

**ICANN  
Transcription  
Locking of a Domain Name Subject to UDRP Proceedings meeting  
Thursday 02 May 2013 at 14:00 UTC**

Note: The following is the output of transcribing from an audio recording of Locking of a Domain Name Subject to UDRP Proceedings meeting, on the Thursday 02 May 2013 at 14:00 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. The audio is also available at:

<http://audio.icann.org/gnso/gnso-locking-domain-name-20130502-en.mp3>

On page: <http://gnso.icann.org/en/calendar/#jan>

Attendees:

Hago Dafalla – NCUC  
Kristine Dorrain – NAF  
Volker Greimann – RrSG  
Celia Lerman – CBUC  
Michele Neylon - RrSG (Chair)  
David Roche-Turner – WIPO

Apologies :

Laurie Anderson - RrSG  
Alan Greenberg - ALAC (Vice Chair)  
David Maher – RySG  
Juan Manuel Rojas - ALAC

ICANN staff:

Marika Konings  
Lars Hoffman  
Julia Charvolen

Julia Charvolen: Great. The recording is on. Thank you very much.

Good morning, good afternoon, good evening. Welcome to the Locking of a Domain Name Working group call on Thursday, 2nd of May, 2013. On the call today we have Hago Dafalla, Kristine Dorrain, Celia Lerman, Michele

Neylon and we have apologies from David Maher, Laurie Anderson and Alan Greenberg.

And from staff we have Marika Konings, Lars Hoffman and myself, Julia Charvolen. May I remind all participants to please state your names before speaking for transcription purposes.

Thank you very much. And over to you.

Michele Neylon: Okay. Thanks. Good afternoon, good morning, good evening, good -- I don't know. I'm running out of time zones here.

This is the first call we've had since the Beijing meeting. And unfortunately, it looks like the turnout is pretty awful. With that in mind, I think rather than waste too much time, if we could do a quick roll call -- oh; you already did the roll call. Sorry. I'll go through the basics, bits and bobs and we'll try and do a couple of things, but I'd suspect that due to the low turnout we may need to cut this call short.

If anybody has any objections to this, let me know. Taking silence to mean ascent. Does anybody have any update or change to the statement, the SOI, or the Conflict of Interest, or anything like that? No? Okay.

Before we go any further, one of the lovely ladies from ICANN is going to give -- or Lars, who is not a lady or -- though he is very lovely, I'm sure -- will give us a quick tour of the new options for attending these meetings that ICANN is now rolling out.

Who is going to do that? Marika?

Marika Konings: This is Marika. (unintelligible) Julia.

Michele Neylon: Okay, Julia.

Julia, you have the floor.

Julia Charvolen: I'm sorry. I was in mute.

Michele Neylon: That's okay. Don't worry. That's okay. It's fine. Everybody does that. It's okay. We're used to it.

Julia Charvolen: Can you just repeat, please? I'm sorry.

Michele Neylon: Okay.

As to has been discussed prior to the launch of -- oh god. My brain's not working now. As was discussed prior to the start of this - of the recording of this call, ICANN is now offering audio for calls via Adobe Connect, and Marika volunteered you to explain how this works.

Julia Charvolen: Yes. Sure.

So as -- I don't know if you can see the document on the AC room -- you'd be this - you -- what you have to do is to -- on the top with audio is to connect the audio and have - you'd be - make attention that your microphone item has to be on as well.

I see that everybody has their mic on in the AC room right now. So can everybody - can everybody hear me?

Marika Konings: Yes.

Michele Neylon: Yes, I can hear you.

Julia Charvolen: Great.

So I think everybody - I - if I see the microphones on right now, I think that everybody is managing to use the audio connect.

Kristine Dorrain: Actually, this is Kristine Dorrain.

I don't - I'm not using the audio on the Adobe Connect at all. I'm just using a phone. So I just - I don't know how to shut off my microphone unless I go to like my computer settings and shut it off, because I was told you can turn off...

