

**Consumer Trust Meeting
TRANSCRIPTION
Tuesday 14 August 2012 at 19:00 UTC**

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[Http://audio.icann.org/gnso-cci-20120814-en.mp3](http://audio.icann.org/gnso-cci-20120814-en.mp3)

Participants on the Call:

Cheryl Langdon-Orr - ALAC
Steve DelBianco - CBUC
Tobias Mahler - Individual
Olivier Crepin Leblond – ALAC
Michael Graham – IPC
John Berard- CBUC

ICANN Staff:

Berry Cobb
Julie Hedlund
Nathalie Peregrine

Apology:

Jonathan Zuck – IPC
Carlos Aguirre

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 CCSI call on the 14th of August 2012. First of all we have

received information that Jonathan Zuck and Julie Hedlund will be joining a little bit later today.

But for the moment on the call we have Steve DelBianco, Tobias Mahler, Michael Graham and Olivier Crépin-LeBlond. We have an apology from Carlos Aguirre. And from staff we have Berry Cobb and myself, Nathalie Peregrine.

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

Berry Cobb: Great, thank you Nathalie. This is Berry for the transcript. Welcome all. I think that as Nathalie mentioned Jonathan will be a few minutes late so we'll go ahead and get started with some of the action items and hopefully he'll join momentarily.

We've got a pretty simple agenda today just to review through a couple of the AIs then review through the advice letter and the supplement action plan when we submit the advice letter to the GNSO Council.

And so with that I believe that this will be our last session so we're going to be closing up right along side the Olympics. And...

Cheryl Langdon-Orr: With not quite so many fireworks.

Berry Cobb: Not yet anyway.

Olivier Crépin-LeBlond: Hope we're not going to be singing.

((Crosstalk))

Berry Cobb: Okay so with that let's go ahead and go over the action items. The first one was out to Jonathan to reach out to Wendy about the minority position for the

report. She did email out to the list their statement. And that has now been incorporated into version 1.9.1 in Appendix C.

And I also put an anchor to that appendix within the Community Representation section just denoting that there was a minority position and referencing that appendix.

If anybody else has other suggestions about how to promote that within the advice letter please let us know.

Cheryl Langdon-Orr: Cheryl here. It's not so much in the advice letter but rather in the reactions. I was heartened and indeed impressed with Evan's email response to Michael's question on how we had, during the earlier discussions, dealt with or otherwise the points that Wendy was raising on behalf of the NCUC - although the letter is written on behalf of NCSG so I'm not sure which way that goes - anyway that we almost have a point of counterpoint comments coming in from another member.

I'm wondering if that email can somehow be put into a PDF and anchored as you've done to the formal letter or if there's even merit in that. It's just when Michael also, you know, as a member of the group raised the issues of well how did the group deal with this dissent - and we've got another member of the group actually answering some of that quite well - I'm just wondering if that should perhaps be somewhere in the archive as well. That's all. Thank you.

Berry Cobb: This is Berry. I'll be glad to incorporate that into the Appendix C but, you know, I believe that's overall a working group decision.

Cheryl Langdon-Orr: Yeah.

Berry Cobb: And if nobody objects...

Cheryl Langdon-Orr: I'm just putting it out there.

Berry Cobb: Olivier.

Olivier Crépin-LeBlond: Thank you, Berry. It's Olivier for the transcript. I was just was going to ask - and I'm afraid I can't scroll up and down the (CCPC) public comment review tool. But was there not a review which - sorry, a comment which was already submitted in the public comments that mentioned exactly what Wendy sent there by email?

Berry Cobb: This is Berry. No there wasn't. The NCSG nor the NCUC submitted any public comments at any of the meeting sessions nor the public comment forum. But as Wendy being a member representing at least the NCUC within this working group that's what allowed the dissent position to be incorporated.

Olivier Crépin-LeBlond: Okay. All right, thank you. That's all I needed to check. Thank you.

Berry Cobb: and does anyone object to including Evan's email response to append into Appendix C as well?

Steven DelBianco: This is Steve. Wendy's comment was a official position through whatever means they used at the NCSG. And the NCSG is a recognized constituency and one of the AC SOs, that is the GNSO. And while I really truly love Evan's smart response it's just one smart guy and that doesn't really measure up to an official position of a recognized constituency in an AC SO.

So I feel like...

((Crosstalk))

Steven DelBianco: ...it's probably not appropriate to put Evan's comment right in there after the NCSG official position.

Cheryl Langdon-Orr: Steve, Cheryl here. The only reason the NCSG position is appended to our report as a minority report is the status of group member. And Evan's also a group member. I just think we're close to the line there. I don't care whether Evans stuff goes...

Steven DelBianco: Is that really the case? I was making a different point.

Cheryl Langdon-Orr: Okay.

Steven DelBianco: Cheryl, I was making the point that the NCSG - it's not the working group per se - isn't it the NCSG official position on the paper as opposed to Wendy's individual opinion?

Cheryl Langdon-Orr: It's a minority report appended to our letter. And the only reason that's happened is a status of group - working group member. Otherwise a constituency of the GNSO, which I am a member of this particular group just by the way so I'm very aware of how it was socialized or otherwise within that mailing list and at the meeting - should have gone in as a comment.

Now the fact that we've elevated it from public comment to something I would suggest significantly more meaningful by giving it a minority report status also indicates that it has a degree of status in the working group. And that comes from the working group relationship not from the fact that a piece of public commentary was sought.

Steven DelBianco: Interesting, okay. So you're saying that it's in here because Wendy happens to be a member.

((Crosstalk))

Cheryl Langdon-Orr: I can't see why it's in there for any other reason. Otherwise it belongs in the public comments and we respond to it.

Steven DelBianco: That's a very good point. So you would say that Evan's entirety has the same status...

Cheryl Langdon-Orr: Absolutely.

Berry Cobb: And this is Berry...

((Crosstalk))

Cheryl Langdon-Orr: ...declare I am a member of the NCSG. So I've got skin in this game.

Steven DelBianco: So what would Evan's be it would not be a minority report. How would we characterize it?

Cheryl Langdon-Orr: I was actually going to pick up from the anchoring point not so much as an attachment in Appendix B but rather as Berry had done attached - sorry, anchored the minority report from the responses to comment I thought that was where the nexus should occur.

But I think we just need to be very wary about giving any component part of a workgroup a leverage point over outcome. Because...

((Crosstalk))

Steven DelBianco: All right you already sold me on that but I was saying that mechanically...

Cheryl Langdon-Orr: Yes, yeah.

Steven DelBianco: ...there's a footnote - an endnote on Page 2 that references Appendix C. There's a brand new appendix that contains the entirety of Wendy's statement. So if we're going to give equal status to Evan's workgroup member statement it would be right there next to or below Wendy's...

Cheryl Langdon-Orr: Yeah, Part A and B of the same thing, yeah, that's fine. I was only actually - I was hoping for an anchor like Berry had done in the - said he'd done in the responses part. But if we could do both...

((Crosstalk))

Steven DelBianco: Yeah, but, I mean, you say it's an anchor but all it is is a statement - a dissent position...

Cheryl Langdon-Orr: Yeah.

Steven DelBianco: ...can be found in Appendix C. That's the anchor.

Cheryl Langdon-Orr: Yeah, that's fine. And so...

((Crosstalk))

Steven DelBianco: Okay so the sentence after that would read what? A dissent to the dissent is contained in Appendix D?

Cheryl Langdon-Orr: Counterpoint provided by.

Steven DelBianco: I don't know what - how do we describe Evan's work?

Cheryl Langdon-Orr: Counterpoint because he self identifies as a member at the beginning of it anyway.

John Berard: Hello all. John Berard here.

Berry Cobb: Hi, John. How you doing?

John Berard: I'm good. I'm good.

Berry Cobb: This is Berry. So, you know...

Steven DelBianco: Wendy's - let me bring you quickly up to speed. Wendy's comment is printed in our document only in respect of her being a workgroup member with a minority report. If we have other workgroup members that wanted to counterpoint the dissent does that deserve the same status as the minority report? And should it be printed in the document? And we're speaking of Evan Leibovitch's counter to Wendy.

Berry Cobb: This is Berry. I'll ask internally about how this is supposed to work out. I certainly didn't anticipate an individual member expanding upon that position because it - in my eyes it does start to bleed over into what should have been in the public comments versus...

Cheryl Langdon-Orr: That's right.

Berry Cobb: ...a true stakeholder group minority position that was represented within this working group. Certainly in the past efforts that I've worked on we've never included individual statements but at the same point...

((Crosstalk))

Cheryl Langdon-Orr: But ICANN has, Berry. Cheryl here. ICANN has. For example an individual statement of great significance was put in as an appendix in the ALAC review because there was one outlier.

Berry Cobb: All right, very good.

Cheryl Langdon-Orr: And, you know, so, you know, I can pull precedent here if you really want to play hardball I can play hardball.

Berry Cobb: Not playing hardball, just trying to understand the rules. So all right well if nobody objects then I'll append it - append Evan's comment to Appendix C that is anchored earlier up in the advice letter. Okay great, thank you.

Second action item was assigned to me but it's really assigned to us. And this is our last action item within the comments - public comment review tool. It's regarding Row 67 specifically about the wholesale pricing of gTLD domains offered to the general public.

When we reviewed this comment - and Michael Graham, this is kind of pointed towards you - I think there was agreement amongst the working group that we were going to include some of the language that is highlighted with the comment under the Recommended Actions.

What was unclear to me is where we should put this statement. It didn't seem to make sense to actually include it within the metric itself. And if anything I'd make a recommendation that it go onto Page 20 where we've listed out the ICANN's Legal Department statement about the collection of pricing.

And then we also have two note paragraphs at the end of that discussing the issue at hand. And it also seemed appropriate that that kind of statement would maybe go here. But I didn't include it there yet because it is further down in the document and I just wanted to ask the working group where you guys would suggest placing it.

And specifically the comment of itself is, "Competition can take many forms only one of which is price. And we, as in the community, should not start out with the expectation that the principle - that the principle of competition in the new gTLD space will be based on price alone."

"In addition to changes in price competition could instead be based on security, abuse protection and other differentiators that Registries choose to offer."

John Berard: Yeah, Berry, this is John.

((Crosstalk))

Steven DelBianco: ...Note 5 on Page 7. I think we could add this to Note 5 on Page 7. If you don't have a copy of the document maybe Berry could pop it up.

Cheryl Langdon-Orr: Yeah that would be useful. Thanks.

John Berard: Hey Steve?

Steven DelBianco: Yes, John.

John Berard: I'm of two minds on this comment. First of all I want to - because it was one of the more provocative things to my mind that I heard in the last couple of meetings. On the one hand, I guess, the first mind the sentiment in this - the point that he makes or that is made almost deserves to be at the top of our letter of any report that we would make because it says that there really is no one way to measure the success of the program; that it really needs to be looked at as if to replies (unintelligible).

But on the other hand I worry that it exposes our work to criticism because our mission was to establish the metrics. And so, you know, on the one hand I think it's appropriate that we note that there are many ways to judge the success of the program and maybe even some we haven't considered.

But on the other hand I think it - I worry that it (unintelligible) because we sort of say, you know, we've spent a lot of time on this and, you know, we don't have a hot clue as to which is the best way to go.

Steven DelBianco: Well to respond to that, I mean, Note 5 already starts to get to this notion of non price means of competition. And the note that Berry had highlighted a

moment ago is really just an expansion of non price aspects of competition. And so I do think you're right; we want to have it up front, not buried in the back somewhere. And that's why I think that adding it to Note 5 would be a good fit.

And then I wanted to note that we still recommend the collection of wholesale prices and we try to solve the privacy problem, the contract problem, by saying that it can be done by a third party. So we did boldly step up and say gather wholesale prices. And we are acknowledging price is only one aspect of competition. Couldn't we - shouldn't we just do both?

Cheryl Langdon-Orr: Yeah.

John Berard: I mean, I think that's the best decision I think for the problem. But as I contemplate this, you know, I suspect that there may be other points of view such as the sort that Wendy has put forward which shades and angles the things to measure and the way they're measured differently than even we in this exhaustive process have covered.

So I'm going to try not to take it personally...

((Crosstalk))

John Berard: ...when someone...

((Crosstalk))

John Berard: ...comes up to me in Toronto and says that we didn't do good enough job.

Steven DelBianco: Right, but they're going to do that whether it's in the document or not. And I think what we're trying to do now is to tighten up our document and to give full textual acknowledgment of the non price means of competition by sticking

it right here on Note 5. And then we can cross off that particular public comment.

John Berard: Yeah, I'm good with that.

Steven DelBianco: Cool.

Michael Graham: This is Michael for the record. I would agree with putting it in Note 5. And I'll note that the added 3.11 in the actual metrics specifically relates then to the qualitative assessment of non price competition which is undefined in so far as that may be defined by the review group when it comes time if there are other measures that they wish to apply.

Steven DelBianco: Right, because they have to design that study right, Michael?

Michael Graham: Right. And I think the solution of putting it in Note 5 it does gain a prominence and at the same time it is not contradictory to the fact that we've put in these metrics looking at wholesale and retail prices.

Berry Cobb: This is Berry. Very good, I've noted that. I'll make the edit to the - at the end of the call and send out the latest version. So far I have two edits, the inclusion of Evan's comment and then the update to Note 5 of our definitions. So that concludes our action items. We'll now move into review of the advice letter itself.

