would like to reach out, you know, I think that many active efforts to promote this session would be great.

And I'll take - I know there's a lot of registrars on the call so I'll just go ahead and take that one so that nobody else has to worry about that to do list. Does that address your questions or concerns, Bob or...

Bob Mountain: Yeah, thank you, James, absolutely.

James Bladel: Okay excellent. Okay and so we will - Marika, I think that this has been sent to the mailing list correct?

Marika Konings: This is Marika. What are you referring to?

James Bladel: The agenda that's on the screen now.

Marika Konings: Yes, yes a link to the agenda was included in the agenda because it's basically - the agenda itself is linked on the wiki from the meeting schedule. This is basically done in a way because we have to submit our forms a long time in advance so this gives, you know, more time to actually develop the agenda closer to the meeting.

So it's being currently hosted on a wiki space and the link is in the agenda. So if you're still, you know, we could still make changes to that if needed or add any background documents that people think might be helpful to provide there as well.

James Bladel: Okay, thank you. So everyone please if you have questions or concerns or want to see something added please respond as soon as you get a chance. Avri.

Avri Doria: Yeah, hi. I just want to confirm one thing as I was starting to put together my note to the NCSG. There will be remote participation capability for this room correct? I was...

((Crosstalk))

Marika Konings: This is Marika. Yes, I think, you know, the normal streaming and the Adobe Connect will be provided and for the working group members there will also be a conference bridge and those details are normally circulated, you know, just prior to the meeting by Glen or Nathalie or Gisella.

Avri Doria: Okay so a remote participant who was just listening would have to type in a question.

Marika Konings: Exactly. Unless, I mean, of course if someone...

Avri Doria: Okay.

Marika Konings: ...expresses specific interest to be on the conference bridge, you know, unless any of the working group members has any objections to that that will be possible too.

Avri Doria: Okay especially for the community part, yeah, that might be worth - as we're letting people know in our stakeholder groups. Because I know in mine, you know, there's maybe six people that get funding and then the ones that live in the neighborhood and so a lot of people will be participating remotely.

So if that becomes a possibility that we can tell our stakeholder groups that for the community part of that membership let us know, let Marika know, let somebody know, Glen perhaps, that you need to get onto the conference bridge that would be good. So if people think that's an okay idea that would be a good thing to include in our notes.

Marika Konings: Yeah, exactly. And of course, you know, I'll be there as well monitoring the chat room so if people, you know, don't want to be on the call but, you know, are just listening but do have a question they can always ask that as well through the Adobe Connect chat.

Avri Doria: Okay thank you.

James Bladel: Excellent, thank you. Okay any other comments or questions on the face to face meeting in Costa Rica? The queue is clear so thanks everyone for your input there and thank you, Marika, of course for, you know, putting all this together as well.

One other item just more of a note than a topic but there is an update to the GNSO Council on the status of this working group on Saturday I believe. And

there's just a couple three slides about that. I think it would be fine, Marika, if we just shared those to the list to see if anyone had anything to add.

But I really don't think that there is anything in there besides just more of an update on our progress date and a status of our work, where we expect it going between now and the end of the working group so that's one other item there.

I'm sorry, go ahead, Marika.

Marika Konings: Yeah, this is Marika. The slides are actually attached to the agenda that I sent out yesterday and is also posted on the wiki. So indeed if people have comments, you know, have a look and, you know, let us know.

James Bladel: Okay thank you. Yes and if you could just take a look at those and let us know if those are to your liking. But again I think that they're very, you know, high level status updates. So okay thanks for that everyone.

And now let's move into the updates from our sub-teams. And I guess this is from Simonetta or Bob, whoever wants to go first. It looks like the Change of Control Sub-team is first on the list so, Simonetta, if you don't mind would you like to provide an update on that particular group?

Simonetta Batteiger: Sure. I don't think we have much to update the group on beyond what we worked on last week because we didn't have another meeting in between last Tuesday and now.

There's been a little bit of discussion on the mailing list but not much to be added to this beyond what you saw last week. I still owe the workgroup a written update from what Mikey has provided me with feedback with. But other than that we need to schedule the next get together to work on this some more.

James Bladel: Okay. Thanks. And did - I suppose I should raise my hand here. But I think at one point we had discussed the - I'm not sure what we were calling it. There was - I think Mikey was calling it concepts or - and we were going to do a little bit of a deep dive. Should we save that then for Charter - or for Agenda Item Number 6 in our deliberations so we can take a look at that list?

