

**ICANN
Transcription
IRTP Part D Working Group meeting
Monday 3 June 2013 at 15:00 UTC**

Note: The following is the output of transcribing from an audio recording of IRTP Part D Working Group call on the Monday 3 June 2013 at 15:00 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-irtp-d-20130603-en.mp3>

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

Attendees:

James Bladel – RrSG
Chris Chaplow - CBUC
Kristine Dorrain – NAF
Kevin Erdman - IPC
Angie Graves – CBUC
Volker Greimann – RrSG
Oliver Hope- RrSG
Bob Mountain – RySG
Mikey O'Connor – ISPCP
Holly Raiche – ALAC
Jill Titzer – RrSG
Graeme Bunton - RrSG

Apologies:

Simonetta Batteiger – RrSG
Bartlett Morgan – NCUC
Alan Greenberg – ALAC
Avri Doria – NCSG
Michele Neylon - RrSG

ICANN staff:

Marika Konings
Lars Hoffman
Julia Charvolen

Coordinator: Please go ahead. This afternoon's conference call is now being recorded.

Julia Charvolen: Thank you. Good morning, good afternoon, good evening everyone.
Welcome to the RITPD working group call on Monday 3rd of June.

On the call today we have James Bladel, Kevin Erdman, Angie Graves, Volker Greimann, Oliver Hope, Bob Mountain, Mikey O'Connor, Holly Raiche, Jill Titzer and Graeme Bunton.

We have apologies from Avri Doria, Simonette Batteiger, Alan Greenberg, Bartlett Morgan, Chris Chaplow and Michele Neylon and - yes sorry.

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.

James Bladel: Thank you Julia and good morning, good afternoon everyone. Welcome to the IRTPD Working Group call for June the 3rd.

And as per our usual standard operating procedures does anyone have any updates to our statement of interest? If so please indicate by raising your hands.

Seeing none we'll move on to the approval of the agenda. The draft agenda was circulated to the mailing list earlier and appears in the right-hand column of the Adobe Chat Screen. Any comments or additions to that agenda?

Okay great. We'll consider that agenda adopted and we'll move on to Item Number 2.

Last week - and thanks to all of the diehards who showed up on the holiday. I guess it was the holiday in the US and I believe in some other areas as well, a banking holiday maybe in parts of Europe.

So thanks for those who put in the time and gave us an hour out of their free time.

For those it didn't I want to assure you that we didn't really dive into substance so much as perform I think some very necessary housekeeping activities which was going back through the comments that we had already discussed in the Comment Review Tool and trying to boil down the essence not only of the issues raised in the, but also with the working group's, not the response necessarily but what the working group needed to discuss and what the salient points were for each comment.

So I think that's where we want to continue. Because if you recall -- and I think everybody has scrolling capabilities -- if you recall looks like we've got just a few more comments that we need to review beginning on Page 6 of the Comment Review Tool that's currently displayed.

So anyone have any questions or comments before we dive into that exercise? Anyone from the call last week that wanted to weigh in before we charge off? Mikey any thoughts?

Mikey O'Connor: This is Mikey. I think the main point is that the additions that we made last week are clearly draft that if there's anything in there that people see that they want to correct we're going to circle back around to those and make sure that the rest of the group agrees with them.

But it was pretty useful to be able to come up with sort of a summary.

I think that out of these summaries we may get some materials that'd be helpful for going into the Durban meeting and kind of focusing the conversation there.

So I agree with James. It was terrific that some of us could take that time for sort of an administrative thing but kind of a clarifying thing as well. That's great. Thanks.

James Bladel: Okay thanks Mikey.

The queue is clear so if you don't mind we'll dive right into Comment Number 9. And now we are discussing Charter Question Eight, are existing penalties for policy violation sufficient or should additional provisions and penalties for specific violations be added into the IRTP?

The first questions comes from the business constituency. The BC believes there should be penalties for specific violations other than notice of breach. The BC hopes that they 2013 RAA has addressed this issue.

I'll take a queue on this question and particularly if anyone from the BC would like to weigh in Chris or anyone else.