The latest version, 1.9.1, was sent out on Sunday. I'm sure it's not as much time as we had hoped for everybody to review. So I'm not sure how the working group would like to proceed in reviewing this final draft. Do we want to actually start top to bottom and read through it silently or do we just open up the floor for any suggested edits? How would the working group like to proceed in this review?

Steven DelBianco: I'd like to recommend you bring up a page and ask if anybody has any comments. But I don't think we want to take the time to read it silently. I think most of the folks on this call have already, you know, given it a read.

Berry Cobb: Okay, very good. Just to make things easier give me a minute and I will put up a clean version so it's easier on the eyes.

Steven DelBianco: While you're waiting to do that, Michael Graham asks a really good question about the working group rules under the Working Group Procedures in the GNSO as to when a minority report or minority report or minority position - when and how it's included in a working group report. Where would we get that from? Our charter?

Cheryl Langdon-Orr: No, from the guidelines. And I had that link open in the last report - in the last meeting I was at. Olivier, do you still have access to that Adobe Connect room? I'm working on a tablet so I can't open up too many screens.

Steven DelBianco: Let me try to find it for you and then...

Cheryl Langdon-Orr: Yeah.

((Crosstalk))

Cheryl Langdon-Orr: Because - but if memory serves a minority report can - is at the discretion of the chair accepted from any working group member in any report.

Steven DelBianco: Yeah, so the way you do methodology is there's full consensus, consensus, strong support but significant opposition, divergence then a minority view. And a minority view refers to a proposal where a small number of people support the recommendation. This can happen in response to a consensus and no consensus.

Cheryl Langdon-Orr: Yeah.

Steven DelBianco: So I guess we are in a...

Cheryl Langdon-Orr: Minority view on that.

Steven DelBianco: No, where a small number of people support the recommendations; we don't have that.

Cheryl Langdon-Orr: No we have the opposite.

Steven DelBianco: Oh no, no, no. Let me read it again. A minority view refers to a proposal where a small number of people support the recommendation. I think we say we have a consensus is, quote, a position where only a small minority disagrees but most agree; that's consensus. It's one step short of full consensus. So it's a bit much to paste it. I wonder if I put the hyperlink in the chat then everybody can bring it up. Okay it's in the - oh, great, look at the link to that hyperlink.

John Berard: Oh jeez.

Cheryl Langdon-Orr: Sorry, Steve. Cheryl here. I had to step away for a brief moment during that sentence. The question Michael was raising was actually less about, by my reading of it, those five definitions of what is the degree of consensus in a recommendation under the GNSO guidelines and more about when is a minority report - see when he's putting minority position that's kind of different to an appendix as a minority report because a minority report is actually a dissent report from a minority of the workgroup.

A minority position is a - is it one of the five definitions you wrote - you read out.

Michael Graham: Right - and this is Michael. And I'm just looking at the headline of Appendix C where we call it the following is a dissent position...

Cheryl Langdon-Orr: Yeah.

Michael Graham: ...from the NCSG. And...

Cheryl Langdon-Orr: And I think that's appropriately labeled as that.

Steven DelBianco: Yeah but dissent position isn't even a defined word in the Guidelines so we're just inventing the term...

((Crosstalk))

Cheryl Langdon-Orr: But that's because it's - well in fact what we have when only one person - all right let's assume that if we classify both Evan and Wendy as dissenters then we have, under the definitions of GNSO, near consensus.

Steven DelBianco: No the word near consensus isn't there. There's full consensus and consensus and we would have consensus.

Cheryl Langdon-Orr: Consensus, sorry, yes.

Michael Graham: Okay.

Steven DelBianco: I think we should put that in the report. We have - and this will go right above the place where Berry calls out Wendy. We would say the working group has achieved consensus and then paste in the definition of consensus from the Working Group Guidelines...

Cheryl Langdon-Orr: Yeah, that's fine.

Steven DelBianco: Like that, Cheryl? That we would paste the whole definition...

Cheryl Langdon-Orr: Absolutely. Happy as a pig in mud with that. Thanks, Steve.

Steven DelBianco: And it will say a position, quote, a position where only a small minority disagrees but most agree.

Cheryl Langdon-Orr: Yeah.

Steven DelBianco: So we have fit the definition of that. And then after that quote, Berry, you could say that the disagreement of two working group members is contained in Appendix C.

Cheryl Langdon-Orr: Perfect.

Michael Graham: And, Michael again. Cheryl, just for clarity from what you have posted it sounds as though that there was not a consensus vote or a vote on whether this was the NCSG position that it had been proposed.

Cheryl Langdon-Orr: Correct. And I don't think we need to go there. And that actually doesn't matter. It is still a minority report of the working group and that's fine.

Michael Graham: Right so but should it identify Wendy rather than...

((Crosstalk))

Cheryl Langdon-Orr: No it's...

Steven DelBianco: I believe we should just say the dissent of two working group members is in Appendix C without...

Cheryl Langdon-Orr: Correct.

Steven DelBianco: ...saying NCSG since we have no idea...

Cheryl Langdon-Orr: That's right. And then the fact that NCSG has sent - the fact that that is sent under NCSG's header is NCSG's issue. If I want to - and I may - make a fuss over that it's dirty laundry in that area.

Michael Graham: Okay thank you.

Cheryl Langdon-Orr: We don't need to deal with it.

Berry Cobb: Olivier.

Olivier Crépin-LeBlond: Thank you, Berry. It's Olivier. Just to remind Cheryl is that minority report it's...

Cheryl Langdon-Orr: I'm sorry, dissent position.

Olivier Crépin-LeBlond: No it's minority view is the name of...

Steven DelBianco: I want to say minority...

((Crosstalk))

Steven DelBianco: Not..

Olivier Crépin-LeBlond: ...refers to a proposal where a small number of people support the recommendation.

Steven DelBianco: We don't want to confuse anybody by saying that then.

((Crosstalk))

Cheryl Langdon-Orr: Yeah.

Olivier Crépin-LeBlond: Well what I was going to say is to have the - that appendix that we refer to - the appendix itself would be called Minority View.

((Crosstalk))

Steven DelBianco: I don't think that's...

((Crosstalk))

Steven DelBianco: ...that's not in the Guidelines for GNSO.

Cheryl Langdon-Orr: Yeah, I...

((Crosstalk))

Steven DelBianco: Take a look at the chat. I just pasted what I believe would solve this in the chat.

Cheryl Langdon-Orr: Yeah.

Steven DelBianco: I don't know if - Olivier, do you have access to the chat or shall I read it?

Olivier Crépin-LeBlond: I do. I do, yeah, because I clicked on your huge link to...

Steven DelBianco: Oh yeah, sorry about that.

Olivier Crépin-LeBlond: So that kind of zapped my eyes already. But...

((Crosstalk))

Olivier Crépin-LeBlond: ...get my composure back.

Cheryl Langdon-Orr: Berry, if I may just let me respond to Oliver. I would avoid the use of words that are defined terms in the GNSO Workgroup Guidelines other than consensus. And I think what Steve's written serves it well.

Olivier Crépin-LeBlond: Okay so - but why would we use dissenting position because that's not actually defined anywhere.

Cheryl Langdon-Orr: Because it is a dissenting position, right? A minority view would be if the report from us - let's assume it's not an advice letter, let's assume it's something, you know, going towards a PDP or something else, right?

Then the advice to the GNSO Council from this workgroup would be that there is a minority view with an associated recommendation, blah, blah, blah. And that's a very different beast than what we have here.

Steven DelBianco: You're right, Cheryl, because they did not do the work...

Cheryl Langdon-Orr: Correct.

Steven DelBianco: ...of coming up with an alternative recommendation...

Cheryl Langdon-Orr: Yes.

Steven DelBianco: ...that would merit the label minority view.

Cheryl Langdon-Orr: Yes.

Steven DelBianco: It's simply a gripe, a dissent.

Cheryl Langdon-Orr: Correct.

Olivier Crépin-LeBlond: So a minority view - I can see here, yeah, it says refers to a proposal. And there is no proposal there.

Cheryl Langdon-Orr: Exactly. In the absence of a proposal then this is the best way to deal with it.

Olivier Crépin-LeBlond: I'm super impressed. Thank you.

Cheryl Langdon-Orr: Whew.

Steven DelBianco: How does everybody feel about the text then in the bottom of the chat?
And that would go at the bottom of Page 3.

Cheryl Langdon-Orr: I think that works well. And, Steve, I think this is something - if I can just sort of beat this thing to death - that staff - and I know, Berry, you're good at it but we need to make sure all the staff managing the reporting from various workgroups for a while, I mean, we have to be so particular about this sort of thing until everyone gets used to the guidelines. They're pretty fresh. I mean, the ink's only just dry.

And we need to, you know, I mean, some of us lived and breathed developing them. But the majority of the GNSO membership of various constituencies will only, you know, discover them as they're reading something that gets their hackles up. And so we really need to be particular in the reporting processes to just sort of beat this language very carefully. At least I think for the next 18 months or more.

Berry Cobb: Okay this is Berry. So I've got the updates requested. I'll modify the anchor on Page 3 to - per Steve's suggestion there and point to Appendix C and then the two other updates so far.

Michael Graham: Yeah, Berry, it's Michael. I made a couple small little dramatic revisions if that's okay with you, Steve, in the chat?

Cheryl Langdon-Orr: And it looks like a friendly amendment to me, Steve.

Steven DelBianco: Indeed. And, Berry, could you footnote the Guidelines - not the summary of the Guidelines but the actual Guidelines and the page number so they know where we got that definition I stuck into the chat?

Cheryl Langdon-Orr: Well worthwhile mate. Perfect.

Berry Cobb: Ten-four. Okay shall we move on to reviewing the final advice letter minus the three edits that we've discovered so far?

Cheryl Langdon-Orr: Yeah.

Berry Cobb: Very good. So here we are on Page 1. And would working group members prefer to scroll on their own or me scroll for you?

Steven DelBianco: You do it for us.

Berry Cobb: Okay. So the first section is the background.

((Crosstalk))

Berry Cobb: It's basically where we've come from, how we got here, the mention of the articles within the Affirmation of Commitments, the fact that the AOC did not define the terms of (BPCCC). By the way I'm making an executive call that the final - what do you call it - not acronym but - it's going to be CTCCC, Consumer Trust, Consumer Choice and Competition.

Cheryl Langdon-Orr: Oh an executive decision at last.

Berry Cobb: Yeah. Although we didn't highlight it in here, as I've mentioned, we're developing (stat) implementation notes and I'm going to call that out so that it starts to get formed from there when it gets passed up to the Board in the future review teams.

Cheryl Langdon-Orr: Yay team. Okay. I like to be labeled.

Berry Cobb: Okay moving on to Page 2 which is the Board resolution that got us here and how we were formed, chartered by the GNSO and we got a link to the charter there.

Michael Graham: Berry, in the first...

((Crosstalk))

Michael Graham: ...paragraph our actual language, June 2011 put in the E, take out the hyphen and have a space.

Berry Cobb: Got it, thank you.

Cheryl Langdon-Orr: My dumb question was you've checked all these links are working haven't you?

Berry Cobb: I will do...

((Crosstalk))

Cheryl Langdon-Orr: Because I haven't and it's something I'm (towy) about because it, you know, yeah.

Michael Graham: And in the next paragraph, Berry, I have a question. It's Michael. And this may be a ICANN practice. Referring to GNSO etcetera as whom rather than which? We personify the groups?

Berry Cobb: You know, I practically failed English so I'll leave it up to the experts.

Cheryl Langdon-Orr: I'm trying to find the paragraph...

((Crosstalk))

Berry Cobb: ...I'm going to vote with Michael on which.

Michael Graham: Yeah, if it's lying down, Cheryl, not in the middle of it.

Cheryl Langdon-Orr: Okay. Yeah, each of whom, which, yeah. Yeah, which.

Olivier Crépin-LeBlond: And another note on this as well...

((Crosstalk))

Cheryl Langdon-Orr: ...stages and then we should have it capital W.

Michael Graham: It's a royal which.

Cheryl Langdon-Orr: Hey now, that's me, you be careful. Oh that's a different spelling, sorry.
Sorry, did you say which or bitch?

Michael Graham: I'm just letting that hang.

Olivier Crépin-LeBlond: Now wait, wait, wait in that paragraph, which starts with, "The
Consumer Trust, Choice and Competition Working Group..."

Cheryl Langdon-Orr: Yeah.

Olivier Crépin-LeBlond: It's Olivier here. Always start, endorsed by the ALAC and ccNSO
and also for consideration by the GNSO, ccNSO, ALAC and GAC.

Cheryl Langdon-Orr: You want a "the" in there do you? Okay.

Olivier Crépin-LeBlond: There's always a "the" before - the GNSO in the previous paragraph...

Steven DelBianco: But, Olivier, I mean, where would it stop?

((Crosstalk))

Steven DelBianco: It's the GNSO, the ALAC, the GAC, the ccNSO...

Olivier Crépin-LeBlond: No, no...

((Crosstalk))

Steven DelBianco: ...any of them. And let's be consistent and not use "the" at all.

Michael Graham: Well actually the consistent is in the previous paragraphs the first in the list is always preceded by "the."

((Crosstalk))

Cheryl Langdon-Orr: Yeah, the first...

Olivier Crépin-LeBlond: I mean, I'm not saying put it before everything but...

Steven DelBianco: Oh all right, okay.

Olivier Crépin-LeBlond: ...but just the ALAC and ccNSO. The GNSO, ccNSO GAC and ALAC.

Cheryl Langdon-Orr: Steve, I've learned with Olivier the fact that he thinks in at least two languages it's much easier to let him do the grammar.