Because I think we had identified some concepts. And that would be one thing we could discuss today or do you feel that that's not fully baked yet?

Simonetta Batteiger: I mean, I think we can bring it back and get some more feedback from the entire group. But it's up to the group to decide if they want to look at this or if we should spend a little more time clarifying this in the sub-team first.

James Bladel: Okay. Okay well thank you. And I assume we're not going to have sub-team meetings during this next week here so I think that the next time we'll have a chance to chat as a sub-team, the next opportunity will be probably that week of the 19th at the earliest with an update on the 27th. Does that - am I reading the calendar correctly?

Okay not hearing any objections so I think that that's something that we can shoot for and then we can also of course discuss these topics in the context of our face to face. And I'm sure there will be a number of informal discussions on these things as well.

Bob, would you like to provide a report on the efforts of the Data Gathering Sub-Team?

Bob Mountain: Yeah, thanks, James. This is Bob speaking. So - and I'll be happy to give a brief where we're at right now and members of the team, feel free to jump in if I've missed anything.

We did meet last week. Most everyone was available. James, unfortunately, had a conflict so was not but otherwise everyone was there. Went over in

quite a bit of detail what we felt the best approach to the survey would be and we subsequently iterated by email. So I think we're just about there.

We decided to have one survey with some logic so that if parts are not applicable that the survey itself will handle that. So rather than building two surveys, one for FOA and one for IANA IDs we'll have one survey which covers both topics. We felt there was enough overlap with the audience for the two that that made sense.

Let's see we are going to request information on the respondent. Some of it will be optional and that would be, you know, for instance the personal information. We'll ask for it; obviously it won't be disclosed and we'll let them know that in the survey. Mainly for if we get - have questions on their response we'll be able to know who they are so we can go back and get clarification if they choose to disclose that personal or individual information.

As far as distribution we talked about that and we would like to request help with the chair of the registrar stakeholder group and the registry stakeholder group as well as members of the workgroup, all of you, in identifying people who would be good candidates to respond to this survey (feeling) as we've had good luck in the past getting responses when we've reached out through personal connections and that may be another way to ensure that we have critical mass on the response to this.

We will have a draft - like I said before we're just about there. One final remaining thing to clean up and we will have a draft to the workgroup I would say probably within a day. And we'd appreciate everyone's feedback on that and then we'll work on it - the next steps will be distribution.

I would propose that the data gathering sub-team have a meeting in Costa Rica. I understand according to Michele the Hilton is open. The pub is 24/7 so maybe some time around midnight or 1 o'clock in the morning we could probably get some good discussion going any night of the week so.

James Bladel: Okay thanks, Bob. The 24/7 pub with ICANN folks is kind of a scary image. So just so I'm understanding that once the data gathering sub-team has approved the survey that it will be then distributed to the large working group for their sign-off, blessing, whatever and then it would then be distributed to the - to - well it's not just registrars, right, I mean, it's going to go out to all interested parties is that correct?

Bob Mountain: Yeah, this is Bob. The audience would include registrars, registries, aftermarket and registrants. Now again not all - like the IANA will be a more limited list but we'll filter out the people who don't apply when it comes to that section of the survey.

James Bladel: Okay thank you. So any other questions or follow up for the - on the work of the two sub-teams? Another empty queue. I have a quick question, it's just a brainstorm so I don't want to put anybody on the spot. But just speaking now to the Ideal Process Sub-Team I wonder if it would be possible to take the concepts list that - since Mikey doesn't have access to mind map it's not really feasible to do it on the call.

But if we could send that to the change of control Ideal Process list and then get everyone's blessing there and then maybe send to the larger list. I know everybody's got a million things they have to wrap up before they leave the office and all that sort of thing going on.

But maybe then we would have something in our hands in Costa Rica that at least some of us have had a chance to review. And we can kick off the face to face with the discussion of that document. Does that - I don't know is that realistic, Simonetta, or is that just too much too soon?

Simonetta Batteiger: Well, I mean, that's mainly Mikey - asking something of Mikey to put those together and distribute it as a first step. And I think it's okay to ask for

feedback I just don't know how much feedback we're going to get between now and leaving for Costa Rica.

