

GNSO Council Adobe Chat - 14 March 2013

Marika Konings:Welcome to the GNSO Council Meeting of 14 March 2013

John Berard:Ah, daylight savings time. I thought I was late but am early.

Marika Konings:You can still sleep for 12 minutes more ;-)

Oswaldo Novoa:Hello everyone.

Joy:Hello all

Han Chuan Lee:Hello everyone!

Jonathan Robinson (Registries SG):Nightmare. US & Europe are not in synch with clock changes. I was late for Registries SG yesterday.

Wolf Knoben:Hello all

Ching Chiao (DotAsia):hi everyone

Jennifer Wolfe:Hi everyone - I am still on hold trying to dial in.

Oswaldo Novoa:Sorry, I was in silent mode and couldn't get into talk mode. Now I am ready

Jeff Neuman:Can we get an update on the Open vs Closed issue from ICANN along with the Rights protection mechanisms

Jeff Neuman:under AOB?

wseltzer:+1 to notification of updates

wseltzer:as do Non-Commercial

wseltzer:agree with Registrars and Registries that replacement of bottom-up process by Board decision is problematic

Jeff Neuman:ICANN - Is it possible to send out a notice to the community letting them know what documents have been added to the RAA page....I am not sure that people are aware of those

Volker Greimann:just a note that I forgot earlier, if I may

David Cake:I concur with Wendys comments.

Magaly:+1 for Wendy comments

wseltzer:+1 to Thomas Rickert

Volker Greimann:Even the best intention of all involved parties assumed, those parties will change

Volker Greimann:Agree wholeheartedly withJeff. There was no demand for this

Joy:Agree on that Jeff; Just look at the TM strawman proposal debacle

wolfgang:We have to follow procedures regardless of the "intentions"

Jennifer Wolfe:Agree with Jeff on the issue of large publicly traded companies inability to sign such an agreement.

Jeff Neuman:I also forgot to add, that I believe, if ICANN had not added the revocation clause (which later became unilateral right to amend), we probably would already have had a fully agreed to RAA signed by a number of registrars...and that would have been a good thing for the community, law enforcement, IP interests, etc.

Jeff Neuman:Its a shame that a clause for which no demand was expressed to include is holding up the entire agreements which would benefit the community

Volker Greimann:I agree Jeff. The hours he have spent on that subject alone would have allowed us to reach conclusion last year

Volker Greimann:hours

Volker Greimann:The revocation/amendment clause and the lulls in the talks combined cost us months

Volker Greimann:actually, with the current tendency of ICANN to give in to outside demands, I do not think the rest of the community can live with a right to unilateral amendment

Maria Farrell:I agree, Volker. That is a growing concern.

Volker Greimann:I think with many of the LEA requests, it took a lot of work to make them workable or - as a matter of fact - legally implementable. That took time. With unilateral amendment rights, once ICANN loses patience they'd just plug it in, regardless of whether it is workable

Volker Greimann:the right to negotiate or the PDP process is essential to ensure workable solutions instead of a quick fix

Joy:What is the problem that these changes are trying to solve? That is not all clear

Volker Greimann:Joy: The only answer we have ever gotten to this very question is: "We need this as we do not know how the marketplace may change in the future"

Joy:= no answer at all

Joy:We have seen what happens with unilateral decisions from the Board, for example, with IOC/RC changes to the new gTLD applicant guide book

Jeff Neuman:I sympathize with Akram's statement of a level playing field...but that needs to be across the board with existing registries as well. Verisign needs to agree to this for .com and .net (as we do for .biz, etc.)

Volker Greimann:workable solution? PDP process, negotiated amendment process, the current right for unilateral amendment that is already in there for security and stability, the amendment language in the original new gTLD registry agreement...

Joy:With all due respect, that was no explanation at all

Volker Greimann:need more solutions that are already in place?

Volker Greimann:and we have offered a workable solution for leveling the playing field once all registrars are under the new RAA

Jeff Neuman:And what will conflict with that session?

Joy:that is a good thought Wolf...