Steven DelBianco: I'll defer.

Berry Cobb: Okay so I've added "the" in two places; in Sentence 2 before the ALAC and then in Sentence 3 before the GNSO.

Cheryl Langdon-Orr: Can we do a search through the whole letter at a later point and just make sure that is consistent? I'm not sure whether you can just put in - it might be easier to do it physically. Let's try and make sure we - yeah.

Olivier Crépin-LeBlond: You can't do it thematically because when you have by...

((Crosstalk))

Olivier Crépin-LeBlond: ...you don't want...

Steven DelBianco: Oh come on, team, let's get moving.

John Berard: Get going, yeah, that's right.

Berry Cobb: Okay so the next statement, "Working group understands the purpose of this advice. Understand that the advice does not consider any potential consequences of measuring performance but..."

Michael Graham: Yeah, I have another nit there in that. The second line, "And attempt at identifying metrics." Wondered if since we put in such effort it should read, "An attempt to identify metrics."

Steven DelBianco: Fine.

Cheryl Langdon-Orr: God, I just shrunk my screen. Oh that's better.

Steven DelBianco: And I guess the next line, the recommendations, plural, do not convey as opposed to...

Cheryl Langdon-Orr: Does.

Steven DelBianco: ...does.

Olivier Crépin-LeBlond: I'm going to be picky about "the" again. The working group understands that the purpose of this advice is to provide ICANN's Board with definitions." Actually it's, "...the ICANN Board." with definitions.

John Berard: Oh, come on.

((Crosstalk))

Steven DelBianco: Possessive. When you have a possessive you don't need "the."

Olivier Crépin-LeBlond: But it's not ICANN's Board.

Michael Graham: Yeah and before we've got "The ICANN Board..." at least in two other places so that seems to be the convention for that.

Olivier Crépin-LeBlond: Yeah. Sorry, I'm really picky.

Cheryl Langdon-Orr: It is also a last run through so I'm not too concerned.

((Crosstalk))

Cheryl Langdon-Orr: I think we should do it is what I'm saying.

Olivier Crépin-LeBlond: Yeah.

Berry Cobb: So where does the last "the" need to go again?

Olivier Crépin-LeBlond: The paragraph with, "The working group understands that the purpose of this advice is to provide..."

Berry Cobb: Oh okay, there it is.

Olivier Crépin-LeBlond: "...the ICANN Board with definitions, measures and targets."

Berry Cobb: Right, thank you. Okay moving on, "The working group attempted to stay true. In addition the working group anticipates..."

Michael Graham: Does the B get capitalized there?

Steven DelBianco: In Board?

Olivier Crépin-LeBlond: Yeah. We do elsewhere. It's not consistent.

Michael Graham: Yeah, where we've got the ICANN Board it may be lower case. I see at least one lower case. But where we've got Board alone above that it's capitalized. Go figure.

Olivier Crépin-LeBlond: And then when - look two paragraphs down begins the ICANN Board.

Michael Graham: I would almost say to just scan that and Board should always be capitalized.

Cheryl Langdon-Orr: Absolutely.

((Crosstalk))

Cheryl Langdon-Orr: Yeah.

((Crosstalk))

Michael Graham: I tend to capitalize like William Blake so.

Cheryl Langdon-Orr: Okay. And so (unintelligible) not English majors?

Michael Graham: Oh whatever he thought was important he would capitalize even...

Cheryl Langdon-Orr: Oh God, I do that too.

((Crosstalk))

Cheryl Langdon-Orr: Now I know who to attest it to. Okay.

Michael Graham: I did that until...

Cheryl Langdon-Orr: Hello? That was interesting.

Michael Graham: I did that until one of my English teachers pointed out that I was not William
Blake so.

Cheryl Langdon-Orr: Oh, you see, no teacher ever pointed that out to me so that's their
problem.

Berry Cobb: And I guess students aren't allowed to have role models. Okay, "The ICANN
Board should also..."

And lastly, "It is essential..."

Cheryl Langdon-Orr: Yeah, that's okay.

Berry Cobb: Okay moving on to Scope of this Advice. The working group charter adopted.
"The working group acknowledges that the limited scope..."

Olivier Crépin-LeBlond: Shouldn't charter be upper case?

Cheryl Langdon-Orr: For defined terms, so yes I Think it should be.

Berry Cobb: Okay Alternate Methods of Accessing Internet. The GAC has previously stated...

Michael Graham: In the second line that second sentence, "In comments on..." insert "the" before "draft."

Cheryl Langdon-Orr: And why is advice capitalized and not draft capitalized? Kind of one or the other I would have thought.

Berry Cobb: And how does the working group feel? Should it always be lower case or upper case for draft advice?

((Crosstalk))

Olivier Crépin-LeBlond: Anything from the US government has to be upper case.

Cheryl Langdon-Orr: And we can blame...

Michael Graham: There was a little bit of a delay there, Olivier.

((Crosstalk))

Olivier Crépin-LeBlond: And coming from a Frenchman that's a bizarre thing to say isn't it?

Berry Cobb: Okay moving on to Community Representation. Taking note that we'll be modifying the second paragraph.

Cheryl Langdon-Orr: Yeah.

Olivier Crépin-LeBlond: What is the NCA groups?

Berry Cobb: The Nom Comm Advisors, isn't it?

Cheryl Langdon-Orr: The what?

Berry Cobb: Non Commercial I would have thought. Sorry, NCA...

Steven DelBianco: Nominating Committee, right?

Olivier Crépin-LeBlond: Yeah, Nominating Committee Advisor Group. I didn't know that was an actual group.

Steven DelBianco: Do we have - do we have a member from Nom Comm?

Cheryl Langdon-Orr: Nope. Nope, you don't.

Steven DelBianco: Yeah, we had Carlos Aguirre was NCA.

Cheryl Langdon-Orr: But he's not - oh you mean - that's how you're nomenclature in GNSO Council identifies him.

Steven DelBianco: I guess so.

Cheryl Langdon-Orr: Because he's just a councilor of the GNSO I thought.

Steven DelBianco: Yeah but he got there from Nom Comm...

Cheryl Langdon-Orr: Okay so..

Steven DelBianco: He's the Nom Comm...

Cheryl Langdon-Orr: Sorry, that's just nomenclature which certainly I hadn't associated with that. Okay fine. I assumed once - see in ALAC world once you're ALAC you're ALAC; we don't care where you come from. But GNSO is different. Okay fine. Thanks for that.

Berry Cobb: Okay moving on to Process for Developing the Advice. "The working group began..."

Cheryl Langdon-Orr: Yeah.

Berry Cobb: "In addition the..."

((Crosstalk))

Steven DelBianco: It has been a year hasn't it?

Cheryl Langdon-Orr: I was going to say has it been that long? Oh sorry, has it only been that long?

Berry Cobb: Well and the interesting thing is when you look back at the original Board resolution I think they wanted something by San Francisco.

Cheryl Langdon-Orr: Yeah, they did, by the SFO meeting we were supposed to have it done.

((Crosstalk))

Berry Cobb: In addition to its biweekly. The initial draft of advice. All right moving into the heart of the document, Advice on Definitions. As its initial task.

Steven DelBianco: Page breaking might dictate that you begin a new page with Advice on Definitions so that all the definitions show on the face of one page. Okay?

Berry Cobb: Done. Are we sure we don't want to modify the definition of consumer anymore?

Cheryl Langdon-Orr: Berry, you're not funny.

Berry Cobb: All right, "Consistent with the AOC..."

"The definition focuses not on the nature of an entity."

Cheryl Langdon-Orr: We're okay, yeah.

John Berard: So, you know, if we're going to say, "For the nature of an entity..." then it ought to be but rather on the role it plays or it - yeah, right so an entity is singular?

Cheryl Langdon-Orr: Oh as opposed to they, yeah, yeah, yeah, okay I see.

John Berard: I haven't had this much fun since middle school.

Steven DelBianco: Berry, go to the definition of consumer trust, next page. In an edit that I gave to Berry right away, only circulated this, I changed the word "proposed" to "stated" purpose instead of "proposed purpose" I put "stated purpose." And I thought I owed you all an explanation for that because...

Cheryl Langdon-Orr: Right.

Steven DelBianco: ...stated purpose comes up two ways. They will state a purpose in their application under Question 18. And over time if it's not a community TLD it's allowed to change its stated purpose on the gTLD's Website. And the text that they use to tell potential registrants and users what their TLD is all about. The word "stated purpose" is broader and more dynamic. It'll pick up changes they make over time.

Cheryl Langdon-Orr: Right.

Steven DelBianco: Is everyone okay with that?

Michael Graham: Yeah, it's Michael. I'm okay with that.

Cheryl Langdon-Orr: Yeah it's a defined term almost isn't it because...

Steven DelBianco: Yeah, proposed purpose makes it feel like it only echoed back to those...

((Crosstalk))

Cheryl Langdon-Orr: To 18, yeah, yeah, yeah. Yeah, no good idea.

Steven DelBianco: Okay great.

Berry Cobb: Consumer choice and competition. I think those are nailed down.

Cheryl Langdon-Orr: Oh you're not going to suggest we redo those as well, Berry?

Berry Cobb: I was talking in general. They're all (game). Okay notes on these definitions.
Note 1. Note 2.

Michael Graham: I had a question down in the new language that begins, "Third, consumers..." the next to the last line which reads the - I guess it's the last sentence. "If consumers believe that new gTLDs are failing to prevent..." As we revised this we were also looking at ICANN's compliance responsibility so I was wondering should that read, "If consumers believe that new gTLDs or ICANN are failing to prevent these abuses." Is that appropriate there?

Steven DelBianco: I don't think so because ICANN doesn't...

((Crosstalk))

Michael Graham: Okay so it wouldn't be preventing abuses, it would be retaliating.

Cheryl Langdon-Orr: Yeah.

Michael Graham: Okay. Thank you.

Berry Cobb: Okay moving on to our matrix.

Cheryl Langdon-Orr: Just noted that with the page break on the screen we had the top line of that on the last page as well as here. I assume that can be tidied? At least on my screen it started with...

((Crosstalk))

Berry Cobb: Yeah.

Cheryl Langdon-Orr:.....trust who just (unintelligible). Is that deliberate or accidental?

Berry Cobb: It's a setting in the table that if it spans two pages it'll repeat the title. Now that we added the page break I think it all shows up on one page.

Cheryl Langdon-Orr: Okay thank you. Yeah.

Berry Cobb: Okay moving on to Note 3.

Steven DelBianco: Hey, team, I wanted to let you know that I think it was Carlos way back perhaps a year - earlier this year had had a paragraph in there where he said that, "Competition is closely related to the idea of consumer choice. They can be seen as two parts of the same whole since they both touch providers and consumers. All stakeholders should have an interest in providing choice and avoiding monopoly in order to create an open and informed market for all participants."

And at one time Carlos had felt strongly about that and hasn't been part of our group since February. And so I took the bold step of deleting what I believe was completely a spurious comment that doesn't really contribute to the report at the risk of maybe upsetting Carlos.

Does anyone feel that we need to retain that particular comment? And I can read it back or paste it in the chat.

Cheryl Langdon-Orr: Say, Cheryl here. I do not feel we need to retain it but then I should also declare that I'm not a free market economy fan so.

Michael Graham: Well this is Michael. And as you were reading it, Steve, it seemed to me to be an aspirational statement for what it would do rather than measuring whether it exists.

Cheryl Langdon-Orr: Yeah.

Michael Graham: So I would agree with leaving it out - leaving the...

((Crosstalk))

Michael Graham: ...just revised here.

Steven DelBianco: I feel like, you know what, it's not so much aspirational, Michael, is clarifying because all of us struggled for the first month at creating a distinction between choice and competition. Because when you have choices among competing things how do you know which is the choice and which is the competition?

So at the time there was just that general confusion. And I think Carlos had even articulated his concerns in Spanish and then I got somebody to translate it for us and that's what we came up with. But I feel like we've moved so far past that to where we have pretty significant explanation of the fact that for us competition is about supplier.

Cheryl Langdon-Orr: Yeah.

Steven DelBianco: So I think we could - probably could drop it out.

Cheryl Langdon-Orr: Yeah, I agree. And if there's an issue raised we wear it. I'll stand there and say, you know, tough shit.

Steven DelBianco: No, 4 is new. You guys asked me to do a comment...

Cheryl Langdon-Orr: Ah, yes.

Steven DelBianco: ...on the word meaningful.

Cheryl Langdon-Orr: Yes.

Steven DelBianco: You guys - give you a second to read Note 4 in case you haven't already.

Cheryl Langdon-Orr: The only question I had on that is in the sentence - second line of Note 4 where it says, "...are relevant to the registrants' desired domain name."

Steven DelBianco: You could take out desired. I was thinking there that...

Cheryl Langdon-Orr: Yeah.

((Crosstalk))

Steven DelBianco: ...where I wanted to register my DelBianco Bike Shop dot whatever.

Cheryl Langdon-Orr: Yeah, I'm just not sure about the use of desired.

Steven DelBianco: Yeah, take out desired, that's fine. Good idea.

Cheryl Langdon-Orr: Yeah.

Steven DelBianco: And I tried to do two sentences, one was for registrants and the other was for users because meaningful choices would show up only when they're presented with multiple hyperlinks to pick from and...

Cheryl Langdon-Orr: And...

Steven DelBianco: ...they might look at the TLD to decide which to choose.

Cheryl Langdon-Orr: And - putting on my Internet user representative hat thank you for that.