James Bladel: Yeah, and I'm thinking that we wouldn't get any feedback between now and Costa Rica but when we would arrive there we would kind of kick off the discussion of that list so it wouldn't be - it wouldn't be quite as cold; it would be at least a warm start of that list. I don't know, it's just a thought.

Simonetta Batteiger: Sure, I mean, at some point we will have to talk about these anyway so we might as well do that there.

James Bladel: Okay. Well, Mikey, I mean, would you be open to the idea of sending that to the sub-team and getting their signoff first realizing that some folks may already be in transit and may not have a chance to look at before we arrive?

Mikey O'Connor: Yeah that's fine. I just threw it up on the screen. I sort of have semi-Internet access at the moment. I can get to about half the Net.

James Bladel: Did you call back to a cell phone?

((Crosstalk))

Mikey O'Connor: Well it's a kludge but it's working. Is this the list that you're talking about, the one that you did a first draft of, James, the...

James Bladel: I think, yeah, I took a first swing at it and then Michele and I think Mikey and I think there was some feedback from Simonetta as well. I think a couple of folks made some changes and some additions.

But I think Simonetta is correct during her update that it hasn't been fully vetted yet by the sub-team so it's probably not ready for, you know, for wider distribution until we get our act together. Make sure, you know, on this list that we haven't left any large holes or anything like that. And, you know, want

to make sure that we're giving the sub-team, you know, their ample opportunity to look it over. So...

Mikey O'Connor: Yeah, I just...

James Bladel: ...that's kind of...

Mikey O'Connor: This is Mikey. I just wanted to make sure I was sending the right thing and then if it is I'll push it along again over a kind of baling wire and chewing gum connection.

James Bladel: Yeah, no that's the one. That's the one, thanks.

Mikey O'Connor: Okay.

James Bladel: Okay well that brings us to - and I think I kind of segued into the continued deliberation of Charter Question A. And I think that where we last left off last week was a discussion of some of these items as well as - I don't know if, Mikey, if you can scroll over and see if we, you know, where we left our list of talking points or our approach for Charter Question A.

I'm sort of following this here. So it looks like we have - go ahead.

Mikey O'Connor: We've got a lot of detail buried underneath this one. And I'm not quite my usual composed self because I'm still holding the two pieces of string together to make the Internet work. But essentially where we got was last week we spent a fair amount of time down in this zone. We summarized Matt's review with his team. I'm just going to open and close these because they're pretty big.

Simonetta gave us a pretty brief summary of hers. And then we spent a fair amount of time talking about challenges that we ran into. And so where we

wound up was that, you know, we had this little list that you could see - let me make that a little bigger it might be easier to read.

Little list things that we talked about when we were really talking about the notion of the restrictions on who's allowed to own a TLD. It's not really a TLD it's probably second level actually.

And so then we sort of rattled off a bunch of stuff and then came up with a couple of ideas. One was to refer this back to the GNSO and one was to also send a note to the new gTLD team. And then I think that's kind of where we left it so...

James Bladel: Okay.

Mikey O'Connor: ...that's sort of a refresher course on where the conversation was last week. We are still in the sort of broad category of how's this currently being done. And it really came out of the conversation from Matt's review team. And then I sort of promoted it up to this challenges level because it turned into a broader discussion. Does that sort of get you to the point where you can take the reins, James?

James Bladel: Yeah, I think so, Mikey, thanks for the - thanks for bringing us back to where we were for last Tuesday; I appreciate that. I do recall that we spent quite a bit of time discussing the challenge of registration eligibility and making sure that the new entity that was on the receiving end of the change of control was also eligible to, you know, participate in whatever that eligibility rule was for either a sponsored TLD or community TLD or whatever we're envisioning.

And I think, if I recall, that we - we recognized that that was a pretty big undertaking to try and build into a process whereas if we were to simply just make registrants aware of that issue for those - that some TLDs had eligibility restrictions and then acquire their consent or their acknowledgement that

they're aware of that and that they can lose the domain name entirely if they were not eligible.

And I think that we - at least my memory was that we kind of left it there but I could be mis-remembering that or oversimplifying it. So if anyone else has some - clearer memories of something I'm omitting please raise your hand and jump in the queue.

Right now I'll go to Marika.

Marika Konings: Yeah, this is Marika. I don't really have a better memory on this. But having, you know, discussing this again I'm just wondering how it's currently achieved, you know, with the existing sponsor TLDs because presumably when a registrar sells one of those domains to a registrant they sign a registration agreement which probably explicitly says like, you know, if you're accepting this registration agreement it means that you're, you know, fulfill these conditions which are, you know, required when you want to have a domain name in a specific TLD.