I have some thoughts as well, can weight in from the perspective of the 2013 RAA which is a draft document at this point. But I think everyone believes that for the most part it is in an adoptable state. Any thoughts here (Chris)?

Chris Chaplow: Yes just happy to - well just to mention as you know the RAA when this was written was a bit of a moving target. And I and a few others were aware but not experts in that - in the RAA which is why we've put - just put that comment in very general, a general sense. So in fact you could probably know far more about it than we do.

I think the RAA has picked up on some of these points. Isn't that correct?

James Bladel: Yes and I threw myself in the queue. But I would certainly yield to anyone else that would like to weigh in on this. But okay.

So the draft RAA as it stands now does include more of a gradient type of enforcement or sanction structure for ICANN compliance where - which includes things like suspension where a registrar would not be able to add new domain names or accept transfers but still allow their registrant customers to manage the existing name.

So that would be one you know, possible gradient of sanction.

I think that from my own perspective -- and I'm going to put my registrar hat on here -- I would hate to get to the point where every consensus policy had its own structure for penalties for violating that specific policy.

I do believe that having an overarching structure exists in the RAA being the primary document is probably the right way to go and that any breach of any provision of the RAA or any existing consensus policy that was in force would be dealt with uniformly.

And that's just my opinion as a registrar. And I certainly would welcome any comments on that.

I think we should pass that out coffee Mike.

Mikey O'Connor: Now one of the other things I have to learn is how to unmute quickly. It's like 15 feet away. But, you know, as long as I'm on -- this is Mikey -- I think I really support that idea.

And I think that it's also supported in the comments by registries that, you know, policies go into this thing called the picket fence, this chunk of the contracts that registrars and registries need to abide by.

The sanction and enforcement structure, doing that policy by policy, a bad enough idea I think that we do - we actually might want to put that in sort of a key discussion theme because although we wouldn't be able to enforce that across all the other policies we could certainly raise the issue for discussion outside of the IRTP. And I think it would be a really useful one. So (unintelligible).

James Bladel: Okay so Mikey you're proposing that we specifically or explicitly state that policies should not have individual sanction structures, that we are leaning on things like the RAA and registry agreement and their built-in enforcement mechanisms.

And I think Chris wants to weigh in on that one. Chris, go ahead.

Chris Chaplow: Yes, difficult to speak to the BC because that - so that detail was never discussed or that idea of having individual sanctions or whatever, within an individual PDP was never discussed.

And I (unintelligible) have to be careful I have to speak to myself. I don't think he was ever contemplated.

And speaking for myself I don't - that's not where we're heading or I'm heading to at all. I think something much more overarching that Mike and you suggested whether that should be mentioned in this working group's report just to flag it might be worth it. Then nobody comes out later and says oh I thought you meant such and such, yes.

James Bladel: Thanks Chris. Mikey?

Mikey O'Connor: Yes this is Mikey. I like this a lot but I also think it's outside our scope. I mean I think that what we could do is acknowledge this issue in our report and suggested that the council contemplate, I don't know whether it requires a PDP or not but at least some action since, you know, we weren't really charged with the sanction structure outside of ours but we could acknowledge that this is a pretty interesting issue and or let the council chew on that a bit from our report.

I have to cogitate about exactly how to word it. But I think we're all pretty heartily in agreement. It's just, you know, how much authority do we have in our charter to recommend that outside of the IRTP I'm not sure.

James Bladel: Okay thanks Mikey. I tend to agree. I think we're all, you know, vigorously nodding our heads. But we didn't - this wasn't necessarily what we wanted to see but the concern being that, you know, future PDPs may decide - maybe take it upon themselves.

And situationally it may be inappropriate. It's hard to imagine why but it could be I suppose. But future PDPs don't have to listen to us I guess in that regard.

And so but I think explicitly stating that we consider this and that we don't believe that's the right direction and that we think that the council should - and that other working groups should, you know should stay away as well, you know, I don't know if we're all recognizing that we can't tell them that. It's more of a recommendation. I think that's what kind of where we're going with this.