Steven DelBianco: Does it make sense, Cheryl, the way it's written there?

Cheryl Langdon-Orr: It does to me but let's hear from Olivier.

Olivier Crépin-LeBlond: Yeah it does for me as well.

Michael Graham: Steve, I'm going to post a minor revision just for clarification of that first part of it. Hang on.

Steven DelBianco: While Michael is doing that I'll refer you guys to the first line of Note 5, which is where I preserved a little bit of what Carlos had put in back in February; the first sentence.

Cheryl Langdon-Orr: Yeah. And - yeah, yeah, he can feel ownership of that, that's fine.

((Crosstalk))

Olivier Crépin-LeBlond: It's Olivier here. I also think that this really goes in line with the view of the US government as well - their demand on competition and free market, etcetera. So it needs to be quite clear on this.

Cheryl Langdon-Orr: Yeah, happy with Note 5, first - remembering we've now made a modification unwritten yet to that at today's meeting.

Steven DelBianco: Well, you know, you're right, it's unwritten. But didn't - Berry, in the comment tool - the comment review tool didn't we have a specific text you were going to paste in under 5?

Cheryl Langdon-Orr: Can we just make sure that the language matches?

Steven DelBianco: Right, right, make sure it fits so we don't have to go back...

Cheryl Langdon-Orr: Yes.

Steven DelBianco: ...and do this...

Cheryl Langdon-Orr: Yes. Just someone needs to own that action item to make sure Note 5 blends properly.

Steven DelBianco: I'll do it with you, Berry. After you paste it in I can take a first look.

Michael Graham: And in that I use refers to because I hated having means right after meaningful. But that's what you were getting at wasn't it, Steve? That it means that registrants have a real choice among TLDs that are relevant to the registrant's domain name.

And I think I was going towards more of it phrased as a definition rather than an example which is how...

((Crosstalk))

Steven DelBianco: I know but there are two entities for whom we want things to be meaningful. The first entity is a registrant and the second entity is a user. And those are both defined...

((Crosstalk))

Steven DelBianco: ...together as what we call consumers.

Michael Graham: Okay then it'd be easier so that - leaving your language. Meaningful choices for a registrant would be when they have the option of choosing among...

Steven DelBianco: That's fine.

Michael Graham: That also echoes exactly what you've got down, "meaning choices..."

Cheryl Langdon-Orr: Yes.

Steven DelBianco: Would be - that's fine, Michael.

Michael Graham: Okay, yeah...

Cheryl Langdon-Orr: Yeah.

Michael Graham: ...that would be it.

Berry Cobb: So it's supposed to say, "For Internet users, meaningful choices..."

Michael Graham: That stays just as it is. The one up above in the - and I guess maybe phrase it the same way so in the definition of consumer choice - well, no, meaningful choices for registrants since we're - keep that parallel with Internet users. The registrants would be when they have an option of choice among TLDs or an option of choosing. I mean, it's basically just changing the "for a" or the "is would be" so that it's echoing that second sentence down there.

Steven DelBianco: Okay we better get moving through. We're already an hour into this. Let's go. You got that, Berry?

Berry Cobb: For Note 4 I didn't capture what you wanted for Note 5.

Steven DelBianco: Yeah, for Note 4 Michael Graham is suggesting the "would be..."

Berry Cobb: I got those.

Steven DelBianco: Got it.

((Crosstalk))

Steven DelBianco: ...5 - Note 5 the text that you were going to paste under 5 is the text that came from the comment review tool that you had up about an hour ago. And after it's pasted in give me a chance to look at it - me and Cheryl, anybody, to see if it fits well with the way Note 5 is written. We don't want it to look clumsy.

Berry Cobb: Okay. Right, understood. Okay moving on to Note 6, 7 and 8.

Steven DelBianco: Under Note 6 the question I would have is we have said particularly, "ccTLDs are potential competitors particularly where it's marketed to registrants around the world."

By saying it that way I hope we're not inferring that they're not competitive when they're marketed just in their own country. Because dotUS is competitive with Com, dotUK is competitive with dotBiz. Do you think we ought to drop everything after the comma so that we don't imply that competition only occurs with things like ME and CO?

Michael Graham: Michael here. My reading of this is that it is looking at those ccTLDs that do not restrict themselves to registrants within that country but are international in scope.

Steven DelBianco: If that's the inference, Michael, we ought to take off everything after the comma, because we don't mean - we also mean to imply that ccTLDs are

competitors even when they're marketed just to their own country. They are definitely a choice...

Cheryl Langdon-Orr: Yes.

Steven DelBianco: ...a competing choice for a registrant or for a user. In Germany they might be much more inclined to look at dot-DE than dot-org or dot-biz or dot-com. So I would think we want to drop everything after the comma.

Cheryl Langdon-Orr: Yes, I agree with that. I see why we had the second part of the sentence in, but I think it opens up more confusion than it solves. So let's drop off the gTLDs.

Man: Cool, thank you.

Man: Yes, that makes sense too with the addition of potential in there that we had made.

Man: Note 7, we went over 7 and 8 several weeks ago.

Cheryl Langdon-Orr: I thought we'd done those pretty well.

Man: Okay, moving onto advice on measures and three-year targets for defined terms.

Man: The only thing the next to the last line in the first paragraph exception to use of, again, I was thinking insert the before use with exception to the use of geographic names.

Man: Okay.

Cheryl Langdon-Orr: Yes.

Man: The board resolution, working group suggests our example table. Is there a risk that people will read our example table and think that those are actual metrics we're suggesting? And if so, how do we make sure they understand this is just a theoretical example?

Man: Is there a way of putting a big example?

Cheryl Langdon-Orr: Yes, like you put big draft across, you know, a stamp.

Man: Like across that, yes.

Cheryl Langdon-Orr: Yes.

Man: Oh, come on, no, no, no. Let's not do a watermark. Can we...

Cheryl Langdon-Orr: Oh, why not?

Man: Oh. How about I just bold for example a three-year target and bold in the table header? And then in the table header say theoretical example. How about that?

Cheryl Langdon-Orr: Yes, I'm happy with adding theoretical in there. And the table header is already bold. So, you know, guys.

Man: Yes, okay, good. Let's make sure that the for example line is - that the table follows immediately under it in terms of pagination, Berry.

Berry Cobb: Right.

Cheryl Langdon-Orr: Yes, that goes with my last comment. I'm assuming that it'll be fixed with that new re-page.

Man: Hey, per the board resolution request.

Cheryl Langdon-Orr: Yes, no problem.

Man: Will the working group be upset that if I actually bulletize these terms used?

Cheryl Langdon-Orr: Oh, no, I prefer you to.

Man: Yes, that's fine. In the previous one, we said suggesting applicable targets. We probably should say appropriate targets, because we could have come up with applicable targets for things like prices, but we didn't think it was appropriate to do that.

Man: Okay, done. Okay, moving onto measures of consumer trust.

Man: This should be a start of a new page.

Cheryl Langdon-Orr: Yes, agree.

Man: Table stays together. Thank you.

Cheryl Langdon-Orr: Yes.

Man: Any measures related to confidence and registrations and resolutions?

Cheryl Langdon-Orr: Does that title...

Man: Number 1.3 I think we - I think we messed this up. It's really not extensible provisioning protocol. It's really the - what's called the shared registration services, which uses EPP. So it should be percentage of service availability for shared registration services and put in parens SRS, and if we want we can say using...

Cheryl Langdon-Orr: (Unintelligible) yes using, okay.

Man: ...using extensible provisioning protocol.

Cheryl Langdon-Orr: Is that going to split the...

Man: But if it's protocol - the protocol doesn't have an SLA. The shared registration services have an SLA.

Cheryl Langdon-Orr: Adding that line in, and I'm happy to add that line in, what's going to happen to - in fact, what happens to the title anyway? Now we've done the repagination, that title's going to be split. We need to be careful where that title splits.

Man: True enough.

Cheryl Langdon-Orr: And I'm happy to split it, but if we're going to split it anywhere, it should be at the measures related to confidence line.

Man: Agreed, agreed. The big bold gray bars are a better place to split than in the middle of one.

Cheryl Langdon-Orr: Terrific, thank you.

Man: In 1.4 I did some editing of the way we were listing the kinds of things the survey could do.

John Berard: Hey, this is John. I had thought that I'd be able to stay connected a while on the move that we need to move my location. But the process we're in right now suggested that's not going to be very valuable to the group. So I'm going to ring off. I can arbitrate any grammatical debates that might arise after I leave. So I apologize for having to do that, but I just don't think it would be worth your while if I stayed on without access to the document.

Man: John, did you have any other comments when you reviewed the latest draft?
Do you think we're okay?

John Berard: You know, it's pretty clear just based on this experience that there are probably a couple of things that I would probably see that I didn't see when I read it, but I imagine the (unintelligible) of changing the intent.

Berry Cobb: And so this is Berry. John, before you leave, essentially we'll go ahead and talk about closing this out. So we'll finish reviewing the document today. I'm going to send it out to the list tonight and give working group members Wednesday and Thursday to - for any last-minute edits that would be conducted on the list. If an edit is sent in, and I hear no objections by Friday, then I'll incorporate that change into the final draft.

I'm hoping by Friday morning, U.S. time, I'll have the final draft available, and then I'll send those over to you to pass along to the GNSO Council.

John Berard: Terrific.

Man: And Berry since John Berard is one of the counselors, and he's the liaison here, shouldn't we take a quick break here, put a hold on this, bring up the council advice letter - the council conveyance letter so John can look at that and we ought to decide what timeline to put in there. You know what I mean?

Man: I agree. I was actually going to bring that up.

Man: John Berard, can you give us another five minutes?

John Berard: Yes, I can do that.

Cheryl Langdon-Orr: Okay, good call (unintelligible).

Man: So basically, you know, there's - it's really a simple message, you know, this is why we're here and why this is important. The good stuff is the possible next steps. I included the word possible because I don't want us to sound like we're dictating what they should do. But hopefully they will do it. So basically possible next steps by the 6th of September, I believe, we have to have all documents in to the council to meet the deadline.

I'll make sure that it's on the agenda for a 20-minute period. Thirteen September is the GNSO Council meeting, and I'm kind of denoting ten minutes for a quick presentation and ten minutes for discussion. I imagine if we're going to present this - John, would you want to do it or should we have (Steve) come on and do a quick ten-minute presentation?

John Berard: Well, I guess that really depends upon what we want to have happen. You know, I can - there's a fair - I can feign strategic ignorance that (Steve) won't be able to feign.

Man: So - well the intent of bringing it up for a review at this council meeting is so that they can just talk about it. We're not looking for any action, but this is merely a preparation to - for action at the Toronto meeting.

John Berard: (Unintelligible).

Man: I don't think if we don't allow the council to discuss it, then we won't get anywhere in Toronto.

John Berard: Right, you know, I think you're right. Let's see...

Man: But we anticipate by Toronto that John would introduce a motion where council would endorse this advice and send it onto the board, right?

Man: Right.

John Berard: Yes, in fact, maybe what we could do for the 13th is to give them - show them the text of that motion. So here's the report. Here's an overview and here's the motion that will be on the table for Toronto.

Man: What's everybody think about that? Is that too presumptive?

Man: It'll drive (Wendy) crazy.

John Berard: Well, and - but my point would be that it gives everybody time to consider it. It also provides a lot of opportunity for friendly amendments, you know, for consideration that would allow us to move forward even if changes needed to be made.

Man: Fine by me.

Man: (Unintelligible) good. I'll...

Man: It might be (unintelligible) John that you compose the motion. It's going to be relatively short, you know, whereas on the affirmation, whereas on the resolution to move forward and then therefore resolve that the following advice letter be conveyed to the board.

John Berard: Right, so let's see. Today is the 14th, yes. We should have the letter done by the 17th. I don't see any reason why - my goodness, we will have two weeks to - more than two weeks to make sure that we have it all nailed down.

Berry Cobb: And John, I'll put together a first draft of the motion and then just send it over to you. We don't need to submit the draft motion when we submit the advice letter. We'll submit the draft motion when we incorporate it into the agenda.

John Berard: Okay, that's fine. Yes, no, no, I agree. I agree.

Berry Cobb: Okay, so then on the 21st of September basically the GNSO Council will determine a path forward. I'll actually modify this 21 September and fold it into the 13 September since we're going to have a draft motion. Nine October is to submit any final materials for the council consideration for the Toronto meeting. We'll have already had the letter submitted, the draft motion submitted. So we probably have already accomplished that, but I'll keep that milestone in there just in case.

Thirteen October is the Saturday session in Toronto, and I imagine...

John Berard: And that would - and that would be - that would be a good one for (Steve) to participate in. (Unintelligible) specific questions that...

Man: You know, my hope is (Mike), would be that we could have this on the consent agenda for the public meeting.

Cheryl Langdon-Orr: (Unintelligible).

Berry Cobb: All right. And then...

Cheryl Langdon-Orr: (Unintelligible) hope and die and despair, isn't that the (unintelligible)?

Man: Despair, you're dismissing it out of hand that easily.

Man: That wasn't my laugh.

Man: Oh, whose was it?

Berry Cobb: And then lastly on the 17 October council meeting - public council meeting, the Wednesday session, either consent agenda or regular agenda item that's moved forward. So I'll just ask the working group what we're outlining here in next steps is this in any way too presumptive of us to move this forward to the council?

Man: And Berry, in keeping with the discussion so far, it is presumptive, but it is not presumptuous.

Berry Cobb: Okay.

Man: All right.

