

**Thick WHOIS PDP Drafting Team  
TRANSCRIPTION  
Thursday 06 September 2012 at 1800 UTC**

Note: The following is the output of transcribing from an audio recording of the Thick WHOIS PDP Drafting Team on the Thursday 06 September 2012 at 1800 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

**Attendees**

Elisa Cooper - CBUC  
Keith Drazek - RySG  
Ray Fassett - RySG  
Alan Greenberg - At-Large  
Frédéric Guillemaut - RrSG  
Tony Harris - ISPCP  
Caroline Hoover - RySG  
Susan Kawaguchi - CBUC  
Mikey O'Connor - ISPCP  
Jonathan Zuck – IPC  
Susan Prosser – RrSG  
Ekaterina Dureva – Individual  
Evan Leibovitch – At-Large

**ICANN Staff**

Marika Konings  
Glen de Saint Géry  
Berry Cobb  
Nathalie Peregrine

**Apology:**

Tim Ruiz - RrSG  
Avri Doria - NCSG  
Steve Metalitz - IPC

Coordinator: Today's call is being recorded. If you have any objections please disconnect at this time. Thank you. You may begin.

Nathalie Peregrine: Thank you very much, (Heather). Good morning, good afternoon, good evening. This is the thick Whois PDP Drafting Team call on the 6th of September, 2012.

On the call today we have Frédéric Guillemaut, Mikey O'Connor, (Katarina Geova), Evan Liebovitch, Elisa Cooper, Susan Prosser, Ray Fassett, Susan Kawaguchi and Carolyn Hoover. We have apologies from Avri Doria and Steve Metalitz.

From staff we have Marika Konings, Glen de Saint Géry, Berry Cobb and myself, Nathalie Peregrine. I'd like to remind all participants to please state their names before speaking for transcription purposes. Thank you very much and over to you.

Marika Konings: Thank you very much, (Nathalie). Hello everyone. My name is Marika Konings here at the second meeting of the Thick Whois Drafting Team.

The first item on the agenda is the roll call that Nathalie just conducted and ask anyone whether there are any updates to statement of interest? As you can see on the screen I think everyone has completed their statement of interest.

And maybe this is also a moment if anyone that wasn't on last week's call wants to provide a brief introduction of themselves so that - (Katarina) already did that on the mailing list. But if there's anyone else that wants to say a few words on who they are and their interest in this group, you know, please raise your hand in the Adobe Connect.

So if there are no further updates to the statements of interest then maybe we can go to the next item on the agenda which is the election of the drafting team chair.

For those of you that were on the call last week we did already have quite an extensive discussion on that as several people were nominated but felt that they couldn't take on that task as, you know, they didn't feel that they were - they wanted to voice their opinions and not be in the neutral chair position.

In the meantime there was a call-out as well on the mailing list for people to volunteer. And as you may have seen Alan Greenberg actually suggested that I would continue in the chair role.

Some have supported that but as some of you will have seen there was also a message from Jeff Neuman, who's one of the vice chairs of the GNSO Council who suggested that it might set a bad precedent and I think strongly suggested that the drafting team might reconsider that suggestion.

So with that I think I should throw it back to the drafting team and maybe first of all see if, in the meantime, any other volunteers have come forward or would like to come forward in taking on the role as the chair of this drafting team.

I think, as some have pointed out as well, you know, the task of this drafting team is really to develop the charter. It's not about, you know, debating the merits of the issue or really going into the substance of the issues that need to be explored; it's really about, you know, looking at the charter, which elements need to be covered there and to, you know, wrapping up that project so it can be submitted to the GNSO Council for approval.

So with that said I would like to open the floor and see what people think or what your suggestions are. Mikey, please go ahead.

Mikey O'Connor: Thanks, Marika. It's Mikey. Alan also mentioned that he would volunteer to be chair. But he's not on the call, right?

Tony Harris: Hello, Tony Harris joining.

Mikey O'Connor: Oh hey, Tony.

Marika Konings: Correct, Alan hasn't joined yet.

Mikey O'Connor: Okay. Well I would certainly support Alan as chair. I would - in the chat last time around I also said that I would chair it if it didn't drive anybody crazy and it elicited no comment whatsoever. So maybe Alan and I could co chair it and cover it that way.

I tend to agree; this is pretty much a mechanical exercise, not a policymaking exercise. It's mostly about drafting the charter. And I tend to agree that it's probably not a good idea to just zoom off and let Marika be the chair right now; that seems like an interesting and puzzling minefield to get through. So I'd be willing to volunteer as a co chair to Alan if Alan could be held to that foolish promise that he made in the email list.