Any other thoughts on comment Number 9 before we move to Comment Number 10?

Okay so with an empty queue we'll move on to Comment Number 10 which is from the Registry Stakeholder Group. And once again this was submitted in response to the preliminary report and not the comment period.

So with the modifications introduced in the 2009 registrar accreditation agreement that provides for enforcement measures for noncompliance the registry stakeholder group is satisfied that there are adequate remedies to encourage resolution and noncompliance with IRTP and TDRP.

So the registry's I think are coming down the same area that we are. I think the BC took it one step further and notes that there are even more enhanced or more flexible compliance tools in the 2013 draft IRA than are currently in the 2009 RAAs.

So I think that the two comments as well as the discussions on the group are fairly solidly in agreement with each other.

Woman: (Unintelligible).

Mikey O'Connor: This is Mikey. So maybe what we do is we tentatively say is there anybody who thinks that the answer to this question is anything else?

In other words is our answer, the short version answer yes in our existing insufficient existing penalties?

Because this would be a good time if you don't think f there are sufficient penalties this would be a good time to throw up your hand and let us know about this.

James Bladel: Yes thanks Mikey. I think now would be, you know, when we find a low-hanging fruit like this during our work it's - we should identify it as such as early as possible but recognizing there's a lot of folks that aren't on the call that may also want to weigh in.

But we don't want to assume that silence is a consent here.

So anyone else on the call heaven a strong thoughts particularly if you object to where the conversation is going on item number or Charter Question E?

Seems like we're all saying that the existing penalties particularly in the 2009 but especially in the draft 2013 RAA are sufficient. I think perhaps we might want to include in our statement that that is also true of the registry agreement although they have very little, I want to say their role is reduced in that. (Holly) go ahead?

Okay (Holly) your hand was up and then it was down. Does that mean we - I convinced you or have we address your concerns or - okay. Okay so let's move on to...

Mikey O'Connor: James sorry to interrupt you.

James Bladel: Yes Mikey go ahead.

Mikey O'Connor: She's got - (Holly)'s got stuff in the chat that we could just read...

James Bladel: Oh I see.

Mikey O'Connor: ...and she's happy with the approach.

James Bladel: Okay.

Mikey O'Connor: But she wants us to explain - yeah as we've done at the RAA addresses this joint. There you go so just wanted to get that chat in. Sorry.

James Bladel: Yes. It's a good point. And it looks like (Holly) is on mute so sorry about that. I didn't - I misunderstood the silence. And thanks for watch dogging the chat box Mikey because I missed that.

Okay so let's move on to charter question F which we picked up from I believe our last working group if I'm not mistaken IRTPC.

Charter question F reads did the universal adoption and implementation of EPP Auth-Info Code eliminate the need of standard forms of authorization FOA?

So a little context here the discussion of FOAs Forms of Authorization last - during the last iteration of IRTP noted that they are - the technical implementation uses Auth-Info Codes which is a randomly generated or let's

say a registrar generated code that is stored in the registry database alongside the registration that is for lack of a better word a password for the domain name registration it is necessary to effect the transfer.

Does that eliminate the need for the email authorization that is currently required in the IRTP policy not only for the gaining registrar but now as per I believe IRTPD maybe C I'm getting my IRTPs confused.

But one of the previous working groups also recommended that this be required for the losing registrar as well as a confirmation of the intention to transfer the domain name.

So the thinking here is that do we still see a need to pass these email authorizations back and forth or does the fact that the new registrar have - has access to the Auth-Info Code which is only available to the registrant via their old registrar?

Does that eliminate the need for these authorizations? And we have a comment here from the BC and from the registry. So - but it looks like Bob wants to jump in first or we'll defer to Mr. Mountain. Go ahead.

Bob Mountain: Sorry James this is Bob. Yes sorry I had a clarifying question but if it's more appropriate to go through the comments first I'm happy to hold off and resubmit my question later as appropriate.

James Bladel: No please. Please make sure that we're all on the same page before we dive into the comments. Go ahead.