((Crosstalk))

Steven DelBianco: Berry's done a lot of work on this.

John Berard: All right, I'll see you guys.

Steven DelBianco: John, John, we do need you for this if you can possibly hang. This is part of the letter.

John Berard: You're killing me Steven. I'm going to have to speed now. Okay, what do I need to look at...

((Crosstalk))

Steven DelBianco: Berry has done a lot of work on this, and the timeline he has up in front of you, do you still have the Adobe up, John?

John Berard: I do.

Steven DelBianco: Great, so look at this one, and it's complex as hell. It's got like five or six little notes in it. But I talked with Berry about it over the weekend, and he's right. It takes this much nuance to convey this crazy timeline. And I'll let Berry walk you through this.

Berry Cobb: So in short, the key elements to this picture are the numbered circles. One obviously, the GNSO take - carries the advice letter up to the board. The board will consider it over time. Eventually they're going to act on it, and if they act accordingly, they'll advise staff to begin recording what metrics are possible. And that'll also be the gateway for Number 3 where at some point in time the future review team will be formed.

Now there - the key language in 9.3 is one year after the first delegation, a review will begin. The problem is is they won't have any metrics to review with. So what I'll be incorporating into the staff implementation notes is that that AoC team be formed the first day of delegation, because it will take them a year to finalize all of the metric requirements for this to get implemented in.

And in parallel to that, that future review team cannot only start to outline the requirements of these metrics but can also do the other aspect of their task, and that's to begin the evaluation of the application and evaluation process for new gTLDs.

So the key takeaway here is between four is after about one year of establishing the requirements, they'll pass those requirements back up to ICAAN to implement that metrics framework. And it'll take ICANN probably nine months to a year to implement, perhaps longer, but I'm going to use a year, after which they'll complete the metrics framework, pass it back down to the review team, and then the review team actually starts to conduct their formal reviews.

And so that's...

John Berard: That's four years from now.

Berry Cobb: It would begin in third quarter of 2016.

John Berard: Three years from now. So essentially the motion will - we hope will fasten October of 2012, and the review team will begin its work in say October of 2015.

Berry Cobb: 2014.

John Berard: I thought - if I'm looking at the arrow - so when will we get the first read on whether the world is as rosy as we hope?

Berry Cobb: They're allowed to start their review one year after the first delegation.

John Berard: Delegation.

Man: Right.

Berry Cobb: And so if you look below Number 4 and the tan thin box is when they can actually...

John Berard: Yes.

Berry Cobb: ...start their review. But they still won't have data to conduct their review. They may have data on the application and evaluation processes and maybe they can start there.

Man: Right.

Berry Cobb: But I - my gut tells me it's going to take ICANN or third parties, whoever two years to build out this metric framework before...

Cheryl Langdon-Orr: Yes.

Berry Cobb: ...a real review can be performed. And that's the takeaway message here, and that's why I'm trying to push that the review team get formed early to build the requirements to conduct that review in the future.

John Berard: Okay.

((Crosstalk))

Berry Cobb: Offline just take a more granular look at this and the corresponding notes and send back any feedback you have, and I can adjust the picture to make the dates look more appropriate or something along those lines if need be.

John Berard: Okay.

Berry Cobb: All right, thank you.

Cheryl Langdon-Orr: Cheryl here. I'm happy with this approach, and I just want to ask one clarifying question. When you talked about staff implementation in your proposal, which I wholeheartedly agree with (unintelligible), the review team up and running at the earliest physical possibility, you're talking about advice to Denise who will then advise the chairman of the board, the board and the GAC chair, because it's actually their job to get the (RT) done.

Berry Cobb: Correct. So specifically I'm building a complementary paper to the advice letter on ICANN internal's view on how they can implement this. And just so everybody understands, it's strictly only a how not whether we should or shouldn't on some of the metrics.

Cheryl Langdon-Orr: (Unintelligible) yes.

Berry Cobb: And so the composition of this implementation notes will be, you know, we accept the definitions, we accept the metrics, and here's what it's probably going to take on a first thin cut of how it would take - how much and how long

it would take ICANN to implement this. And it would just be a cursory review. Anyway, I'm creating the first draft. We'll be sending it around to the different (smeeds) within ICANN such as the registry team, the registrar team, compliance, legal...

Cheryl Langdon-Orr: Right.

Berry Cobb: ...et cetera, et cetera, because they're all in this metrics framework.

Cheryl Langdon-Orr: Oh yes.

Berry Cobb: Once I get all of their feedback in and we're happy with the final version, yes, then we'll submit it to Denise. That'll be submitted to the board, and I hope that that is submitted to the board at the exact time the GNSO Council submits the advice letter to the board.

Cheryl Langdon-Orr: Brilliant.

Berry Cobb: So that they have both documents and from there, then it's up to the board with however they care to approach this.

Cheryl Langdon-Orr: Okay, that's hugely important. And I want to just, you know, thoroughly support you on that. If at all possible, it would be good if ALAC can get its timing in synchronicity there as well. And I will do my best as a liaison to the ccNSO Council to try and push them in the same direction.

So if you can at least unofficially share your ideal dates very specifically as we get to that point, then Olivier can sort of micromanage the ALAC, and I'll do my best to poke sharp pointy sticks at the ccNSO Council.

Berry Cobb: Right. So if our timeline, our above next steps here come true, it would be, you know, probably the week after Toronto that the council would send it up to the board. So let's just call it Halloween when the council...

Cheryl Langdon-Orr: Perfect.

Berry Cobb: ...would submit the advice letter to the board.

Cheryl Langdon-Orr: Appropriate on so many levels.

Berry Cobb: (Unintelligible).

Cheryl Langdon-Orr: And that also means that I can raise it in council meetings with the ccNSO during Toronto and Olivier can try and herd the cats in the ALAC in the same direction. And we might also Olivier be able to interact effectively with the GAC as well on that.

Berry Cobb: And Olivier, you have your hand raised?

Olivier Crépin-LeBlond: Thank you, Berry. It's Olivier. And yes, Cheryl, we - I think we could even talk about these with the GAC and alert them to this...

Cheryl Langdon-Orr: Yes.

Olivier Crépin-LeBlond: ...prior to things taking place in Toronto. That could be one of the subjects that we could discuss with the GAC. I was just going to ask one question on the timeline here. I mean this is - are we going to send this timeline over?

Cheryl Langdon-Orr: (Unintelligible) letter.

Berry Cobb: This is Berry. Yes, it was meant to be a complementary attachment to provide direction to the council on how to proceed.

Olivier Crépin-LeBlond: Okay, I mean I know you've put the - you've added all of those footnotes, but I still find it to be somehow a bit confusing for people. I

understand it, but I can just - putting myself in the shoes of a reader, they might think, "Okay, this is a little confusing."

There is one thing, which is not quite clear here, which is when will the first actual reports, the first results be shown, be produced. Not the actual recording of metrics, but the first reports that will come out for public consumption. If there's going to be a three-year thing, in other words, we have to wait three years until there is any kind of feedback as to whether this first batch has been or first round has been successful.

The reason why I ask for this is because I've already heard several people comment on this saying, "Does this mean that we're not going to have any other round for at least three years if not more than that?" And that introduces a lot of discussion and questions and angst in the committee.

Berry Cobb: This is Berry. A couple of comments. I can't speak for the new gTLD team. With respect to the next round per the applicant guidebook, I believe it said either 12 or 18 months from the close of the last applications of the previous application window. I - you know, the confidence on that occurring is probably very low, and I suspect that the community would want some form of review to occur before the next window opens. But I - that's my own personal speculation.

The second point I'd like to make, I didn't put on this chart other than compare targets, which is Number 6, because at this point, I have no idea - I mean we don't even know who the review team is...

Cheryl Langdon-Orr: Yes.

Berry Cobb: ...let alone how much of an analysis they're really going to be doing other than just reading the metrics. So it's very hard to put a date down as to when that final review would occur and what it would look like.

Cheryl Langdon-Orr: Cheryl here, Berry and Olivier, we're skating very close to what is really review team business in that area. That said, having served on a review team, there is usually fairly close NTIA involvement in the review teams I care about. And I know that by then it'll be a different - it may be a different set of representatives. So that might change.

But there is no reason why a preliminary report can't come out early. It's almost up to those who want an earlier next round to make sure their voice is heard effectively if the activities of the review team on these metrics is a delimiting (sic) - is a delimiting factor. But it's not our business. It's their business.

Olivier Crépin-LeBlond: Understood, thank you.

Berry Cobb: All right.

Cheryl Langdon-Orr: That's, by the way all good, Berry, and I think with Olivier's point on it still being relatively complex. I'm not sure he can get it any more simple. You - we've just got to talk them through. So I think John's going to be ready to talk them through and take their little hands and get a piece of paper and, you know, a blackboard marker and, you know, draw them another diagram if needs be.

Berry Cobb: Right. And perhaps I'll suggest to John that we co-present and I can at least present the details of that...

Cheryl Langdon-Orr: Yes.

Berry Cobb: ...to try to help make it a little bit more clear to the council.

Cheryl Langdon-Orr: Excellent plan.

Berry Cobb: Okay. Back to reviewing the consumer trust metrics. I think we had stopped around 1.4.

Cheryl Langdon-Orr: Yes, perhaps 1.5.

Berry Cobb: And then we move into measures related to confidence that TLD operators are fulfilling their stated promises in complying with ICANN policies and applicable national laws.

Cheryl Langdon-Orr: I know we talked about the applicable national laws in earlier notes. You don't want to ask - you don't want to sort of hyperlink that back to that note just for the idiot's guide? I'm not going to die in the ditch one way or the other, by the way. It was just a passing thought.

Berry Cobb: Why don't we say, "See Note 3 - see Note 3 on Page 6"?

Cheryl Langdon-Orr: Yes, okay. Just to close the loop on that I think it's probably useful.

Man: Berry, 1.9, the second sentence of 1.9 should read, "URS is available."

Cheryl Langdon-Orr: Oh, yes, URS is...

Man: Okay, maybe put it this way, "URS is required," not available, "Is required only in new gTLDs."

Man: Did I miss a discussion on 1.6? Did you resolve that issue?

Berry Cobb: No, I just jumped around to whatever's on the page.

Man: Oh, okay, I was looking at...

((Crosstalk))

Berry Cobb: ...1.9 then we'll go back to 1.6.

Man: So Berry, URS is required instead of (S) available, okay?

Berry Cobb: Got it.

Man: Thanks. Go ahead Michael.

Michael Graham: I was just wondering a similar thing at the end of 1.6, the measure it...

Cheryl Langdon-Orr: (Unintelligible). Yes, there's a (eh) missing.

Michael Graham: The measure, this measure, I'm not sure. I'll...

Berry Cobb: Okay.

Cheryl Langdon-Orr: See I wrote that as these measures.

Man: This measure.

Cheryl Langdon-Orr: Oh, it's this measure? Oh, okay.

Man: I would say this measure, yes, okay.

Cheryl Langdon-Orr: Okay.

Man: It's really on both the breach notices, because the U.S. government raised the point that you don't want to wait until there's a formal notice of breach. You want to pick up all the intervening kinds of breach notifications and breach warnings that come out of the compliance department. They be that it needs to refer to both 1.6 and 1.7. So Berry, does that argue for repeating the sentence?

Cheryl Langdon-Orr: I'd rather repeat it than not, especially if we do a page break at the gray line.

Berry Cobb: Well...

Man: And maybe instead of should be included in this measure just say should be counted, and then it's even shorter, should be counted period. How about that team? All breach-related notifications should be counted period. And then repeat that twice. Once for six - one - and once for (unintelligible).

Cheryl Langdon-Orr: And 1.7, yes.

Man: Yes.

Steven DelBianco: I was wondering, going back to the gray bar, I wonder if because we're relying on those to differentiate the sections and also get a message across, if perhaps the text in those might be slightly larger or I think you said it might already be bold. But in some way stand out a bit more.

Cheryl Langdon-Orr: (Unintelligible). Yes, I wouldn't mind if bold and larger. I think that that isn't bolded, and it should be. And I'd be perfectly happy for it to be another point or two up.

Berry Cobb: But it's not going to look...

Cheryl Langdon-Orr: Oh...

Berry Cobb: I'll play around with it.

Cheryl Langdon-Orr: Yes.

Berry Cobb: ...without messing up page breaks and that kind of stuff to make it stand out.

Cheryl Langdon-Orr: Yes, and the same would go for the other gray lines. Obviously, (Steve), remember we've already bumped in a new page break on the page before. So we have a different...

Steven DelBianco: All right.

Berry Cobb: You know, I think the key message here is every word and sentence and paragraph and page is extremely sensitive and important. The message that we need to convey to everybody is you have to read every word. And, you know, no matter how much we try to PowerPoint...

Cheryl Langdon-Orr: Yes.

Berry Cobb: ...various areas of this, it's just not possible. You've got to - you've got to read it all.

Okay, moving onto...

Cheryl Langdon-Orr: (Unintelligible).

Berry Cobb: Cheryl.

Cheryl Langdon-Orr: No, no, no, no, I was happy for next.

Berry Cobb: Okay, 1.8, 1.9, I think we had got 1.9.

Cheryl Langdon-Orr: Yes, we're all right for that.

Berry Cobb: Moving onto 1.10, 1.11.

Man: 1.11, I put a lot of work into it to clean that up. So you guys ought to give it a good look, and a lot of this came from you, Michael. But we had it all over the place. So I tried to really streamline it.

Michael Graham: Yes, I read it this afternoon. I thought it went well (unintelligible).