Marika Konings: Thanks, Mikey. That's very much appreciated. Are there any further comments? Any feedback on Mikey's suggestion to have Mikey and Alan as the co chairs or are there any other volunteers that would like to step forward at this stage?

Tony Harris: Hi, this is Tony Harris. I support what Mikey just proposed.

Marika Konings: Thanks, Tony. Any other people that would like to speak on this subject?

Elisa Cooper: This is Elisa Cooper. I support that as well.

Frédéric Guillemaut: This is Frédéric Guillemaut. I thought it was a (unintelligible) idea I told Marika on the chat but if we have someone from the team I think it's a better idea.

Marika Konings: Great. This is Marika again. Maybe I should - it's better ask - are there any objections to the proposal? I mean, of course we will need to confirm with Alan whether he's okay with this approach. And I think it's probably only fair as well to, you know, put this proposal as well out on the mailing list so people that are not on the call today have an opportunity to respond to the proposal and, you know, possibly there are other volunteers.

But having said that if there are no objections, Mikey, I'm happy to hand over the chairmanship of this drafting team to you at this stage.

Mikey O'Connor: Thanks, Marika. This is Mikey. Let's make sure that we can round Alan into this. I find chairing it sort of as a mechanical thing but I'd like to have some backup because this is sort of a funny time of day for me.

Let me just do one kind of introductory thing just to make sure that you all understand where I'm coming from. I think I may be the only person in the drafting team who was also on the IRTP Working Group that came up with this suggestion.

And - well maybe - Elisa, were you in that gang too? I forgot. Sorry to put you on the spot like that. Let me finish off my little paragraph and maybe it will remind you.

One of the things that the IRTP was really working on was trying to frame this in such a way that we didn't walk in to the minefield of the many Whois privacy, etcetera, etcetera, issues.

And so when we were describing this we were describing it primarily as an operational improvement to the way that registrars exchange information.

And that would tend to be my bias. So if that makes any of you particularly crazy I should get that out of the way early.

I will, of course, try to refrain from expressing that bias while I'm chairing. But you need to know that that's where I'm coming from. And I see Evan, you've got your hand up. Go ahead.

Evan Leibovitch: Hi. Sorry, just to go back to the chair issue because something just came to me about a conversation I'd had with Alan. Without totally speaking for him I think his concern was that he didn't have a problem with chairing so long as he would occasionally be able to take off his chair's hat and make substantial contributions to the group. By having two co chairs I think that problem is alleviated.

Mikey O'Connor: Yeah and I think it alleviates it for me as well. That's part of the reason why I like the idea of a co chair because at times I may want to step back into that IRTP role for a little while.

Okay the other kind of background tidbit - and, Marika, I don't know exactly how to fold this in. But once upon a time there was no RAA negotiation going on.

The RAA negotiations are now pretty far along and one of the things that's come up in those negotiations is the discussion about consistent format to Whois data in thin registries for exchange of information about registrants by registrars. And it's come up in the IRTP-C discussions that we're having right now.

Do we have sort of an official encapsulated version of that development yet that we could maybe fold into the proceedings of this group? Because I think that's an important development with regard to the reason why this group was originally chartered or at least proposed by the IRTP.

So I don't want to put you on the spot but maybe as an action item we could hustle off and get something like that. Marika, go ahead.

Marika Konings: Yeah, this is Marika. I can check, indeed, on that. But as far as I'm aware there's no - there's nothing - no redline agreement or anything posted like that yet. I can check because I know we do have a wiki page where I think there are regular updates on the different topics posted so I can see what is there. And if there's anything further on that I'm happy to share that with the drafting team.

Mikey O'Connor: That'd be great because Volker Greimann was talking a bit about that on a call that we had yesterday about that. Okay sorry to take up so much time on me. I think the next agenda item is questions about the background material. So maybe, Marika, if we could throw that - maybe throw the initial report up on the Adobe room for people to look at. My recollection is that you walked us through that last time?

Marika Konings: Yeah, this is Marika. I need a second to probably find the initial document. Because basically what I did on the wiki page you'll find a section there that's called Background documents. And what is posted there currently is the thick Whois final issue report. It also includes the redlined version so people can see what's changed from the initial issue report to the final issue report.

It includes a link to other public comment forum that was held on the preliminary issue report. It also includes the report of public comments that we received. It includes a link to the GNSO Working Group Guidelines with a special focus on the Section 6 which is the charter guidelines. And it includes the charter template which we also walked through last time around.