Bob Mountain: Yes. I guess my question was the - so the Auth-Info obviously I'm sorry the FOA contains a lot of information about the transaction, you know, IT address of, you know, the requester or the acquirer other information about the gaining and losing registrants.

Is it envisioned or does the current EPP transaction contain that information, or would this be a change for the registrars to, you know, to alter their system to include information that is currently contained within the FOA, or is the thinking that this information is not required at all and would somehow be reconstructed through the EPP codes?

So I'm just a little confused on how we'll treat the information that's currently in the FOA going forward if we were to make a change like this. That's all.

James Bladel: Yes it's a good question Bob. And I don't have a ready answer for you. I think that the answer is just to kind of putting my hat on here a little bit is towards closer towards the second part of your statement that it would be - that this is one - the EPP Auth-Info Code is happening in code between a registry and registrar.

And that the FOA is happening sort of external to that process and that the question is can we just eliminate that second part of the process and only go by the Auth-Info Code?

I think that's what it's asking. I know we've had a vigorous discussion on this last time around in the security implications of that.

So I'm sure we'll get into some of those questions again but think that just to clarify what's being asked I think is closer to the second part of your statement.

Bob Mountain: Got it understood. Okay. Thanks James.

James Bladel: And then I have a clarifying question of my own which I don't know if I have an answer for is the question seems to assume that EPP is universally adopted and implemented. If we look at the first few words is that true?

Are there gTLD registries out there that don't use EPP? I think the answer is no. But I want to be sure that - because I know that for example there are country codes where registrars can still use a Web interface or even fax -- Volker's going to smack me here -- but I think even .de still allows a fax interface.

So that's a question. You know, is that - are there any legacy systems like that with gTLDs? And that might be a question more for the registry stakeholder group to take away as homework?

So let's take a look at the comments unless other folks wanted to weigh in on what the question is saying? The - oh Bob - Bob's pointing out that postal mail is still used for Denmark.

Yes I think that's two of someplace in South America the Caribbean as well where it's - postal mail only so some of the country codes out there do not universally implement EPP.

But the question is is that true of any gTLDs or are they all uniformly on - using EPP and using Auth-Info Codes the same way?

So looking at comment Number 11 of the Business Constituency it says in the day to day administration the FOA are redundant.

However in cases involving unauthorized transfer requests in which the registered name holders email address has been hijacked or its access credentials for control panel have been stolen the gaining registrars obligation to obtain the FOA from either the registered name holder or the admin contact can help protect the domain names from being hijacked given the registered name holders Whois contact information is different from the admin contract.

So I think the gist of this question -- and maybe we can ask Chris and some others from the BC to weigh in -- is that, you know, in the vast majority of transfers this - the FOAs are redundant.

However in those cases where there is a hijacked, or compromised registrar account, or a dispute between the registrant and the admin contact the FOAs are useful to - are a useful paper trail to help I guess resolve the dispute and to reverse it. Am I correctly characterizing that comment? Bob go ahead.

Bob Mountain: Yes thanks James this is Bob. Yes I couldn't agree more to be honest. I think the - to remove something that allows you to - that gives you more information about the transaction and the parties involved to remove that I'd be very, very concerned about anything like that, you know, unless we were looking at consolidating functionality which would mean - involve work by everyone. So I strongly support the concern that point 11 is raising. That's all.

James Bladel: Thanks Bob. Any other folks want to weigh in on this comment from the BC?

Woman: (Unintelligible) yes.

James Bladel: Was that (Holly)? (Graham) go ahead.

Graeme Bunton: Hi there. It's (Graeme Bunton) from (Tucas). I think that the redundant point is worth talking about because it does mean that for registrants they're getting multiple codes.

And I think it frequently causes some confusion. And but there - and it also sounds like there's no other mechanism for gathering that information that the FOA provides.

So I don't have a solution but it causes problems having both I think. So I guess that's sort of a general comment on FOA and EPP and not just that particular BC comment that - there you go.

James Bladel: Thanks (Graham). And I think that yes that's the first clause of their comment reinforces your point there about, you know, in the day to day use or the vast majority of transactions that would be redundant.