Man: And I do think we're going to catch hell from people like (Wendy) and even (Evan) if we don't qualify the nature of an IT claim. Is it just a claim, an assertion? Or is it a valid claim, a validated claim?

Cheryl Langdon-Orr: Yes.

Man: What's the right modifier to put in front of the word claim so that we raise its legitimacy beyond just bullshit...

((Crosstalk))

Cheryl Langdon-Orr: ...stuff, yes.

Man: Well, I had made a note in response to that someplace. It isn't here.

Man: The word validated work?

Man: That - there are actually two things. One is claims in general and the other one is, as you say, valid claims or claims that have been issued - decisions have been issued on or something like that. But there really are two types of measures. I don't know how you get around that though.

Man: Well, if one - none of our measures should be just the raw quantity of unvalidated complaints. We just don't want to do that. Have to pick - let's pick something short of decision - often decisions won't be known when there's settlements and so on. It'd be much better to just say some sort of a modifier in front of the word claims.

Man: And...

Man: There's really no third-party validator of a claim. Are they properly formed?
Are they legal claims? What can we use...

Cheryl Langdon-Orr: Are they accepted?

Man: Accepted.

Cheryl Langdon-Orr: I'm just struggling with the word.

Man: Get creative here.

Cheryl Langdon-Orr: Yes.

Man: Mr. (Blake), be creative here.

Cheryl Langdon-Orr: And you can capitalize it. Feel free.

Man: (Unintelligible).

Man: How many of you have intellectual...

Man: How about legitimate?

Man: I wouldn't use legitimate.

Cheryl Langdon-Orr: Yes.

Man: I suppose you could say and it's a wishy-washy term, why not the of good faith intellectual property claims, which suggests that they are made in good faith even if a court later finds against them. That doesn't mean it wasn't a good faith claim.

Cheryl Langdon-Orr: Yes.

Man: And it (unintelligible)...

Cheryl Langdon-Orr: I can live with that, because it takes vexatious and puts it to the side, which is a big part of what we want to do.

Man: Right, yes, and that's what I was thinking of, because that was the objection that I saw was...

Cheryl Langdon-Orr: Yes.

Man: ...you know, looking at the vexatious or, you know, reverse domain name and...

Cheryl Langdon-Orr: Yes...

((Crosstalk))

Cheryl Langdon-Orr: ...in good faith.

Man: Would that be a hyphenated word or two words?

Man: God.

Man: Well, it's not capitalized, I can tell you that.

Cheryl Langdon-Orr: Yes, yes, definitely not capitalized even I agree with that.

Man: I (unintelligible) two words.

Man: Well in my - on my dictionary.

Steven DelBianco: Let's put it - if we use good faith, put it only next to the paren 1 paren where it says, "Relative incidence of good faith IP claims," or, "IP claims made in good faith should be measured in three areas."

Cheryl Langdon-Orr: Yes, that's okay.

Steven DelBianco: And that way we don't have to repeat the word good faith like 15 times.

Cheryl Langdon-Orr: No, no, that's fine.

Man: Sorry (Steve), you lost me there.

((Crosstalk))

Steven DelBianco: ...where it says - right in the middle of the 1.11 block, there's a paren 1 paren relative incidence of...

Cheryl Langdon-Orr: I see.

Steven DelBianco: ...good faith IP claims or relative incidence of IP claims made in good faith...

Cheryl Langdon-Orr: I like the second.

Steven DelBianco: ...should be measured in three areas.

Cheryl Langdon-Orr: I think claims made in good faith...

Steven DelBianco: Okay.

Cheryl Langdon-Orr: ...should be measured in three areas.

Man: Yes, and it should be two words.

Cheryl Langdon-Orr: Okay.

Man: Okay.

Cheryl Langdon-Orr: (Blake) has spoken.

Berry Cobb: Okay, moving onto 1.12, 1.13.

Cheryl Langdon-Orr: Is there any reason why we've short formed with regard to? We're not that short of space. And it will not translate well otherwise.

Man: Well, then just say regarding.

Man: (Unintelligible).

Cheryl Langdon-Orr: Yes.

Man: One word regarding applicable and (unintelligible).

Cheryl Langdon-Orr: That's fine.

Man: (Unintelligible) got it.

Berry Cobb: And by the way, Cheryl, as soon as Friday morning hits, I will also be submitting a request to have this translated as well.

Cheryl Langdon-Orr: Okay, so I don't need to bring that up under any other business. Thank you.

Berry Cobb: Done.

Cheryl Langdon-Orr: Am I that predictable?

Berry Cobb: Okay, 1.14, 15?

Cheryl Langdon-Orr: Moving right along.

Man: On 14, I added the phrase including takedowns required by law enforcement, because I went back through the U.S. government's second email to us and found a way to address most of the comments that they put in, subtle things like that.

Cheryl Langdon-Orr: You know, that's fine.

Berry Cobb: So then we should include in the source registry and LEA?

Cheryl Langdon-Orr: Actually yes, you're right.

Man: That's correct. Excellent point.

Cheryl Langdon-Orr: Yes. And I know it's just a silly thing, but you've got honeypot in inverted commas in 1.15, and yet there isn't any explanation footnote, and I'd rather have it footnoted or referenced, because it doesn't actually mean a lot in other languages. In fact, it could mean some very interesting things in other languages.

Man: Good point. Now, Olivier, that was one of the things that you and ALAC came up with, and when I read the U.S. government comment, the U.S. government said, "Don't restrict your spam measures to just honeypot. There may be other ways to get spam counts." And that's why I rephrased 1.15 moving honeypot as...

Cheryl Langdon-Orr: The only way.

Man: ...one of the ways you could do it as opposed to the only way to do 1.15. Is that all right with you?

Cheryl Langdon-Orr: You'll have to turn off mute.

Olivier Crépin-LeBlond: Yes, it - yes, I am off mute I hope. Am I off mute?

Cheryl Langdon-Orr: Yes, yes, you are.

Man: And so that was in preference to what Cheryl just remarked on is honeypot a universally known phrase? Will it be translated and is it necessary to even have that here?

Olivier Crépin-LeBlond: It is actually - in French, it is. It means the same thing.

Man: Say it for us.

Olivier Crépin-LeBlond: (Unintelligible) languages it might be quite tasty. It might not mean anything though.

Cheryl Langdon-Orr: Yes, well, actually I was thinking of some sexual (unintelligible) that might come out of it too.

Olivier Crépin-LeBlond: But you're Australian. You think of anything being sexual, don't you?

Cheryl Langdon-Orr: What can I say? We have a small population, but we're an active one.

Olivier Crépin-LeBlond: And you've got a lot of space to fill. So yes, I'm not quite sure what we can use there, because yes, using more than just honeypot. But we could say just - which could be measured for instance via specialized email addresses. And that would remove the honeypot term.

Cheryl Langdon-Orr: Yes. And if you're going to say specialized email addresses, you could almost...

Olivier Crépin-LeBlond: (Unintelligible).

Cheryl Langdon-Orr: ...go the whole hog and say - yes - via specialized email addresses and methodologies, because it's specialized methodologies as well as specialized addresses.

Man: Yes.

Berry Cobb: So I have it now as quantity and relative incidence of spam from domains and new gTLDs which could be measured via specialized email addresses and methodologies.

Cheryl Langdon-Orr: I like it. And (unintelligible) still is the right reference there. Good.

Berry Cobb: Okay, 16, we've got 11 minutes unless folks can carry on task.

Cheryl Langdon-Orr: I can extend.

Man: I can as well.

Man: I'm still here.

Man: Me too.

Man: All right, let's go. Press on faster.

Berry Cobb: Sixteen. Seventeen. Eighteen. Nineteen.

Man: Under 18, put LEA under APWG.

Cheryl Langdon-Orr: Oh, yes, good point. Would that also not be 1.17 as well?

Berry Cobb: Yes, why not? Let's put them on the hook.

Cheryl Langdon-Orr: Yes, they'd make the noise. Let them scream in the right (ray).

Berry Cobb: Sixteen, seventeen and eighteen get LEA.

Man: Okay.

Berry Cobb: Twenty - nineteen.

Cheryl Langdon-Orr: (Unintelligible) everything's okay.

Berry Cobb: Twenty.

Man: Note that all these say the word relative incidence, and that means it's relative to the total number of domains. With 1900 - 1400 new domains and gTLDs, the overall quantity might be higher, but it's going to be all measured relative to the number of domains.

Cheryl Langdon-Orr: Yes.

Michael Graham: I was wondering - this is Michael - is I was wondering, do we have relative defined as a term?

Man: (AJ) definitions right in the middle, the ones that he bulleted.

Michael Graham: Relative incidence, thank you. Okay.

Man: This is intended to put small or new gTLDs on a comparable basis with experience in larger or more established. Relative incidence are particular

measure would divide the raw data by the total number of registrations in each gTLD zone evaluated.

Michael Graham: Okay, so that is defined as relative incidence, and I asked because then in 2.1 - I know I'm ahead of myself - we use relative share.

Man: That's completely different.

Michael Graham: Okay.

Man: Get to that, but it's not - no, not the same thing as a relative incidence.

Michael Graham: Okay.

Cheryl Langdon-Orr: Twenty-one.

Man: The note - yes, go ahead, sorry.

Cheryl Langdon-Orr: I think 21 and 22 are fine. If we want to get to the note, that's fine by me.

Berry Cobb: Okay, the note - I know this was from one of our public comments, and I don't remember who or where it is in there. But one community member specifically stated - maybe it was even from our Costa Rica session, that ICANN is, you know, a contracted party as well. And that was the message that I was trying to convey here. And through the review of the public comments, we agreed that that kind of note should be in here. But I think what I have listed here is only my language, so I certainly welcome the correct language.

((Crosstalk))

Man: Berry, after reading the U.S. government's comments, because they made the same point.

Cheryl Langdon-Orr: (Steve), don't you think that the words stable, secure and predictable governance of the critical Internet functions says it or do you want to actually use the compliance word?

Steven DelBianco: No, I think...

Cheryl Langdon-Orr: (Unintelligible).

Steven DelBianco: ...this is fine the way it is. I'm good with it.

Cheryl Langdon-Orr: Yes, I'm - yes, I'm happy with it.

Michael Graham: I mean this is Michael. Do we want to place it here? This seems to give it an awful great weight here rather than up in the discussion of the advice on the measures and three-year targets?

Man: Yes, that's the problem is that the notes that we have way back in the early part of the document are pretty much notes about definitions only. Then when we get into the metrics, we don't have notes on metrics.

Michael Graham: But we have that advice on measures and three-year targets, but I guess that's just getting into the definitions and how we're setting up the chart.

Cheryl Langdon-Orr: I - putting on my at-large hat, I actually think it does need elevation to this level. I'm comfortable with it having a stick-out on this space.

Michael Graham: Okay, I'm fine. I had no problem. I'm just asking.

Man: So where will it show up? Is it going to be simply the last item in the consumer trust stable?

Man: That's where it is now.

Man: (Unintelligible) just...

Man: Yes.

Man: Yes, okay, that's fine.

Man: I can draw little roses around it to highlight it.

Cheryl Langdon-Orr: You can, but please don't make them roses.

Man: All right.

Cheryl Langdon-Orr: Because they've got thorns as well.

Berry Cobb: Next section, (Troy)?

Man: Okay, 2.1, 2.2?

Man: Two-dot-two should it simply be registrar rather than registrars?

Man: Right.

Man: Registrar Web sites.

Man: Got it.

Cheryl Langdon-Orr: Yes, that's true.

Berry Cobb: Two-dot-three. Two-dot-four.

Man: On 2.3, why not take out clear? Understandable is sufficient. I don't think you need clear and understandable.

Man: Yes, that's redundant.

Berry Cobb: Okay, 2.4.

Man: This 2.4 language is used a few places.

Man: All right, this is a survey provision.

Man: Right, yes.

Cheryl Langdon-Orr: Yes, and it takes up less space us sentencing like that than it would in bullet points. So I'm happy with it even though I tend to not like survey, survey, survey, survey. I think that's the best way space-wise to do it. Unless it's survey should and then dot, dot, dot. And think that would take up more space.

Berry Cobb: Okay, 2.5, 2.6.

Man: Just a question on 2.5, I see the three-year target being split from one page to the other. I guess with the repagination, this will (unintelligible)...

Cheryl Langdon-Orr: That should change, yes. I'm assuming that pagination will change, because we need those things locked together, and you'd be switching it - switching that out at the gray box if you needed to switch it at all.

Man: Right.

Berry Cobb: Okay, 2.7.

Cheryl Langdon-Orr: Nitpicking, but occasionally we have full stops at the end of these, and often we don't. I don't care which way we go, but consistency would help. I'm

(unintelligible) neither way, but it just notice that (unintelligible) sometimes I do and sometimes I don't sometimes. Doesn't matter I guess, but...

Man: Two-point-seven, should we say to the total number of gTLDs in each script rather than the total gTLDs?

Cheryl Langdon-Orr: Total gTLDs in each script or language, that reads all right.

Olivier Crépin-LeBlond: Well, the total gTLDs - (unintelligible) the total gTLDs - it's Olivier here. The total number of gTLDs I guess you have to look at.

Man: Yes, I would agree with that, Olivier.

Cheryl Langdon-Orr: Oh, all right then. Australians drop words and parts of words. We're possible remember. So don't listen to me on that.

Berry Cobb: Okay, got - made that change. Two-dot-eight. Two-dot-nine.