Marika Konings: This is -- yes. This is Marika.

Maybe I can clarify. Just because you have a microphone next to your icon in Adobe Connect doesn't actually mean that your audio is connected. It just shows for everyone that enters the room and shows that it is possible to connect your audio.

In order to actually connect your audio, you'll need to go up to the phone sign on the top of the part and say, "Connect my audio." Only when you - when you've done that and your laptop or device you're using has a microphone, you'll also be able to use that to speak during the call.

Kristine Dorrain: Okay. That's (unintelligible).

Marika Konings: I think it's - and I think it's important to emphasize as well if you do enable your audio via the audio connect, please make sure as well to mute when you're not speaking, because otherwise it has the tendency to cause a lot of interference, as we'll get all kinds of computer sounds, or if people are typing it will cause interference in the conversations.

But I think that's the principle way it works. And you'll see as well that if people have actually muted their lines via the Adobe Connect you'll see a little red line that crosses the microphone.

So I think that's the - that's the basic of the basics, so people should feel free to try it out and see how it works for them.

Julia Charvolen: Thank you Marika. Thank you very much.

Michele Neylon: Okay. Thanks everybody.

If anybody has any problems we can always come back to this again. Is everybody able to hear me okay now, as I'm confused because of all this audio chopping and changing.

Marika, can people hear me?

Marika Konings: Yes. We can hear you fine.

Michele Neylon: Okay. Sorry. Fine. Right. Moving on. Okay then.

Just going -- if you could bring it -- do you have any notes from the thing you did (unintelligible) stuff being loaded up there?

Marika Konings: It -- yes. This is Marika.

I don't have any notes from the session that we had in Beijing. There is a transcript and a recording available if people do want to review it in detail. You - do you want me to briefly recap what we did in Beijing?

Michele Neylon: Well I could give a very brief recap.

I mean, we drank coffee, which was good, because there was a coffee machine in the room, which was a problem for most of the sessions in Beijing. Who - there was - several of the Working group members were in

attendance. We were also joined by -- there was the gentleman from -- was it Iceland, Marika?

I can't remember. I think it was Iceland.

Marika Konings: Very possible.

Michele Neylon: Very possible.

Phil Corwin, from the Internet Commerce Association was there, Elliot Noss from Tucows, we also picked up a couple of new members who I think have been added to the mailing list -- is that correct? Say yes.

Marika Konings: This is Marika.

I think -- yes, we have one addition, as far as I'm aware. And if there were more, than I missed (unintelligible) system (unintelligible)...

Michele Neylon: Well that's okay. Don't worry.

I mean, I think - I think there was at least one addition to the group, which was well - which is always welcome. Of course I'm all - mixing up Working groups. So yes, it was - it was this one.

So we - the main area where this seems to be a little bit of -- what's the word I can use here -- passion-- I'll use that -- is with respect to the notifications. Anybody else who was there may wish to chime in. I mean, you can all -- don't all chime in now.

So when we go to review the comments that I've submitted you will see there are - there are a couple of comments from the Internet Commerce Association and from some of their numbers.

So that was pretty much it now, unless I'm missing something very obvious.  
Does anybody else have anything to add about the meeting in Beijing? No?

Marika Konings: This is Marika. I have my hand up.

Michele Neylon: Oh. Sorry, Marika. I didn't see you had your hand up.

You see, it's with all these bloody microphones and everything else -- I'm confused. Sorry. Go ahead, Marika.

Marika Konings: Yes. This is Marika.

So just a note and as well on the railings to item four on the public comment. As Michele said, I think one of the items that was quite extensively discussed related to the (unintelligible) notification or the proposed change in the rules to no longer require the complainant to notify the respondent at the time of filing.

I didn't specifically call out those comments as a separate item and those were already submitted as well as part of the submissions to the public comment forum to date.

There was, however, one item that I took note of that didn't come up in the - in the submissions, which was a point that was raised by Elliot Noss from Tucows in relation to clarifying what needs to happen in the case of a filing of a court proceeding at the same time as the UDRP proceedings are ongoing.