And what I also did is include some examples of other working group charters that have been recently developed using the charter template as that might

be useful examples as the working group starts discussing how to complete the template and, you know, might provide some information.

And you can see how other working groups have done it and maybe especially the other PDP working group that was - has recently gotten started and you might want to have a look at that. So that's what's currently posted there as well as a presentation I gave last week on providing an overview of those main documents.

Mikey O'Connor: That's what I was thinking that the initial report wasn't quite right; it's that overview.

Marika Konings: Oh right, so you want me to put up the overview?

Mikey O'Connor: Yeah, let's do the overview and kind of work from there. Because I do recall now that the initial - it wasn't the initial report that was so interesting. In a way I'm sorry I made that on the fly decision to chair because had I made that decision a couple hours ago I would have reviewed this material a little bit in advance.

It seems to me that - I'm trying to find the page that I remember - now, Marika, am I driving or is everybody driving separately?

Marika Konings: Everyone's driving.

Mikey O'Connor: Okay. I want to find - there was a part of one of the documents that had sort of a list of the scope issues not in that overview - it must be in the final issue report. So maybe it is the final issue report that we really need to...

Marika Konings: This is Marika. Are you referring - I think it's on the Slide 18.

Mikey O'Connor: Let me roll down there.

Marika Konings: It just mentioned - if you look at Page 17 that - yeah, 17 and 18 provides like a main overview what was described in the report as well as the items that, from a staff perspective, were included as, you know, once a PDP - or once a PDP should go forward which issue, from our perspective should be considered in making that determination whether, you know, positive or negative consequence of requiring thick Whois.

Mikey O'Connor: Yeah and so the actual list appears - yeah, I'm looking at the initial report now. The list is found...

Marika Konings: Would you like me to pull up the initial report?

Mikey O'Connor: Yeah, I think that's...

((Crosstalk))

Mikey O'Connor: I think that's - because what I'm thinking is that - I'm sort of jumping ahead to the next item and thinking that one approach to this is to lay out the issues, get a kind of preliminary sense of the group as to which of these issues are contentious and which might not be because I think that once the list of issues is defined that pretty much defines the scope. And once the scope is defined I think the rest of the chartering is relatively conflict-free.

And so at this point, Marika, you're driving, right? So you've taken us to the page that I was thinking of which is the positive and negative effects.

Marika Konings: Yes - this is Marika - exactly. So in this section, in the 4.5, indeed we looked at all the elements that we think, you know, we thought from our perspective and as well based on community input which elements would need to be considered in order to make that determination.

And then further down in Section 4.6 there we raised some other issues that might need to be considered which might also need to be covered in the

charter, for example, you know, how to ensure that there's no overlap with other Whois activities or make sure that there's a kind of information sharing going on in case there's information that might benefit, you know, the work of the working group, for example.

There it also talks about, you know, the scope issues and some other elements that are more broader considerations that may or may not need to be considered as part of the charter.

Mikey O'Connor: Right. That's' what I was remembering. At this point I'm going to let the rest of you on the call think about this but, fair warning, Marika, I'm going to throw the question to you first which is - because you've been much more deeply engaged in this than I have.

Is that the right approach to carving out this charter? If we had managed to make the Marika-is-chair idea, which I thought was a pretty good one too, stick, is that the way that you'd have done it or is there another way that you'd have tackled this one? Go ahead.

Marika Konings: Yeah, this is Marika. I think that, indeed, would have been my suggestion. My suggestion would have been to probably prepare a first draft of the charter based, indeed, on what is in the issue report and then work with the drafting team through the list of items that staff identified to see, indeed, should those be in or out or, you know, possibly rephrased or more guidance provided and see, indeed, are there any other elements that are missing.

I think that would have been, for me, the logical starting point for this discussion. So - but again, you know, it's really up to the drafting on how to tackle that.

Mikey O'Connor: Evan is going nuts in the chat talking about the AOC Whois Review Team report. Are you mentioning that as another background document that we

should consider, Evan? I noticed that we've got a list here in Section 4.6 on Page 30 - Page 16.

Evan Leibovitch: Okay.

Mikey O'Connor: There's this section called Relationship with Other Whois Activities. Is that what you're mentioning?

Evan Leibovitch: I guess so. And also because recently, essentially, ALAC almost pretty well fully endorsed that report and so it gives a bit of an opening position where we're coming from this. So...

Mikey O'Connor: Yeah, okay.

Evan Leibovitch: ...I would actually elevate it to something beyond just a collection of the background docs. I think this is actually - it's topical, it's relevant and it's specifically related to what we're working on.