Marika Konings:@Wendy - the idea is that it may help inform the deliberations on the new model (and provide data to support policy development in this area)

wseltzer:Not saying this isn't a well defined study, just that it's not necessarily asking a question relevant now

Jeff Neuman:What decision are we making?

Jeff Neuman:By the time we get this study done and responded to and analyzed...we are way past the RAA negotiations

Jeff Neuman:You are talking about a year at least

wolfgang:Continue with the work :-)). Indeed this is not a subject for a vote.

Jeff Neuman:Is there any work we would be sacrificing in order to do this?

wseltzer:Agree we need to retain GNSO's policy role in directory services/WHOIS and privacy/proxy

Joy:Jonathan I think if there is no clarity perhaps we should simply agree not to proceed?

Volker Greimann:Please look at the Whivacy Proxy spec in the RAA public comment phase which would effectively preempt any work of the GNSO on this subject

Volker Greimann:Phrivcy

Wolf Knoben:@wolfgang: +1

Jeff Neuman:I agree with Wendy, but none of the studies to date have been used in any policy process

Volker Greimann:Privacy

wseltzer:Volker, that's among the reasons I object to the current RAA draft

Jeff Neuman:We have spend hundreds of thousands of dollars and they have all been ignored

Volker Greimann:I agree with your general position, Jeff, but removing ourselves from this discussion at this time is not without meaning. It will be subject to interpretation in a way that is not beneficial

Jeff Neuman:Yes, we met with the bd

Jeff Neuman:So lets start a policy group to discuss privacy and proxy issues

Jeff Neuman:and then have that group commission the study

Jeff Neuman:That is within our power

Jeff Neuman:Request an issues report

Jeff Neuman:I would support that 100%

Jeff Neuman:If we start a pdp on that issue, then we show we are in control

Volker Greimann:sounds like a good approach

Jeff Neuman:a study that will be ignored is not

Volker Greimann:I could get behind that

Yoav Keren:sound like a good idea

Jeff Neuman:We can vote on it in Beijing.....Wendy, Joy, would you all support that?

wseltzer:Jeff, sounds good to me

Joy:@Jeff: a good idea, thanks. let's also discuss between now and then

Jonathan Robinson (Registries SG):Please also think about the way forward for the "hanging chad" of 2nd level defensive registrations and whether there is any policy work to be done on that.

Jeff Neuman:Absolutely....lets set up an informal group to work on a request for an issue report on proxy and privacy services. I will send a note to the council asking for volunteers

Marika Konings:@Jeff - let us know if you would like to create a mailing list for this group.

Jeff Neuman:Thanks Marika.

Ching Chiao (DotAsia):For the informal council dinner, pls reply to Glen's email so we can provide headcount to the restaurant (so they'd know how many beijing ducks to "process")

Glen de Saint Gery:Board/GAC Recommendation Implementation Working Group

Joy:thanks Ching for your help with organising dinner :-)

wseltzer:(we all know Jeff's an old hand :)

Maria Farrell;-)

Joy:thanks a lot mason for your work on this

Maria Farrell:+1, mason

Mason Cole:My pleasure !!

Joy:can i ask what list this is - perhaps i missed it while i was away recently?

wseltzer:I'm going to need to drop promptly on the hour.

Jonathan Robinson (Registries SG):We'll finish on time

wseltzer:this escaped my notice entirely

wseltzer:I'd request additional time for SGs to propose candidates

Jonathan Robinson (Registries SG):Note the following from the call for applications

Jonathan Robinson (Registries SG):Each SO and AC is encouraged to send a list of volunteers taking into account the need for diversity and not limited to the number of seats open. This will allow the selectors (the CEO or his designee and the Chair of the WG) to balance the various factors more easily.

Joy:can we please "note" rather than "endorse"?

wseltzer:+1 to Joy

John Berard:Mason's question is rooted in management and politics as much as Policy

Joy:thanks Jonathan and Glen for your good work

Magaly:Thank you!

Wolf Knoben:zai tian

wseltzer:thanks for the good chairing and prompt close!

Han Chuan Lee:thank you

Han Chuan Lee:再见

Brian Winterfeldt:Thank you everyone! See you soon in China.

Volker Greimann:see you in three weeks