Wouldn't the same thing apply because presumably when it goes to a new registrant that new registrant would also be required to sign that same agreement or accept that same agreement so thereby accepting the, you know, limitations or requirements that are associated with that specific TLD.

James Bladel: No that's an excellent point. And I guess I would direct that question to Bob and Simonetta a little bit. I see Simonetta has already raised her hand. But are there sponsored TLDs that the aftermarket just stays away from for that reason? Go ahead, Simonetta.

Simonetta Batteiger: Well this is Simonetta. So I don't think that we are staying away from anything in particular but we do have notifications and warnings posted for certain TLDs when people want to either list them in our market

(unintelligible) but more importantly for people who would like to purchase one of these.

I also know though that there is now a cross-the-board approach that is agreed upon with those TLDs that have restrictions in place. There is all kinds of ways that registries are trying to enforce this - these limitations. And basically almost every one of them is going their own way. So this item came up as a feedback point from my team as well because they felt the more variety there is and the more different models different registries are coming up with to restrict this and to control this the more complicated the whole process is becoming for everybody.

And then there are certain registrars that basically specialize in making it possible for registrants to register their string in almost any TLD. And then the involved proxy services and other round about ways to get around the requirements that a certain TLD may have put in place.

And some of them like for example the XXX guys they just go the route of oh you just declare yourself to be a part of the adult community and then they give you some kind of a code that you have to reenter with your registrar to make sure that you are - to show that you are eligible to have the right to register one of these names.

But other registries such as (Sera) in Canada they basically require you to fill out something at the registry level showing that you're a resident of Canada and it's not just a you declare yourself to be one but they actually check a few things and that makes it then de facto impossible for someone to actually proceed with the transfer.

Even if they basically try to tell us when they made the purchase in our marketplace that they qualify we don't have a direct way to check against it so all these - there's different setups and the gist of it is because they are all different and everyone is using their own approach to it there's no common

thing that you can look to and say oh this is across the board how it's currently being achieved.

James Bladel: Okay thank you, Simonetta. That seems to kind of support the concept that we make sure that registrants are aware of this and then - aware of the consequences if they're ineligible and just make sure that that is done on their end at least that was my impression from your team's feedback. Bob, go ahead.

Bob Mountain: Yeah, thanks. You know, I guess we haven't had a lot of sort of fallout from registrations occurring, you know, a few people who may not have by the book been entitled to them. So, you know, I'm just not sure what the - how strict the enforcement is after the fact in terms of the aftermarket specific domains.

I think that's - we don't participate in the adult space, for instance, so XXX is one that we just don't - we're not accepting at this point, you know, as well as domains with other TLDs that, you know, that may be adult-oriented. But that's certainly one filter that we have. Otherwise it just seems to be, you know, an awful lot of, you know, restrictions that don't actually seem to come into play really.

I think, you know, there are some pretty straightforward ways to get around some of these restrictions so they don't actually seem to deter people from acquiring domain if they really want to acquire one.

James Bladel: Sorry I was speaking into mute. Okay thanks, Bob, thanks for that update. Michele, go ahead.

Michele Neylon: Yeah it's an interesting discussion. I mean, Sedo won't - cannot carry at least not openly carry dotIE for example because the registry's rules are so completely - I'm looking for the polite word - what's the polite word - insane, oh there we go.

((Crosstalk))

Michele Neylon: I mean, we've seen situations arise where legitimate transactions involving corporate reorganizations have meant that domain names have ended up with completely incorrect data and there is no way to update them because the registry refuses to act on a legitimate request which is - I mean, this is not - we're not even getting into aftermarket stuff here; we're talking just about Company X buys Company Y and you want to get the domain updated so that it reflects reality. Can't even do that.

James Bladel: Okay thank you, Michele. So just if I could kind of try to put a - sum up and put a bow on our discussions here the registries are all over the map whether it's a - whether it's a aftermarket-related change of control or just the - due to a merger or acquisition or name change.

It's probably futile to try and build into our process or proposed process something to address this. And I think Marika raised an interesting point - I can't remember if it was earlier today or something but, you know, it just got me thinking that the registries have a responsibility as part of their agreement with ICANN that they will enforce their eligibility and their - the - ensure that their registrants meet the eligibility of their community or their sponsored community.