Mikey O'Connor: Yeah. If you roll back to Page 16 what we have in our charter is other issues to - or not our charter, our issue report - is other issues to consider if the PDP goes ahead and its relationship with other Whois activities. And it seems like that would be a natural place to put the - to put the AOC Whois as well although that's now completed but certainly does make sense to put it in.

Alan's here.

((Crosstalk))

Mikey O'Connor: Are you on the call too, Alan? I made you my co chair; I sure hope you think that's okay.

Marika Konings: This is Marika. I think he's not on the call yet. I don't see him in meetings view but I'm assuming he's dialing in.

Mikey O'Connor: Oh, okay, yeah, we'll greet him with that little surprise when he gets here. Are you on the...

Evan Leibovitch: I see what you're saying, Mikey. I guess I was just making the point that it had some very specific recommendations some of which go to exactly what the PDP is supposed to be dealing with.

Mikey O'Connor: Yeah, yeah. And so we should certainly acknowledge those in the chartering stuff that we're doing. Alan, are you on the phone call now? Yes, he is.

Alan Greenberg: I am and I take it from what I hear that you're now the chair?

Mikey O'Connor: Well, no, that's not quite that good a - it's pretty good news for everybody else but it's not quite that good for you because...

Alan Greenberg: How so?

Mikey O'Connor: ...I did it conditional on you being my co chair.

Alan Greenberg: I'll be your vice chair.

Mikey O'Connor: Oh you won't be...

Alan Greenberg: I'll be a co chair.

((Crosstalk))

Alan Greenberg: I'm willing to be a co chair also. The caveat I sent out in the email is however applies and if the group is comfortable with it - and I'm not sure I would be if I were in another position - that I don't intend to restrict my speaking rights.

Mikey O'Connor: Yeah I think...

((Crosstalk))

Alan Greenberg: I'm not sure it'll be practical to say each time, "And I'm taking off my hat." If the group understands that and is willing to live with it then I, you know, I've done this before in other - ran a whole PDP as being a biased chair so I feel comfortable with it but I want to make sure the group understands.

Mikey O'Connor: Yeah and we did bring that up on the call in your absence but I sure am glad you're not absent anymore.

Alan Greenberg: Sorry, I got tied up and I hadn't realized the clock was still ticking.

Mikey O'Connor: Yeah. Okay well so circling back so, Marika, what I heard you say as one possibility is that - well let me put words in your mouth and then you can deny them and that is would you be willing to do that first draft of the charter pretty much cutting and pasting from the issue report in the appropriate way to give us something to edit from?

Marika Konings: Yes, this is Marika. I would be happy to do so. And in addition I think to the part on the mission which, indeed, is what is in the issue report it might also be helpful then already to look at some of the other parts. And again there I think some of the other charters that have been recently developed might provide a good starting point. So hopefully that would give, you know, some concrete language for the drafting to team to look at and start, you know, tearing apart.

Mikey O'Connor: I'm pretty entranced with that. Alan, go ahead.

Alan Greenberg: Yeah, I would have thought we wanted to have at least some basic discussions for a meeting or so looking at scope because scope seems to be the largest single issue of difference on this. And I wonder to what extent we really want to try drafting something and then argue about taking things out or

- as opposed to having the discussion and getting a feeling for the work group first.

Mikey O'Connor: I think that it's pretty much fine either way. The advantage that I see in having a draft in front of us is that we've then got something to edit as opposed to going the other way where we're essentially building something up. I don't have a real strong opinion about that but in other experiences, in other lifetimes, it's just always been easier for me personally to work from a draft rather than a blank sheet of paper.

And I think that one of the advantages that we have here is both Berry and Marika are very familiar with this issue and could bang out a very good job on the first try for us to edit from. I'm quite sensitive to the amount of time this might take if we do it the other way. But I don't have super strong opinions...

Alan Greenberg: I guess I'd like to hear from other people also.

Mikey O'Connor: Yeah. I'm not seeing any hands go up. Marika - or, Berry, are you on as another member of the staff team that's going to support this?

Marika Konings: This is Marika. It's actually Barbara Roseman that's going to be the backup for me on this call. She's not on today's meeting but she's been assigned as the backup.

Mikey O'Connor: Okay so, Berry, are you in here as a working group - or a drafting team member said greedily.

Berry Cobb: This is Berry. I'm still assigned as staff but monitoring the output from this effort.

Mikey O'Connor: Okay, okay well then I can't draft you for that. Well, Marika, if it'd be an all right to take an action item to sort of crash out a draft. I really think that would move the ball quite a ways forward. And I don't think people are going to be

shy about asking things to be added or removed to this. But at least for me it's easier to understand a draft than it is to construct one.