And I think that's specifically related to, for example, a settlement -- what should happen in case of a - of a settlement, you know, when should unlocking happen or when shouldn't unlocking happen if at the same time a court proceeding would be ongoing.

So that's one of the items I noted in the public comment review tool. But I think as I pointed out as well in my Email if there were any other points that people recall from that session or possibly other points that people have made in conversations apart from the public meetings we had, I think we have plenty of room to add those to the public comment review tool to really make sure that we cover those and discuss them as a group.

Michele Neylon: Okay. Thanks, Marika. Just Michele speaking, for the record.

The comments from Phil Corwin of the - and the ICA were repeated to me by a couple of other people as well, both at the ICANN meeting in Beijing and also at an event I attended last week in Valencia, where this topic did come up.

So I think, you know, it is important that we acknowledge this and look at - look at modifying our recommendations to cater for this. We cannot ignore it. Celia, go ahead.

Celia Lerman: Yes. Just one more question. This is Celia.

Can you recap what the - what the main - I mean complaint or comment about this proposed change was?

Michele Neylon: In simple terms...

Celia Lerman: Or the argument behind that. Yes.

Michele Neylon: In simple terms -- and this is just paraphrasing and I'll - and I hope this Super Marika will come to my rescue when I get this wrong -- it - they are concerned that the lack - that the lack of notification to the registrant means that they lose time - they lose about - I think they said - their argument is that they'll - they could lose up to a week of preparation for a defense, or whatever. That's the argument.

Now Marika has her hand up and she's going to correct me and tell me I'm wrong. Go ahead, Marika. Tell me I'm an idiot.

Marika Konings: No. This is Marika.

I'm actually just going to add to what you were saying and I think it will become more clear as well as we go into the public comment that were submitted, because Michele is right that the main point is that -- and this is mainly the point of the -- or at least in the public comments made by ICA -- the organization that Phil Corwin represents -- is basically that they note in the current environment or the current situation respondents get the copy of the complaint at the moment the complainant files the complaint with the UDRP provider.

And indeed, they say that sometimes can give them up to a week before the (UDP) provider actually, you know, sends it to the registrar or, you know, whatever delay is caused in this subsequent process that we are now suggesting that that notification should come through.

So that would give them some head notice to start preparing. And, you know, looking especially from it as registrants that maybe have never gotten a UDRP or that need to look for legal counsel.

So in those cases, they're saying any additional days that those kind of respondents would have would be welcome. So I think in their comments what they are looking for, I think, first of all, some further information or evidence in regard to, you know, how often Cyber (Flight) occurs and the kind of problems that could cause to really, you know, justify why we're suggesting that change.

And if we're - are able to, you know, demonstrate it or at least provide further information to that end, they've also suggested I think two alternatives to

address the, you know, address possibly the more limited time a respondent would have in regard to a change.

So they've provided two alternatives that the Working group may want to look into further detail to see if that would be acceptable or a possible alternative to what we're currently recommending.

Celia Lerman: Thank you.

Michele Neylon: Okay.

Any other comments or thoughts at this juncture? Okay. Look, based - because there are so few people in attendance on the call this week, I don't want us to make - to make progress -- sorry. I don't - not that I don't want us to make progress, because that would be a bad idea.

I don't want us to move forward too quickly now without other people being here to participate, et cetera, et cetera. So I would recommend that we use the time to actually look at the documents that Marika sent out with the meeting agenda.

So I'm just going to get - succeed to Marika momentarily. She has a couple of important words of wisdom to share with us. Go ahead, Marika.

Marika Konings: Thanks Michele.

I just wanted to make -- oh, first of all a point on the public comment forum, because the public comment forum itself is still open. Basically the initial period - the initial response period has closed now and those comments are included in the - in the document that I've sent that - to all of you earlier this week.