Put myself in the queue but I will go to Lars first.

Lars Hoffman: Hi. This is Lars, James just a quick note. Can you hear me?

James Bladel: Yes. Go ahead. Yes.

Lars Hoffman: All right. Sorry I wasn't sure I'm on the Adobe Connect. Just to let you know that the - you might remember from the Beijing briefings the ICANN compliant also provided some views on the various questions.

And their points on this might actually be relevant. They mentioned, you know, they said that concerning legitimate transfers may (unintelligible) redundant of the Auth-Info Codes sent by the registered name holders.

They then go out and (unintelligible) how in authorized transfers it still might be useful. If you want I can either pull up the whole thing or just paste the answer into one of the pods on the side so we can read it through if you would like?

James Bladel: Thanks Lars. I think that would be relevant. And if you could paste that into the chat we can circle back on that.

(Graham) I didn't know if you wanted to weigh in but your hand just went down so I'm assuming you don't.

Lars Hoffman: This is Lars. Just very quickly I pasted on the right.

James Bladel: Oh I see.

Lars Hoffman: Sorry. I pasted on the right just underneath the questions because it's rather long for the chat. It may be easier...

James Bladel: Yes. It is fairly extensive. So - before we dive into that I just wanted to weigh in on this. I wanted to pick up on something Bob said that as a registrar.

You know, I think that I agree wholeheartedly with the BC here that, you know, 99% of or more percent of transactions are legitimate then this is a redundant step. However it's an important failsafe to help you unwind any sort of hijacks or illegitimate transfers.

And I think one of the comments that was made when we were in Prague prior to TPC the analogy we used is that the Auth-Info Code is kind of like if the domain name registration were a car the Auth-Info Code would be the keys that start the car.

But the FOA might be closer to the - a closer analogy to the title, or license plate, to proof of ownership of the vehicle. You know, the analogy falls down in a couple of areas. But I think it was one way to help establish the difference.

It's not enough just to have the keys to a car a valet, or teenage child might have the keys to a car, but that doesn't necessarily mean that they are - they're the owner.

And - but I did want to pick up on something that Bob said which was about consolidating these steps. And I think that perhaps there is some opportunity to discuss ways that the FOA - that we could preserve the usefulness of the FOA for disputes but, you know, consolidate the FOA in the Auth-Info into a single step.

For example stake registrars differ in the way that they present the Auth-Info Code whether they show it on the screen, or, you know, it's in a copy to clipboard, or something, or they send it to you via email.

It seems like that if the FOA and the Auth-Info Code release process were merged then perhaps it wouldn't feel so redundant.

So that's just, you know, me weighing in here. But put my - taking my registrar hat off here and go back to the queue. Lars is that a new hand or...

Lars Hoffman: This is Lars sorry. It was an old.

James Bladel: All right. Yes go ahead. Okay so Mikey you want to weigh in on this before we dive into the statement from compliance?

Mikey O'Connor: This is Mikey. I think the question about whether to merge the - it's just a process note. And I think that if we start to get into the merge discussion we may become a design team because we'll have to map the old processes and all that kind of stuff.

I'm a little cautious about that not opposed but that's where we got into that deep, deep dive in C about the uses of the data elements and all that stuff, so just sort of a therapy dragon.

James Bladel: That's a fair point Mikey, and we don't want to presume that registrars communicate with their registrants all in the same way and we don't want to tie their hands up too much.

And I think also if he were to even float the idea, hypothetically, of merging this process, we still have answered Charter Question F. Does it eliminate it? And the answer is no, not eliminate, you know, makes it more efficient, makes it streamline whatever merge, you know, whatever we want to say. But we're still even that. We're saying not eliminate.

That's just a preliminary thought here based on - still on brainstorming mode here. Don't want to give anybody the impression I'm speaking (school).

Okay, so if we can maybe take a look - Lars, would you be so kind as to walk us through the statement from compliance - hang on a second. I'm sorry. Let's give the registry comment its proper intention and then we'll put the ICANN compliance comment as if it were a third item in this list.