So hearing no shrieks of protest is it reasonable to ask for that by the call next, Marika, or is that completely...

((Crosstalk))

Marika Konings: Yeah, this is Marika. This is Marika.

Mikey O'Connor: Okay. That, I think, then - well let me stay on Item 3, the background materials topic, for just a minute but then segue into Item 4 which is sort of the approach to moving forward.

Are there any other questions that people want to explore about the background materials? Not getting overwhelmed there so let's put that one on hold and then if people come across things as they review them we can always pick them up in subsequent calls.

Then I think we go to the approach and timeline. And I don't know if we could make it by Toronto but it seems to me reasonable to try. Marika, I'm going to ask your indulgence again; do we have any public comment cycles that we need to go through as a drafting team or is our customer really the Council itself and so there really aren't any built in timing issues for this process the way they are for a PDP?

Marika Konings: Yes, this is Marika. Indeed, it's a GNSO Council that's the customer. And the requirement there is to submit it eight days in advance of a Council meeting in order to have it on the agenda and for consideration. Of course, you know, the Council might decide that constituencies or stakeholder groups might need more time to review it and look at it so it's not necessarily that it would get voted upon at that same meeting; it might get pushed to the next meeting.

Mikey O'Connor: Yeah, and are there - I guess the question that comes to mind is - the nice thing about Toronto is that many of us on the drafting team who aren't on the Council would also be able to attend the meeting. And I'm wondering could we just follow that eight day deadline for the Council meetings on the weekend or are we also under the deadline for materials prior to Toronto in which case I think it's an earlier deadline.

Marika Konings: No, this is Marika, the way we've interpreted as it's, you know, the GNSO Council has its specific rules for a document that it's for their consideration and that's the eight-day rule. But it would actually be for the Wednesday meeting if it would be up for a vote. I think they want - that needs to be published by the publication deadline are those that are for community consideration and that are being discussed there by a wider group.

But as I said, you know, it doesn't - if it gets submitted eight days before the meeting in Toronto the Council might nevertheless say well we actually need more time or our respective groups will need more time to look at that and push it forward but it would mean that it's - it can be discussed at least and probably presented by the drafting team and explained, you know, what the thinking behind it was.

Mikey O'Connor: Yeah, okay. Well pending Alan's comment maybe that's a first try deadline. Alan, go ahead.

Alan Greenberg: Yeah, my - I would certainly like to see it sent to Council early enough to be discussed during constituency day and voted on, approve, disapprove or sent back to us at the Toronto meeting.

Mikey O'Connor: Yeah, okay.

Alan Greenberg: This is a really visible thing and I think this is the kind of thing that should be at a public meeting.

Mikey O'Connor: Yeah, well it's all of those things and more. It's just so much handier to be able to talk about these things in person.

Alan Greenberg: Yeah, but that really means we need to get it to the Council not only in enough time for the formal deadline but so that people will have had a chance to review it and can look at that.

Mikey O'Connor: Yeah.

Alan Greenberg: We're not likely to make the three-week deadline. I'm not sure how that affects...

((Crosstalk))

Mikey O'Connor: Oh that's tight.

Alan Greenberg: Yeah.

Mikey O'Connor: We're getting pretty close to that right now. But I think we could certainly come close to that and maybe make it. But I think that all the more reason to start working from a draft on the next call. I think that would also probably bring people in to the call if they knew that there was a draft out there that we're editing with the target date of Toronto to get it published.

Okay in those steps, Marika, in your overview - again I should have really gotten all this figured out ahead of time. But there were sort of three areas that you thought were the interesting and tasty bits in our discussion. One was scope and then there were two others - oh Susan's got her hand up. Go ahead, Susan.

Susan Prosser: Well, sort of timely now that you've mentioned scope. But I agree with Alan that we should discuss that. And I do like your idea of starting from a draft.

But I think we can have a discussion on scope. So I would be interested in hearing Alan's viewpoint.

Mikey O'Connor: Alan, go ahead if you want...

((Crosstalk))

Alan Greenberg: Oh thank you. My viewpoints I put on the record a number of times earlier in this discussion. I think we should be having a PDP with a scope that is very narrow and focused on the original question that was raised. You know, this particular PDP has a long history and if you go back to the original things the real issue is should the - to be blunt, and let's be clear, the VeriSign Registries use a thick Whois.

There's been a lot that's been added in the issue report of, you know, perhaps we should be looking at it from the point of view of making everyone a thin Whois; perhaps we should be looking at a completely alternate method to switch all the registries to.