So we shouldn't - certainly shouldn't presume to take on that responsibility for them. So it sounds as though we are kind of getting to this area where this is slightly outside the scope of what we're discussing. It definitely affects the change of control but is not - it's not something that - where we can design a one-size fits all process that is useful for all registries in all scenarios.

We had a couple more comments on this and then we'll see where we are after that. So go ahead, Simonetta.

Simonetta Batteiger: Well I had two thoughts on this. One is that as we can see from this discussion there's not going to be a one size fits all process with this. However what we can do with assigning a process is to at least put a note in that says it comes with these pros and cons to design a policy that is a little broader defined than what some other registries are doing.

And basically kind of just put a note in and say hey if you are a registry that makes it more narrowly defined who's eligible to own your TLD it comes with these consequences.

So it's not a - you must change your policy at all but it just points out to whoever is reading this what consequences it has if you are making the process more complicated at this point in time because you need to check with the new registrant whether or not that person even is eligible to get this domain name transferred to.

And, I mean, that's, you know, one thing that I think we can put in the process as just a placeholder where it says you may have to check this at this point in time and leaving it open (unintelligible) because it's not what we can define in one - like we shouldn't say you have to do it this way or another way we can leave that open to whichever registry wants to do it the way they thought would be the most appropriate to check requirements meeting their policies.

But if - at least they know when they get to this box that there is an upside to not making it restrictive and there is a - there's consequences for making it more restrictive then at least they can think about this when they're designing their policies or re-discussing their policies.

James Bladel: Thank you, Simonetta. I'm going to put myself in the queue behind Avri. But, go ahead, Avri.

Avri Doria: Yeah, thank you. I think I'm going to sort of agree but also sort of disagree with what Simonetta said. I think - and I think part of it is we're looking at it in

a sense prejudicially because up until now maybe except for, you know, XXX and some of the other supportings or the ccTLDs it has been thought of as an exception that people would have to have some sort of authenticating or permitting token action or whatever.

However with the new community TLDs coming down the road where it is a given that they must do something it's no longer an option that people will do something it's a necessity that for a certain number of these new gTLDs this will be a requirement.

So I think if we come out with a transfer policy that takes absolutely no account of that we will be in trouble. I mean, we won't have actually completed our work.

Now in a sense of course there are multiple solutions and so, you know, the idea of putting a note, you know, here be dragons and something is a start. But maybe we also need to look at some - some way of putting in a - basically a sub in there which goes slightly further than a note that sort of say there may be an additional process here; here's how you get to it, here's how you can come out of it.

And then as an exercise match it against a couple of the methods that we've seen and sort of then document, you know, with this kind of sub you might be able to do it this, this and this way but you might have trouble doing it that, that and that way sub needs further development.

I don't know but I think to sort of say oops there's no regular way of doing it; it can't be done, figure it out, guys, with new communities coming down the road is problematic. Thanks.

James Bladel: Okay thank you, Avri. I think I'm going to agree with you and maybe even go a step further and propose just an idea here. And I see Mikey typing seriously so I'll give him a moment to catch up here for just a moment.

But, you know, just thinking here that some registries - the sponsored ones - I'm not clear on how they test for eligibility. I'm sure that they - some would have a pretest, like we mentioned Canada but let's just focus on gTLDs here, where you have to declare at the beginning for XXX or maybe it's more like Asia I think where there might be some after the fact registration where there's a periodic spot check.

And I think that, for example, even with sponsored TLDs that check at the initial registration may not check or perform a second check or refresh their eligibility check when the Whois information changes. I mean, how would they know that someone is changing from, you know, Jim to James or from, you know, Mikey to Michael or something, you know, insignificant changes like that. I don't know what triggers them to go back and revisit their eligibility.

So maybe that's a question we could pose to our registry participants, Barbara and Roy, is for those sponsored TLDs how do they know when a change of control occurs that the new registrant - first of all how do they know when a change of control occurs I think is the first step.

And then secondly when they suspect a change of control has occurred how do they test for that or are they just completely expecting the registrar to perform those checks.

Then the second thought would be, you know, maybe without solving the problem in our process we have the twofold approach which is kind of like the way that a charity doesn't solve for tax fraud but it does two things; one, it notifies the registrant of their responsibility to meet the eligibility.