Olivier Crépin-LeBlond: Sorry, in 2.8, when you say quantity, do you mean number or do you mean there? Because with quantity I usually assume it's something like a kilo of rice and...

Cheryl Langdon-Orr: Really?

Olivier Crépin-LeBlond: I think that can be...

Cheryl Langdon-Orr: Must be a French thing.

Olivier Crépin-LeBlond: Yes.

Man: Quantity is the - you count them up.

Cheryl Langdon-Orr: Yes.

Olivier Crépin-LeBlond: Okay.

Cheryl Langdon-Orr: It's a measure not a qualitative term.

Olivier Crépin-LeBlond: I must be hungry.

Berry Cobb: Okay, 2.9.

Man: These are the ones we'll have to fight the hardest for. And equally the future review team will have to iron out exactly how to capture this, because I think even from our review, it's not completely nailed down how we're going to pull...

Cheryl Langdon-Orr: No.

Man: ...this out of all the data that's available. I think there's...

((Crosstalk))

Man: ...to Berry's timeline shows that big several months of...

Cheryl Langdon-Orr: Yes.

Man: ...(unintelligible) while staff develops the systems to capture all of this.

Cheryl Langdon-Orr: Yes, or goes to the third party.

Berry Cobb: Correct, 2.10.

Cheryl Langdon-Orr: And there will be budget - budgetary implications of going to third party, and that's another good reason to have it as long a startup time as possible, because it may need to go over to financial (unintelligible).

Berry Cobb: Absolutely, and that is also a section or not necessarily a section but a key message in the staff implementation notes. There are several initiatives that are already outlined in the 2012/2013 budget of systems implementations for new gTLDs that will be of a useful for collecting these metrics but as well as, you know, there needs to be other specific budget outlays just for this review team to conduct its work.

Cheryl Langdon-Orr: Yes.

Berry Cobb: And outlining what third party elements need to be brought in as well.

Cheryl Langdon-Orr: That's great. Thanks Berry. Ten? Okay.

Berry Cobb: And I think that's the metric that I sent the email on that domain tool. I just put up a quick little study on...

Cheryl Langdon-Orr: Yes, yes. Did you want to link that in the note there or not that new study as an example or not on long surveys dot chairs?

Berry Cobb: It wasn't a survey. They extracted it out of their own zone file data.

Cheryl Langdon-Orr: Okay, well...

Man: (Unintelligible) 2.10, there is a (unintelligible) missing after the first sentence. Sorry, joined you late.

Berry Cobb: (Unintelligible).

Man: I'm still here.

Man: Okay, got it.

((Crosstalk))

Cheryl Langdon-Orr: So you don't want a reference under the analysis in 2.11 then, taking your point that a survey seems to be external rather than internal. You don't want to link that as an example?

Berry Cobb: Is that question to Berry?

Cheryl Langdon-Orr: Yes, it was actually.

Berry Cobb: That's not my decision. If the working group feels that it can go in, I think it's more 2.10 than 2.11.

Cheryl Langdon-Orr: Okay.

Berry Cobb: But if the working group feels it's important to be...

Cheryl Langdon-Orr: Well if I was the review team, and I could have some examples to, you know, get myself up to speed with, I think I'd appreciate it. That's all.

Man: Repeat what it is that would - we would do to 2.10.

Cheryl Langdon-Orr: Link the new report that Berry recently emailed - link the reference more to the point, not the report.

Man: Is it really a close fit with this, because this is about a prior to expansion. So we're supposed to (Snapshot) all the registrations in the legacy space, park that someplace, and then three years out come back and measure.

Cheryl Langdon-Orr: (Unintelligible).

Man: Is that really what Berry's example did?

Cheryl Langdon-Orr: There's a (Snapshot).

Berry Cobb: It was - maybe it's not 2.10, but the idea is that it's close to it. They were examining the number of unique registrations and TLDs and the percentages associated with them. And so when you look at dot-com, for example, I think that their takeaway is that 75% of the dot-com names do not have a registered domain name in other TLDs that they've reviewed.

Man: And that's a contemporaneous and not a (Snapshot) history one. So it's tiny bit of a mismatch.

Berry Cobb: Personally I think we should probably not include this in the advice letter...

Cheryl Langdon-Orr: Okay.

Berry Cobb: ...because it's promoting maybe a potential vendor or something.

Cheryl Langdon-Orr: Oh, fair enough on that point. Yes, okay. Yes, I see that point for sure, okay.

Berry Cobb: Okay, 2.11, Olivier?

Olivier Crépin-LeBlond: Yes, I was going to say actually I agree, it would promote a vendor. So (unintelligible). However, I do question the moderate difficulty. Would you explain? Because I don't know, it just seems to appear that it is a difficult thing to do, but actually it really isn't. These are things which can be done automatically.

Berry Cobb: This is Berry. I - you know, I would say that it really will come down to a decision of the review team. If they decide it's buy versus build, you can easily buy it from an organization like Domain Tools and get the report. They've already developed the algorithm to identify the uniqueness. I know that ICANN doesn't have anything like that today, and if they decided to do it

in-house, it would take development resources to create the algorithm to make that determination about unique domain names.

So I - you know, I - maybe moderate difficulty is a little too much, but it is a little bit resource intensive.

Olivier Crépin-LeBlond: Well, could we add to this tools already exist or something along those lines in the same was as in 2.11, for example, it says attainable using either ICANN or external survey tools and advice?

Cheryl Langdon-Orr: That's almost the same...

Olivier Crépin-LeBlond: Two-point-ten, it doesn't say that.

Cheryl Langdon-Orr: Yes.

Olivier Crépin-LeBlond: Yes.

Cheryl Langdon-Orr: Yes, we could repeat that above, you know what I mean, yes.

Man: At the time we wrote the recommendation we hadn't seen the Domain Tools that now we have seen. So...

Man: Very, very different though. Olivier, I wanted to respond to your point. It's not difficult, because of the (Snapshot). It's difficult because of the multiple moving parts. So take a look in the chat. I just put a proposed...

((Crosstalk))

Man: So by this, Olivier, I'm agreeing with you is that the (Snapshot) itself isn't difficult. The moderate difficulty comes because we have to either program or hire a vendor that would walk through that giant (Snapshot) and check all of

the new gTLD space, every single zone, all thousand of them, to see where that name is already registered.

Olivier Crépin-LeBlond: And some will have done that. So I just would like to have in there that this could be purchased by ICANN and it probably will be as well.

Man: So what I have there requires snapshot, blank, blank to the end of that sentence and then you would add another sentence saying...

Woman: Time for using either ICANN's or external tools.

Man: Yes.

Woman: Just the same as we've got on 2.11, same language.

Man: Yes just drop the word survey.

Woman: Yes external tools and so you use exactly the same language. But in 2.11 it says external survey tools.

Man: I know, but you know what, why didn't we say that for nearly every row?

Woman: Because we did it incrementally and we got better at it.

Man: Okay but it's fairly obvious that the choice for obtaining and reporting may include in-house or outsource. I don't think we want to say that every time that it's applicable. If on the other hand Olivier's saying that there is a tool out there that works already and may be worth mentioning.

Olivier, would you be better if I just took out moderate difficulty and just said requires the snapshot of all zones? So we're not even assessing that it's difficult; we're simply indicating that you better do this before delegations begin or we won't have the snapshot.

Olivier Crépin-LeBlond: Yes some of you here - yes I'd be happy with that.

Man: But just drop moderate difficulty...

Olivier Crépin-LeBlond: I'm just concerned that, you know, yes the moderate difficulty part might introduce a barrier to doing it or at least find some people who would say, "Well that's a barrier to doing it. Well it looks as though this has already been done by some people." A different flavor of it.

Man: Okay keep in mind that if the review team ever adopted this stuff and they actually did the review ICANN is under a significant obligation to implement the recommendations of a review team. They have special status in ICANN due to the affirmation of the commitment.

So things that, you know, what do the marines say? "The difficult we do right away. The impossible just takes a little longer." So I catch your drift that somebody like the council might want to pull back on things that are moderately difficult, but if in fact the review team did it the difficulty wouldn't be a barrier.

So we take out moderate difficulty and just go with requires a snapshot, maybe even note, colon, requires snapshot of all legacy gTLD zones before delegation of new gTLDs. Sort of a reminder to go do that and sometime in the next several months.

Woman: Yes definitely.

Man: But council might not be a barrier, cost might be and so we just have to make sure we don't provide barriers before we even start.

Woman: Yes I like a lot of sessions without the difficulty reference.

Man: You know, a lot of it like everything in ICANN is perception and updates. It's unfortunate, but that's how it is.

Woman: Next.

Berry Cobb: Sorry I was on mute. May I get the final text that we'd like here then?

Man: Berry, look in the chat and take from requires to the end. Repaste it. There you go, take that.

Woman: Yes.

Berry Cobb: Okay got it, 2.11.

Man: I think maybe it should say automated analysis or online survey to determine duplicate registrations in new gTLDs.

Man: Yes I think that's right.

Woman: That's a good idea. To determine, yes.

Berry Cobb: I'm sorry, the online survey...

Man: To determine quote duplicate registrations.

Woman: So you remove all sample of and replace it with to determine?

Man: Right.

Berry Cobb: And this is in the difficulty...

Man: No, no, no. In the actual description.

- Woman: In 2.11 itself. Automated analysis or online survey to determine duplicate registrations in new gTLDs, period, for purposes of blah, blah, blah.
- Man: No I'm reading that determine or identify or determine the number of.
- Man: It doesn't matter, whatever you want.
- Berry Cobb: Or identify?
- Man: You'd want to have number of, you know, it's just identifying. We're trying to come up with a number, but you have to go through the process of determining if their duplicates or not.
- Man: From a number of, like that. To determine number of.
- Berry Cobb: Okay 2.12 - 2.13.
- Man: 2.12 it probably shouldn't say gTLD S expansion, just gTLD expansion.
- Man: Gotcha.
- Woman: Yes okay.
- Berry Cobb: 2.13.
- Woman: Well we bludgeoned that again last week, so that should be fine.
- Michael Graham: Yes I did have one question about that, this is Michael and that is we have no target. Should we also though put in as we have in some of the targets comparison only or is this an absolute no target, we're just getting a number?
- Man: There isn't even a comparison Michael. We're not comparing legacy to the new or anything else.

Michael Graham: Okay.

Man: You know what I mean? We're not even measuring two things; it's just one simple study.

Michael Graham: Just looking, okay.

Woman: It's straight to our acquisition. Future studies might compare, but at this stage it would be straight.

Michael Graham: Okay.

Berry Cobb: Okay 2.14.

Man: In the anticipated difficulties should there be a paren around refer to consumer choice survey of users noted above? I guess not.

Woman: My only issue with 2.14 was the use of annual as opposed to regular.

Man: In 2.4 is where we first encountered this. And we did say annual. I believe we debated that and said I'm not exactly sure why, but by regular do you mean more frequently than annual?

Woman: No I mean probably less frequently than annual, but not necessarily (unintelligible) to annual.

Man: Well let's be consistent. If we're going to change it to regular, regular doesn't mean anything. Sorry, it could mean more or less frequent.

Woman: It could be more or less, yes.

Man: So the annual tie into the one and three years type of look and the three year look?

Woman: Yes it does, it does.

Man: It only asks us for a three year target in which case you could do the survey once now and once again in three years.

Woman: Which is not annual.

Man: I know, I know. We were thinking annual so that you could get it back. So I'm going to quickly check the U.S. government, it might have been them that pushed us to do annual.

Woman: I mean if it's rationale, fine. But I'm just very aware that annual surveys tend to end up to be 18-24 months apart.

Man: Well the one guiding principle here is sort of the target which is to show improvement, hence there must be at least two surveys taken.

Woman: Yes which can be one and three.

Man: I have an idea, what do you guys think about biannual?

Woman: I think that's achievable.

Man: More realistic I think.

Woman: I do, yes. I'd be happy with biannual over annual and that is tighter than regular.

Man: Yes but that means twice a year?

Man: No, no. That's semiannual. Biannual's every two years.

Woman: Great.

Man: Is it biannual or biennial?

Woman: Ennial.

(Perez): This is (Perez); sometimes the work is actually used in courses to bond clarity of language as a negative example because no one knows whether it's twice a year or every second year. So you shouldn't use that in a contract according to these courses.

Woman: Is that biannual or biennial or both those words Tobias?

Tobias Mahler: I think it's biannual.

Woman: Well let's use biennial if that doesn't have the same issues.

Man: I was looking up the definition and it means an event lasting for two years or occurring every two years.

Woman: Occurring every two years works.

Man: So B-I-E-N-N-I-A-L.

Woman: Perfect.

Man: As long as you don't use monthly.

Woman: No.

Man: So we're looking at biennial? How do you spell that?

Man: B-I-E-N-N-I-A-L.

Man: Yes the U.S. government went on and on and on about the importance of these surveys, but they did not specifically request annual. So let's go with biannual, at least biennial. It makes us look a little more reasonable - realistic.

Man: So that would change...

Man: So that would happen in 2.4.

Woman: As well as 14.

Man: And let's go back to consumer trust to see if there are any in there as well. Yes go to 1.4 please and it's 1.4.

Man: That doesn't give it - oh there it is, yes.

Man: I would ask that the last sentence of 1.4 say survey to be conducted every two years and put in parens biennial.

Woman: And then we just use biennial from then on?

Man: Yes how about that?

Woman: Perfect. Do you remember we've actually incidentally coordinated Group 1 and Group 2 activities?

Man: Amazing isn't it?