I think if we go down those roads this is going to become the generic Whois PDP; it will not end quickly. It will take an amazing amount of resources and probably will not come to any real conclusions.

Regardless of what the outcome is if it's a narrow scope there will be an outcome, it will be moderately quick. If we widen the scope I think we are dooming ourselves to a fate which we've seen before if you've been around ICANN long enough. So...

Susan Prosser: Completely agree with you.

Alan Greenberg: I think the narrower the better.

Susan Prosser: Yeah, yeah.

Alan Greenberg: And, you know, I can't tell you whether it'll come out yes, VeriSign should change or no they can't. But any answer and getting an answer I think has merit at this point. And, you know, not to enter in the definitive Whois PDP on - that will be so wide ranging that we're not going to come to closure. Thank you.

Susan Prosser: I agree. I agree with you completely.

Mikey O'Connor: And for the record so do I. Keith, go ahead. Keith is of VeriSign by the way.

Keith Drasek: Yeah, thank you, Mikey; appreciate it. Just a comment on the - well maybe it's a comment and a question and something that we need to track down before we move too far down the path of becoming too narrow.

My understanding of PDPs that they are not intended to be used to basically single out a particular operator or a particular contracted party that the PDP process is not really designed to really target one entity.

Now obviously in this particular instance sort of by default or de facto we know we're all talking about VeriSign and DotCom and DotNet. We're also talking about the DotJobs. And so it's not specific only to VeriSign registries.

So while we have absolutely no interest in talking about moving everybody to think this is clearly a PDP focused on thick Whois and determining the process by which, you know, whether or - and how, I guess, the process moves forward to introduce thick Whois in all existing registries.

That's the appropriate focus so maybe I'll just stop there. And - well I have just one more comment. I think that there have been recent - or there is precedent for the General Counsel - ICANN's General Counsel Office - making rulings about PDPs that are targeted at on particular entity.

So I would just suggest that we need to make sure that we are, you know, working within the proper parameters as it relates to, you know, the views of the General Counsel's Office. Okay I'll stop there.

Mikey O'Connor: Thanks, Keith. I think that's a really important note to highlight. And I'm going to extend an open invitation to Marika to step in and comment on this. But there is a section in the initial report that does talk about that. And I think, Keith, you're absolutely right. If we're narrowing the focus of this to the point where it goes across that boundary we do need to be very careful on that.

Alan Greenberg: Mikey, can I get in and withdraw my comment and apologize?

Mikey O'Connor: Sure.

Alan Greenberg: Okay. I apologize for naming a particular registry. I was trying to use a shorthand. The PDP, of course is: Should thick be required for all registries whoever they may be. And we should not lapse into the shorthand I used and I apologize for doing that. And, you know, I can't erase it from the transcript. I shouldn't have used that language and I will not again.

((Crosstalk))

Alan Greenberg: But nevertheless the net effect of what I - net impact of what I was saying - I was trying to say is let's focus on that question, "Should all registries use thick Whois or not?" And not try to look at other options and other variables associated with Whois. Thank you.

Mikey O'Connor: Thanks, Alan. Marika and then I'll jump back to down to the regular folk queue.

Marika Konings: Yeah, this is Marika. Just to confirm that as part of writing up the issue report we also need to confirm, as well, with the General Counsel whether, you know, the issues are in scope or if there are any other considerations. And

the way the issue report - or the question in the issue report is framed was considered to be in scope and no problems associated with that.

But as some people already said on the call if, indeed, there would be changes to that, you know, the main mission or question that is being addressed by the PDP I'm happy then to take that back and check and really make sure, that indeed, it's considered appropriate to address that as part of a policy development process.

Mikey O'Connor: Good deal. Evan, go ahead.

Evan Leibovitch: Hi there. Thanks. This is Evan. I just wanted to perhaps consider using a shorthand but maybe slightly different one than using the term standard. What we're trying to do is establish thick Whois as a standard that is the default and that is one that we expect registries to abide to. Is that over simplifying the situation?

Because if you stated in those terms you're not singling out anyone; you're basically saying this is the expected, this is the expected way that they're going to behave.

Can we not phrase it using words like that? And that gets it out of the realm of any one or small group of particular registries.

Mikey O'Connor: You know, I think that the thing I take away from your idea, Evan, is that, again, it will be really helpful to have a draft in front of us and that Marika, as you do that drafting it's clear that one of the things you should pay attention to in that initial draft is this issue of making sure that this PDP is framed - chartered in such a way that it does not fall into the shorthand trap.