So looking at Comment 12 from the Registry, "The FOA is a key document in the transfer dispute resolution process and the elimination of the FOA would critically impact it. It is the recommendation of the Registry Stakeholder Group that FOA requirement not be eliminated given that a mechanism to capture information adequate to document chain of events that prove registrant authentication and authorization of the initiation of the transfer request would still be necessary to facilitation of dispute."

I think that they are - the Registry comment is very assertively reinforcing what we said earlier, that yes, it may feel redundant from routine day-to-day stuff. But if there is ever a dispute, those FOAs become golden and we shouldn't be discussing elimination.

Any other thoughts on the Registry Comment Number 12 before we have Lars move to the ICANN statement?

Okay, the queue is clear. Lars, would you mind walking us through the statement that you pasted from ICANN Compliance?

Lars Hoffman: So yes, what they're saying is called legitimate transfers, might seem redundant and such. You have the (unintelligible) occurred sense by the registered name holder, (unintelligible) FOA to be getting registrar, but that they point out for - sorry, for potential hike whereas contact details. But you know, there is (unintelligible) and (unintelligible) transfers about to take place.

The beginning registrars' obligation to obtain the FOA from either the registered name holder or the resident admin contact, that they can protect the main names from the hijack considering its compliance point out that the registered name holder WHOIS contact information is different from the (MN) contract.

And the (MN) contact could potentially attempt to deny the transfer request or at least it would be alerted of the transfer to take place, and then take action against the hijack or potentially hijacker.

And then the final paragraph they give the numbers that underlying they're saying that 66% of all unauthorized transfers complain that ICANN has ceased, 31 of 47 could have potentially been avoided through there - if there was an obligation to turn the FOA from the registered name holder.

I think that's more or less what it says in those two paragraphs.

James Bladel: Okay. I have a question and I'm still reading through this here. But - so it sounds like, at least for the first two paragraphs, that ICANN contractual compliance statement is aligning with the statements that have been made both by the BC and the Registry Stakeholder Group as well as commenter's on the call.

I'm just trying to - Amy, I just haven't had enough caffeine yet this morning. I'm trying to untangle that last paragraph. I'm still kind of struggling with it here; just a moment.

Two-thirds of all unauthorized hijack requests or hijack transfer requests - at least those that were visible to ICANN Compliance could be denied or addressed by the Admin Contacts due to the gaming registrar's obligation to obtain the FOA.

So is Compliance then stating that the registrar did not obtain the FOA because they are currently obligated to do so? So that's why I'm a little confused here. Is they're saying, "Well, this could have been prevented by an FOA," but the FOA is currently required. So I'm a little - that's why I'm having trouble wrapping my brain around that and I may be misreading it.

Lars? I mean any thoughts on here or maybe we'll need to go back to Compliance? I don't know, maybe I'm misunderstanding.

Lars, go ahead.

Lars Hoffman: Yes, I think it might be good of you to go back to Compliance. Sorry, this is Lars.

But it might be to do with - if there were unauthorized transfers, they might have slipped through what (unintelligible) contact didn't stop it when it could have done. And so they went through and only then was the issue filled with ICANN.

Whereas if there hadn't - so this five year FOA still happened in 31 cases in the past year. But ICANN is saying is that there might have been a lot more cases where the FOA actually did do its job and the Admin contact did (unintelligible) before a higher case come through, but they don't have obviously any data of that because then are no (unintelligible).

But I will get back to them and give you an answer to next week, but that's my educated guess.

James Bladel: Okay, well I knew it would be - I'm sorry, this is James again. I think it would be helpful to, you know, get a better handle on that because I think that otherwise it starts to imply that registrars who were - hijackers are targeting registrars who they know are currently - their practices are non-compliant with the existing obligations of the RAA.

And I can tell you that I have heard and know of at least one episode where one registrar thought that the FOA was optional. And certainly that was an interesting conversation. And certainly, want to make sure that we're not missing some other scenario, for example where the FOA might have been forged or intercepted or some other thing that maybe we're not fully considering.