And, two, it reports the change of control to the registry so that if the registry has an eligibility check procedure it knows okay this domain name has just experienced a change of control.

You need to - whatever process you have in place whether it's a self declaration like XXX or whether it's something a little more extensive like Asia you need to go in and perform one of those eligibility tests now because we have now a declaration from two separate entities that they transacted in this domain name somehow.

So maybe that's one kind of handshake approach where we notify the registrant of their responsibilities, we notify the registry of the event and then they can, I think Avri's (use) was to sub in their process from - based on that - triggered by that particular notification. So that's just one thought here. And I see Mikey furiously typing here.

So the next step is - oh I'm sorry, I did not see who joined - who came in the queue first. Oh Simonetta just lowered her hand so we'll go with Marika.

Marika Konings: Yeah, this is Marika. I'm just wondering as well instead of trying to, you know, having to think through all the possible scenarios and how registries might, you know, certify or make sure that the registrant fulfills the criteria I'm wondering as well if, you know, at one point it - when there is a process developed for a change of control if they could just say something like, you know, any such process should not contravene or prohibit any checks or verification that the registry might have in place to, you know, verify the eligibility of the registrant in certain gTLDs.

I'm wondering if that might be an easier approach and instead of trying to, you know, think through all the scenarios and who needs to be notified and how - because as we said before it's I think ultimately the responsibility of the registry to have those processes in place and to verify indeed, you know, that the registrant is entitled to, you know, have a registration in that specific gTLD.

And I guess they might have certain requirements that they impose on the registrars but I'm not really sure if we can, you know, develop a policy that

would foresee all those scenarios and instead it might be better to have a kind of exception or just noting that this shouldn't, you know, prevent any of those systems in place from, you know, taking - occurring as well.

James Bladel: Sorry once again I was on mute. Excellent point, Marika. And I think that that's - I think that's where we're all headed with our comments here is that we're not - we don't want to step on any existing processes. Avri, go ahead.

Avri Doria: Yeah, while I think that that - what Marika mentioned is necessary that certainly it's not step on existing processes I actually don't think it goes far enough I think. And I think to sort of say that we can't hit them all is of course true and no policy ever hits them all.

But to make sure that at least some of the known ones work with what's being done and that's indeed part of what this group is doing is going out and seeing what people do in terms of transfers. Well this is going out and seeing what people do in terms of transfers with, you know, some degree of checking.

And since that is something that is done to look at how others are doing it and to see whether, again going back to my sub notion, we can't design something with a process, with a sub action that several of the known ones could fit into and thus sort of haven't invented something new, haven't gone out and said, you know, what are all the possibles.

But what we can look at what people are doing now and see that we come up with something that has a sub of the right kind in the right place to allow people to, yeah, I could fit what I do in that. Yes, you know, I do something completely different but yes we could use that as well. And so I think we need to go further than just making sure we haven't blocked anything. Thanks.

James Bladel: Okay thank you, Avri. Barbara.

Barbara Steele: Hi, this is Barbara. From our perspective we manage pretty much non-sponsored - the TLDs that don't really have, you know, requirements as far as who's eligible to register them. However I think that, you know, obviously Roy and I can go back to the stakeholder groups because, you know, there are some that do have requirements to see what is in place as far as when registries do discover that there's been a change of control.

However I know - I can speak for VeriSign in that, you know, we really - obviously resist but we don't have any visibility into who the registrant is but we have no idea when a domain name change of control. But, you know, and, Roy, please correct me if I'm speaking out of turn here, but I think most registries view the ownership of the registrant and that relationship as being between the registrant and the registrar; there's no contractual relationship between the two.

So, you know, we don't really govern that however I guess - and we can validate this - that, you know, to the extent that there are eligibility requirements with the registration of a domain name that there would more than likely be something in the RRAs that the registry would have with the registrar to state what the expectations are as far as what the requirements are for validating that they're meeting whatever the eligibility requirements are.

But again we can go back and try to get a specific answer for that. I just don't have any firsthand knowledge. Roy, do you have any based on the TLDs that you all manage?

Roy Dykes: I don't but I can research it myself.

Barbara Steele: Okay.

((Crosstalk))

James Bladel: Okay, appreciate that.

Barbara Steele: ...of it is we have some work to do because I'm not sure what - to what extent registries are currently doing any validation of that.