In terms of deciding whether to make it a standard I think we're starting to border on the actual work of the working group a bit. And I'm a little hesitant about that but I'm not throwing my body on the tracks there.

Evan Leibovitch: Sorry, to be a bit more specific in saying maybe what we could be doing is - one of the issues is whether this should be the standard or not or to what extent should be a standard rather than dictating to the PDP which outcome to do. Just saying, you know, that may end up being an overriding question to be asked.

Mikey O'Connor: Right. And I think that that's, you know, a fine approach. So, Marika, are you feeling like you've got clarity on this for your first draft or do you want to ask us any questions? Oh I - let me let Ray talk first and then come back to you.

Ray Fassett: Hi, Mikey. Thanks. Ray Fassett. Actually I kind of agree with this line of discussion with regards to the generalized question of should it be a standard. I think that what should not be lost on the drafting team or our group is that right now Whois is a registry service.

So it becomes a discussion of should a particular type of registry service be a standard, which by definition means not necessarily differentiated from one to the next. Whereas registry services, I think in theory, are intended to compete. And competition in registry services I think by and large are what produce - or that kind of environment is what produces the most benefits to users and consumers.

So I kind of agree with the logic that we should not be so quick to dismiss the question of whether or not it should be a standard because if we defaulted to one type of outcome, say, or narrow the scope to such a degree we are, in fact, at that point making the case that differentiation is not the objective of the working group of a registry service. So that's my input if it makes sense.

Mikey O'Connor: Yeah, that does make sense. And, you know, again lots of good input. And just to add one more layer of input to this layer cake before handing it back to Marika I think the other thing is paying attention to means versus ends.

At least when the IRTP was discussing this we were really focused on the ends; what we really wanted was a reliable way for registrars to exchange registrant information during the inter registrar transfer process. And we hit upon this as one way to solve that problem.

Since then others have emerged. And we probably want to acknowledge the difference between the means and the ends as we charter this too. And with that now I'll let Marika talk.

Marika Konings: Yes, this is Marika. Just to raise a point I think that is exactly one of the issues that was also called out in the issue report so that will also come back in the first draft. And to respond to Mikey's earlier question, yes, I think I've, you know, received enough input at this stage.

But I said, you know, I'm really going to base myself what is the issue report because that's, you know, really the starting point of this policy development process. So - and I'll leave it up to the drafting team to go from there and see whether, you know, more or less clarifications are needed or elements need to be added.

Mikey O'Connor: Good deal. Okay we've got a fair amount going on in the chat. Evan has added a couple of comments. One is, "It's not uncommon for an industry to agree on minimum standards to allow competitive differentiations on top of that standard." And then he follows up to my comment about means and ends by saying, "Talking about alternatives to Whois are, in my opinion, seriously out of scope." And I would tend to agree, Evan.

Really what I'm referring to there is the RAA discussion that's talking about uniform Whois formatting by registrars to allow them to query each other. And we'll probably have to fold that into the discussion. That's the think I asked Marika about earlier because I don't really know the state of that right now.

Alan is saying, "Whois may be a registry service but it's one that is mandated by contract in some detail for most registries." And then he's factoring in the incoming 1400 - I don't know what that is. Maybe...

Alan Greenberg: New gTLDs.

Mikey O'Connor: Oh, yes, the new gTLDs. And then Ray is saying, "Evan, with your logic a thin Whois could be the minimum standard." And Evan is saying, "Could but should not." And at this point I'm going to kind of draw a line under this one and say okay I think we've got framing on this issue.

And again I do want to caution us not to do the work of the working group because I think at some point we are going to have to leave this discussion for a working group to figure out. But I think that we've got enough of the framing done so that we can at least come up with an initial draft of the charter.

The thing that I was interested in - and Marika now has it on the screen - is - see if there's a page number. If you go to Page 4 - not Page 4 - yeah, of the charter template the three I think interesting bits or at least most controversial bits to this process are the mission and scope, the objectives and goals and the deliverables and timeframes that are built into the charter.

I think some of the other stuff that appears on Page 5 is probably pretty much boilerplate pro forma material that will probably flow right from Marika's pen into the final draft with pretty minor changes. So I think that the interesting part of the conversation is the mission and scope, objectives and goals and then deliverables and timeframes part.

And I think what I'd like to propose is that we take a look at Marika's first draft on the next call, essentially walk through it and see if we can tackle all three of those simultaneously. Again, mostly because of the amount of time that we

have I think if we put them end to end we're likely to get ourselves tangled up in the calendar.