But currently the reply period is open, which allows people to reply to the comments that have been submitted to date and -- I'm actually quickly trying to check until what date that is open.

So it is possible that additional comments may be submitted in - during the reply period. And as those get added I will of course include them in the - in the document.

I don't know if any of you are aware whether any groups are still preparing any comments, so the reply period is open until the 17th of May. So far, we've received four submissions -- three from companies or organizations and one from individual submission.

And those are captured in the public comment review tool.

Michele Neylon: Marika, the actual comment period itself closed when? Was it yesterday?

Marika Konings: No. This is Marika.

It closed on the 26th of April, so last week.

Michele Neylon: Oh, okay. Sorry. Right. Okay. All right.

And Marika's just posted a link to the public comment forum into the chat for you, which saves me - which I would've used if it had been there. Okay. So Marika has - you've - has posted to the list the comments and everything that's submitted so that we can - so you can review them.

So if you want to take the time between now and the next meeting to go over those, hopefully we will have more people on the call next week. And with that, I will give you back half an hour of your life.

Marika Konings: This is Marika.

Can I just steal maybe two more minutes?

Michele Neylon: Well you can try, but I'm resisting you on the basis that nobody else - there's very few people on the call, but go on.

We'll have to do this again, though, next week.

Marika Konings: I know, but it's something I'll encourage people to do as well on the - on the mailing list.

But what I - what I also sent around is an updated version of the work plan, because basically our previous work plan I think only ran up through the publication of the initial report.

So what I've done -- and it's now up on the screen as well -- is I've put forward a proposed work plan to get us to the final report, which basically takes into account the, you know, continuing on a weekly schedule base for our meetings and ideally trying to publish a final report in time for GNSO council consideration in (Jordan), which would mean that we will need to publish our report and actually I should say, because I think we're changing our time (unintelligible), it probably would need to be 7th of July, because I think the council deadline is changing from the 8 days to 10 days now.

So 7th of July would then be the deadline for a publication of a final report to see if we can actually get that done in time.

Michele Neylon: Okay. Thanks, Marika.

Any questions or any comments?

Celia Lerman: Oh, sorry.

Michele Neylon: Who's that?

Celia Lerman: This is Celia.

I can't -- usually I can raise my hand. Here I am.

Michele Neylon: Okay. Julia, go ahead.

Celia Lerman: This is Celia. Sorry.

I'm saying - I'm seeing that there is a meeting on the 4th of July. And if so, it's a complicated date for Americans. I mean, I'm from Argentina, right? But just in case, because it affects the work of the Working group.

In other Working groups we have been changing that date for another.

Michele Neylon: This is Michele.

As your Irish and European chair, I respectfully suggest that we cannot do that - do that, because if we are to do that logically, then I would need to allow for the national holidays in every country, which would cause problems.

ICANN's policy staff are all based in Europe and, you know...

Man: (unintelligible)

Michele Neylon: ...the fact that...

Man: This is of course one of the challenges that we also face in shifting deliberations from calendar to our working days, for purposes of our luck, as well.

Michele Neylon: Oh, I don't disagree with you.

But I mean, for example, ICANN has an important Webinar on Monday -- this Monday coming -- which as a registrar I will have to attend. It's a bank holiday in Ireland on Monday, but it was a bank holiday in France and Belgium last Monday. You know, that's reality.

If we discovered that a lot of people cannot make meetings, then, you know, sure, we can always look at rescheduling them, postponing them or counseling them, or whatever. But I'd prefer to - that we actually schedule them initially and then move them if we have to.

Celia Lerman: Sounds good.

Michele Neylon: I mean, you know, because it's - the makeup of this Working group is -- it's not predominantly Americans who are -- I don't know what the percentage is, but it's probably less than 50% American, which is a good thing.

Okay. Any other matters at this juncture? No? Okay. Take a half an hour back, but use that time that I have given you to read over the attachments to the Email that Marika sent you yesterday.

And speak to you all next week. Thanks.

Marika Konings: Thank you.

Bye.

END