James Bladel: Okay thank you. Simonetta will be our last speaker today. Go ahead.

Simonetta Batteiger: Just had a couple of thoughts on firstly how would a registry know when a change of control occurs? I mean, if they are thick they would know that something changes in the Whois record; the question there then is not every change in the Whois record is necessarily a change of control because someone, as Michele gave us an example, may just change their address because they moved.

Or maybe the same company was purchased by some other entity and they just make an update to reflect their new legal status. That isn't - well I guess you could say that potentially is a change of control. But I don't know if there is a way for registries to definitely always be able to distinguish between a change of control and just an update to an (extra) thin registration record.

There could be - and I'm not sure if there is something in the (EDP) protocol that would distinguish too - I don't know if it's there but that would be one way that they could identify a true change of control versus a - just update to the record item.

And then I had a second thought not on this particular one but on the question of what may these registries that do have restrictions in place potentially have in common. And it would seem to me that if you do want to check whether somebody is a member of the community that you are trying to represent, for example, the new gTLDs is one of those examples of a registry that may want to restrict who can register these domain names.

Or in the case of a TLD that says only the members - or the people living in XYZ country are eligible to register if they could all issue basically some kind of an identification number to those folks who are eligible and part of that group whatever that group is, either a country or a music community or a whatever other thing.

If the process - if the policy could suggest that a TLD that does want to make a restriction needs to provide some kind of an identification number to those folks who are qualified then this is something where you wouldn't necessarily have to care about how they come up with the check to make sure that someone meets their requirements.

All they would have to do is give the person who is eligible a identification number that can be checked with them to say, hey, this person is now telling me they want to transfer this domain name into their control and here's their identification number. Is this okay with you, yes or no.

Something like that should work and we could leave it up to whichever registry to come up with whatever checks and balances that they want to put in place to issue those numbers. But that was just one thought of how this could be achieved and work - and potentially be working for just about any TLD.

James Bladel: Okay thank you, Simonetta. And we are approaching the top of the hour here and the end of our call. So let me see if I can bring in - just bring this topic in for a landing here. It's going to be a little tough.

But what I think what we're - if I can summarize what I'm hearing from the group is that this is important. And I think to Avri's point it is well taken that it's going to become more important in the era of where community TLDs are more prevalent perhaps than sponsor TLDs are now.

This is an important component of our process. Whether or not we bake the solution in or we acknowledge it I think is open for discussion. But we need to - we can't walk away from this; this is key.

So what I think I would like to ask is that we now start to write up the different alternatives so that we have, you know, like a, you know, chocolate, vanilla, strawberry type choices between these.

Otherwise I'm concerned that this topic is so both important and has so many different varieties currently in the existing marketplace that it could - the conversation could spin out of control and that we would continue to divide into smaller and smaller categories or examples.

What I think that what we need to do now is summarize two to three high level examples and then discuss the merits of those as a group and then try to - try to identify which ones we need to go towards.

Avri posted in the chat that this would be - could be done as a sub-group. You know, I would hope that this is something that could be done either with the working group as a whole or be folded into the change of control (ideal) process group. But you're right. And maybe that's - maybe that's just optimism on my part. Maybe it does need a separate sub-group.

Or maybe that once the idea process has been defined then the change of control sub-team can then move onto this as a secondary follow up topic. So those are I think are a couple of different options.

I have a couple of different action items that I've captured. And let me know - and maybe Marika can send these around. But I need to promote the Q&A session on the registrar mailing list. I think some other folks have volunteered to reach out to their constituency or stakeholders as well.

We have a couple of folks that are going to be sending things to the mailing list for review in advance of our meeting in Costa Rica. The registry representatives I believe said that they were going to look into existing processes from registries to verify eligibility and how they're doing that today.

And I think I might have missed something but otherwise I think that's about all I've captured. So if there are no final parting thoughts here or comments we'll probably wrap up for today. And say to everyone - I'm sorry, did you - was that someone wanting to come in there?

Okay so just wanted to say to everyone safe travels for those of you attending the meeting in San Jose. Look forward to seeing everyone face to face. And for those of you who are not attending the meeting we hope to see you on the various remote participation facilities so that we can get your contributions as well.

So thanks everyone. Have a great day and for those of you who are leaving, hope you have uneventful flights.

Michele Neylon: Thanks, James.

Mikey O'Connor: Thanks, James.

Bob Mountain: Thank you, James.

END