Woman: Hell.

Man: And 2.4. Berry, you got the change on 1.4, right?

Man: Yes.

Man: Berry's on mute. 2.4 starts with the word annual survey; change that to biennial surveys.

Man: Got it.

Woman: And 2.14 same thing.

Man: There you go.

Man: Got it.

Woman: God we're good.

Man: Okay 2.15.

Man: Traffic data was something the U.S. government really wanted and I don't know. (Wendy) is claiming that we should never measure traffic as an indicator of trust, but I just think we have to overrule.

Woman: Her points are noted. I have a dumb question though, (Alexa), isn't that a proprietary thing? Shouldn't we not be just saying they're in escrows and saying something else if (Alexa's) not at the escrow? She says absolute ignorance is what (Alexa) actually is.

This is proprietary, I'm not sure we should name it.

Olivier Crépin-LeBlond: That's a good catch; it's Olivier here.

Man: You could put in parentheses 3.G.Alexa, how about that?

Woman: Yes examples of (Alexa) is fine, but I have no problem referencing (Spanhouse) because of the nature of its work. (Alexa) I'm not quite so comfortable with, but as an example yes.

Man: You can put in parens E dot G period, space, (Alexa).

Woman: Yes.

Man: And then (Alexa's) not all uppercase, it's a regular word. Uppercase.

Woman: Okay.

Man: Onto competition.

Man: I had one style question and that has to do with the footnotes which I found extremely useful, but I was wondering if it would not be even more useful and clear if the footnotes were put in two places. One where they are to identify the number, but then also since they are in a way defining after the terms that they're defining or explaining.

So quantity of total TLD's before one goes in there. One will be a gTLD, two goes there.

Man: Can you even do that? Can you reference the same end note in two different places in the document?

Man: You mean physically within the software? Yes you could. You simply force the number and you don't have the other ones changing the number.

Man: You can do it Berry, go for it.

Woman: Yes.

Man: Because I was just wondering that as I was reading, you know, and recalling that we had those and it took me a while to put them together. Yes I think that's excellent information to have in there.

Woman: That would be essential information, yes.

Man: So the end note would be not only in the target column, but in the measure column for this particular group only. One, two, three, four and five, right?

Woman: Yes.

Man: Okay fine. Okay I've got that captured. 3.2, 3.3, 3.4.

Man: Can I make a point about this? People will look at our numbers and say a 2X increase is so modest. You guys were way too low; you set the bar too low. But I want to remind our critics that we divide these targets before the application window closed.

Woman: Yes.

Man: And at the time we were very comfortable that if you double the number of suppliers that would indicate that you've promoted competition. And I would say the working group didn't feel right just jacking up the numbers because we've got so many more apps after the fact.

And keep in mind that the targets are going to look at the new gTLDs that happen to still be alive three years out at which point many will only be a mere memory. You guys okay with that?

Woman: Yes.

Man: It doesn't have to be in the document, it's just sort of an FYI.

Woman: Yes I think that's just how we picture it.

Man: Okay on 3.6 Berry, new entrance is one whose ownership is not among. Instead of at comma as being it should say a new entrant is one whose ownership is not among.

Woman: Yes that's fair enough.

Berry Cobb: So you're saying to remove the as being?

Man: That's right.

Woman: And have it is one.

Man: Take out the comma.

Berry Cobb: Okay 3.7.

Man: Can I ask my question again? Should we add comparison over time only for both 3.7 and 3.8 after no target? Or is that clear from the context?

Man: This isn't even for comparison purposes. The U.S. government insisted on this because they think that when you add new competition the quantity and pricing will react just like they do in classical microeconomics. I don't think there's even a remote chance of that because these are not readily substitutable and they're a high transfer cost.

So it isn't even a comparison of before and after, it's simply going to be used to determine whether there have been observable effects in price and quantity when you introduce new competition. I don't think in this case Michael that comparison purposes should be in there.

Michael Graham: I can live with that.

- Woman: On 3.8 I was unsure whether to the average reader the meaning of CC was going to be clear where it says legacy space, all the CC's. If I'm just an email user I'm going to think we're carbon copying things.
- Man: Then let's clarify the middle of that to say it does not appear where that same string unique - that doesn't even make any sense, string space unique. Why is the word unique in there in quotations?
- Woman: Just string would do.
- Man: The same string does not appear as a registration in any TLD...
- Woman: That's better.
- Man: ...or other basis.
- Woman: Yes that would be better and it stops this legacy station CC. And I was particularly disturbed by CC's.
- Man: I don't even know what the hell this one does. What is this about? Maybe what the word unique should be is in the very top line of 3.8, quantity of quote unquote unique second level registration.
- Woman: Yes that would help.
- Man: Move unique Berry to the first line, quantity of unique second level registrations in the new gTLD.
- Berry Cobb: Okay so where that same string does not appear as a registration in any TLD on a weekly or any other...
- Man: Yes weekly or...

Woman: The other TLD or a weekly or other interval.

Berry Cobb: I'll try to paste it in. I got it.

Man: Thank you, so this is about uniqueness. So it's good to put the word unique up in the top line. Okay this next measure's related to prices; you probably need to grey that bar out. That's one of those notational bars, shading grey.

Woman: As long as there's not 50 shades of them.

Man: Ten percent. Yes I haven't said (unintelligible). I'll bet you have.

Berry Cobb: Okay 3.9, 10.

Man: Oh yes.

Berry Cobb: Eleven.

Man: Change the study to 100-200K because some of the WHOIS studies were as much as 200, weren't they Berry?

Berry Cobb: Yes.

Woman: Okay.

Man: To 100-200K.

Berry Cobb: Oh okay.

Man: I'm just wondering too in the measure, the last line, for new market segments. I'm not sure what that means particularly for new market segments?

Man: It's a brand new dot bike is a market segment because there's never been a bicycle segment on the internet.

Man: Right.

Man: And I think that Paul Twomey gave us this one saying that innovation really happens on the edge. It doesn't happen in some of the legacy, it happens on the edge.

Woman: Yes.

Man: New markets served. Maybe that's the way to say it, new markets served.

Man: For new markets served, yes. Or in new market segments, yes something like that would - but not particularly for new markets served.

Woman: Yes.

Man: Okay and now we can dive into end notes and we'll be done. Now as the working group member, I hate to leave anybody out. Do we have everybody here?

Man: As far as I know yes.

Man: I was going to suggest that they get put in a special order like alphabetical or something which (unintelligible). I think at the moment they're kind of scattered in no specific fashion.

Man: Yes put them in alphabetical order by last name and you probably ought to...

Woman: And (Jonathan) needs to be listed as workgroup chair as well.

Man: That's right.

Woman: I am so tempted to ask for NCSG after my name, but (unintelligible).

Woman: You know me; I'd really have a fight in the seat.

Man: All right, Page 18, I added a new note. Take a look underneath the notes, the second paragraph. It should be confidentiality provision; I used the wrong word there. Confidentiality provision.

Woman: Right.

Man: Should we have a 20 page disclaimer as well in there?

Woman: Only if we get our own legal advice and I suggest we don't.

Man: On Appendix C I believe that you have to label this appropriately. The following is a dissent position from Wendy Seltzer.

Woman: All of the non-commercial stakeholders group. That's fine.

Man: You need to know if you need to.

Woman: Yes.

Man: If you want to you can of the NCSG, but it's really from an individual. We went all through this two hours ago, right?

Woman: It is and the fact that she is closing NCSG is her business, but I think we should definitely name her as Wendy Seltzer of the - because she's listed as NCSG.

Man: Right, Wendy Seltzer comma NCSG.

Woman: Yes.

Man: And underneath this which would be from (Evan).

Woman: And just let me do a quick mental review. I believe Alex also indicated his support for it on the NCSG list.

Man: And is he listed in our working group?

Woman: He is as NCSG.

Man: All right and I guess you're going to have to...

Woman: I mean he hasn't been to a meeting, has he? But he is listed.

Man: All right, then you really have to say the following is a dissent position from Wendy Seltzer and Alex Gakuru of the NCSG.

Woman: That's fine.

Man: Agreed Berry?

Berry Cobb: Sure.

Woman: Berry, I know it happens in other - and yesterday isn't the only end obviously. It happens in other workgroup reports and I don't care that it's appended, but I'd like it linked as a hyperlink if it's on a Wiki page somewhere. Let's see attendance of workgroup members.

Man: I like that.

Woman: It sticks in our (unintelligible) where people just, you know, have their names listed and (unintelligible) in terms of contribution. So I'm all for that, it's

something GNSO has done in other workgroups, but I don't necessarily like it taking up space as it does in some reports.

If it can be popped up and just a hyperlink underneath the listing of the members, then I think that does the job and it allows us to as individuals who put people - sorry as groups who put people onto working groups to have some accountability on who's pulling their weight and sharing our voice into that space.

Man: Sure I like the idea, but is there really a hyperlink place that lists the attendance?

Berry Cobb: This is Berry, there will be within the Wiki - we have each meeting listed and who attended, who apologized. We haven't rolled that up into a master list, but I'll do that and then link to that master list.

Man: Well done, thank you.

Woman: And it makes me happy which is always important. Sorry guys I'm in need of coffee at this end of the day. My calls for this morning started at 4:00 am, it's now 7:36. So be gentle with me.

Berry Cobb: So outside of the details of the end notes we're at the bottom of the (unintelligible).

Woman: Why are the numbers red on 17 and 14?

Berry Cobb: Because I was trying to highlight them so that they understand the count.

Woman: For sure, as long as it wasn't sort of markup stuff that I was looking at. That's all.

Man: There is one gTLD missing in number two which is dot arpa.

Woman: Dot who?

Man: Arpa.

Man: The reason why because it's not available for registration by anybody.

Man: But that's a restricted, right?

Man: Or mix dot gov, dot (unintelligible), dot (unintelligible) and dot arca.

Man: But it doesn't count because you can't register for it.

Man: I've seen someone ran their email out of a dot arca because you can - given an IP address that - well complicated.

Man: You can flub it with a IP fixed address.

Man: Just delete and use exclusively for technical infrastructure purposes. So let's not do that, let's not bring it in.

Woman: Do you want to list it in the admissions though?

Man: Yes that's what I meant; list it in next to dot gov, (unintelligible), dot edu. I was going to say...

Woman: To list it in the parenthetical.

Man: Good idea.

Woman: And of course have a space after omit.

Man: Okay good catch.

Woman: Pedantry to the end, god I love working with you boys.

Man: Pedantry, oh I feel pretty pedantic right now. I need a drink.

Man: You mean you haven't started drinking?

Woman: Olivier's (unintelligible).

Olivier Crépin-LeBlond: (Unintelligible).

Man: On Note 3 here should we really be doing RO instead of registry operators?
We don't use RO any place else?

Berry Cobb: We do CRO.

Woman: Yes where is it? Oh in the triple dot - down at the bottom. Yes.

Man: Yes way at the bottom, yes the triple (unintelligible).

Man: Did you blow that out Berry?

Woman: Put the for word in here, yes.

Berry Cobb: Got it.

Man: That's what I call dedication here, the small print at the end of the last page of
the last thing after - it's two and a half hours.

Man: Yes a footnote to the end notes.

Woman: Yes.

Berry Cobb: Okay so I've got a laundry list of changes to make to this and I'll get that out to the working group. As I said we have till Friday morning to respond back to any other changes. All changes should be submitted to the list and if I don't hear any objection or dialogue on a particular change I'll consider it golden for Friday morning release and then we'll ship it off to the council.

Woman: Excellent, this is really important stuff and I know we've had our moments of, "Oh my God, why are we doing this?" But they haven't been very frequent and I think this has exceeded my expectations when we dived into it.

Berry Cobb: Absolutely and I should make one other note that I'll be including in the staff implementation notes and it's hard to say who and what makeup the future review team will be, but I will be requesting that members of this team be available or hopefully will be available for the future review team to brief them in addition to just the advice letter itself and the metrics that are being created here.

Woman: That's excellent particularly if they're active members of this review team - this workgroup.

Man: And active members as advisors, yes.

Woman: Yes.

Berry Cobb: All right, that's all I have. Any last minute...?

Woman: Well hang on Berry, there is one other thing and I don't know about everyone else and (unintelligible) even knows we're on the call, but if you can imagine us all standing up giving you a standing ovation for what I would consider an amazingly detailed and superb job. You've helped us wrangle our language into, you know, something that I know I'm proud to have my name on.

And I mean (unintelligible), you know, a big part of that, but you're important as a team member as well as staff support has been phenomenal and without you we'd still be a long way back in the program. And I just wanted to go, "Hey, fantastic job. Round of applause. If I could give you one you'd be hearing it."

Berry Cobb: Appreciate that very much and likewise I appreciate the team effort here. And I definitely believe we wouldn't be where we're at without us all.

Woman: We done did good.

Man: We can all go out and have a drink now.

Woman: Just finally I will be doing a little workshop in Toronto for my airlock lot. That was hard to say. I've seen (unintelligible), but it might be nice to have an unofficial get together and compare notes even after that.

Berry Cobb: Agreed.

Woman: Okay.

Man: Excellent.

Berry Cobb: Great, well thank you everyone. Enjoy your week and see you soon.

Man: Okay.

Woman: Bye.

Man: Bye.

Woman: Thanks guys.

Man: Thank you so much everyone.

Man: And I'm adopting sweet Sammy Adams.

Berry Cobb: (Kelly), you can stop the recording please. Thank you.

Coordinator: This concludes today's conference. Please disconnect at this time.

END