And so - and the reason that I'm raising that is because I'm still on Agenda Item Number 4 which is sort of discuss approach and timeline for completing the charter template. And I think what I'm proposing is that we basically do one blob of work rather than three to come up with those items and see how it goes.

And then if it's - if it turns out to be really hard we can always drop back and say well that didn't pan out quite right. But I think in most instances these discussions are going to be so interrelated between the three big topics that it's likely to work better if we just do them all at the same time.

So I guess I'd throw that out as an initial sort of work planning proposal that we take a look at the draft next week, have an initial discussion on it next week, get a sense as to where the easy parts and the hard parts are likely to be and see if we can get through all of that in one unified piece of work by Toronto.

Any sort of serious concerns about that kind of an approach? I'm not hearing shrieks of protest; that's good. Why don't we do that? It's getting close to the top of the hour. I've kind of hinted at Number 5 next - Marika, is this a standing meeting or have we been making this meeting go each time individually?

Marika Konings: This is Marika. We decided or planned on at the last meeting was to make this a standing call unless there was strong objection. I think we did ask people off-list to comment if this was really a bad time for them. I think there was only one person that indicated that it was a difficult time if I'm not mistaken.

I think the only thing we did leave open whether we should go for weekly calls or every two weeks.

Mikey O'Connor: Ah, well I think that given the tentative goal of trying to get something out by Toronto I'd at least like to lobby for weekly calls. I think looking at the calendar I think we've only really got four or five of them available until Toronto. Does anybody develop a bad case of heartburn if we do it that way?

Frédéric's okay. Keith's okay. Multiple attendees are typing. Carolyn's okay but she'll miss next week. Susan's okay. Ray is good. (Katrina) is good. Keith's in favor of going forward in a hurry. Susan is too. I think we got our plan.

Marika Konings: Yeah, and this is Marika.

Mikey O'Connor: Good deal.

Marika Konings: Just one thing because we do have another call that will start immediately after this call next week so just to make sure that we, you know, keep it to 60 minutes otherwise, you know, it's no problem from staff side if we keep it to the 60 minutes timeslot.

Mikey O'Connor: Oh great, yes we can certainly accommodate that. Oh and Evan and Jonathan are both on board with the go-forward plan. To - I think we've got our plan and we'll - Marika, I give you full rights to guide me next week. I'm pretty - Alan and I can probably do this offline but, Alan, I'm pretty comfortable running calls which will leave you a little more room to be the advocate if that's okay with you.

Alan Greenberg: That's fine. We can be flexible anyway.

Mikey O'Connor: Yeah.

Alan Greenberg: As I said I switch hats very quickly as long as other people don't mind me doing it so...

Mikey O'Connor: Yeah...

((Crosstalk))

Mikey O'Connor: Yeah.

Alan Greenberg: And I always put my hand up before talking if I'm not talking as chair.

Mikey O'Connor: Okay. Carolyn says, "As soon as Marika can send it I will forward comments for next week." Marika, what do you think an unrealistic expectation of you is? I mean, I know that you...

Marika Konings: This is Marika.

Mikey O'Connor: I know that you do brain surgery and play in a major rock and roll band on the side so I don't want to, you know, overbook you there.

Alan Greenberg: Mikey, as co chair I like to think we expect a lot out of Marika and always get it so...

Mikey O'Connor: Yeah.

Marika Konings: Yeah, this is Marika. I hope to get something to you at the latest by either Monday or Tuesday if that's okay.

Mikey O'Connor: Oh that's great. Okay anything else? We've got about four minutes to the top of the hour but I think we've covered a lot of ground and got a sketch of a plan anyway. So if there's nothing else I think we'll wrap it up. Going once, going twice.

Alan Greenberg: Thank you, Mikey.

((Crosstalk))

Mikey O'Connor: We're done.

Marika Konings: Thanks everyone.

Mikey O'Connor: Nathalie, I think we're set. Thanks for shepherding us. And, Marika, of course many thanks for all the work that you've done. It's a fabulous job. So we'll call it quits.

Marika Konings: Thank you, Mikey.

Mikey O'Connor: And see you all in a week.

Alan Greenberg: Yeah.

Marika Konings: Thanks.

Frédéric Guillemaut: Thank you very much.

Susan Prosser: Thanks.

Man: Bye-bye.

Nathalie Peregrine: Thank you very much. (Heather), you may now stop the recordings.  
Thank you. Bye-bye.

Coordinator: Thank you for participating in today's conference. Please disconnect at this time.

Mikey O'Connor: Thanks, (Heather). Thanks, Nathalie. See you in a week.

END