But I think in general, if I can kind of wrap up the conversation on this charter question, it sounds like we're all saying roughly the same thing. That the FOA may feel like an archaic or throwback bid of unnecessary administrative paperwork. But it is, nevertheless, invaluable when we try to undo a transfer that was unauthorized. And everything else around that I think is just more supporting information for our report.

Mikey?

Mikey O'Connor: Thanks James, it's Mikey. I'm coming to the same conclusion I did on the last one which is that we're pretty close to low-hanging fruit here and that our answer is no - at least don't eliminate FOAs; they're needed for all the reasons we've described.

James Bladel: I think that's a correct assessment Mikey. And of course, we also have to look at what harm our FOAs are causing; it's a collection.

I mean I suppose there's a potential for, you know, extra automated emails that might put a registrar on someone's spam list or something. It's hard to imagine where an FOA is causing a critical problem. It may be nuisance to registrants to have to acknowledge these FOAs or to receive them. It may be a nuisance for registrars to send them, but the potential benefits certainly seem to outweigh any downside.

So I think your assessment is correct Mikey, we'll probably start to button that up in our comments.

Any other thoughts? The queue is clear and we can move on to the last section here. Any other thoughts on Charter Question F?

Okay, this is now - we're in the miscellaneous portion of our comment review tool. Any other comments to weight in? The BC says they have no further comments; that's nice and easy.

And then finally, the Registry Stakeholder Group Item Number 14, "The Registries also wish to underscore the importance of explicitly addressing the role that resellers play in all of the issues that will be reviewed in IRTP." The main industry is changing and vertical integration could amplify potential complications involving reseller relationships.

While the registry does not have specific comments at this time on how resellers may or may not factor in to each of these issues, that will be considered by this (unintelligible), we encouraging the working group to explicitly consider reseller roles and to develop appropriate recommendations that might help minimize highly misunderstandings about resellers responsibilities moving forward."

I don't know that we have any of our colleagues from the Registry Stakeholder Group on today's call, but I think what they are asking us to do is to explicitly, perhaps as an add on for each charter question or as an overarching recommendation, prescriptively state how we want resellers to address both existing and potentially new obligations under the IRTP.

If I can just editorialize here as a registrar, I would point out that resellers are explicitly mentioned in both the 2009 RAA and the 2013 draft RAA as registrars are completely and totally responsible for the actions of their

resellers. And are not able to - I want to say subcontract out there obligations to resellers, that registrars are ultimately responsible full stuff.

I don't know if that means we should highlight that as part of this working group, if we have some specific guidance we need to be providing or best practices we could highlight, or if we just want to reference that change of responsibility as it currently exists in the RAA. I think all of those are things that we could discuss if we feel that the current chain of authority is efficient - Holly.

Holly you may be - there you are.

Holly Raiche: Can you hear me?

James Bladel: I can hear you now.

Holly Raiche: Okay. I thought that resellers were under pretty much the same obligations as the RAA, although I've been reading the same as yours that ultimately, your registrar is ultimately responsible. But I would have expected that resellers would be looking at the RAA and understanding that they are going to be held accountable for compliance in that way. Although I suppose, in the first instance, ICANN would go after the registrar and not (unintelligible).

But perhaps you'd like to correct me if I'm wrong.

James Bladel: I see Volker has raised his hand. I'll weigh in very quickly and then turn it over to Volker who is also a member of the negotiating team.

Essentially in the existing RAA, registrars are responsible for all of their obligations. And whether they have a reseller involved or not, that doesn't alleviate their responsibility and obligation. So because ICANN Compliance, because they have no relationship with the reseller, would go directly to the registrar.

On the Draft 2013 RAA, this is expanded just a little bit by also requiring that registrars enter into a reseller agreement with each of their resellers and that there be certain elements contained in that agreement. That's just a summary of what's in the draft.

But we'll go ahead now with Volker; go ahead.

Volker Greimann: Yes James, you pretty much said what I wanted to say there. There are no obligations of resellers towards ICANN directly. All the obligations that are included in the RAA are actually obligations for registrars to enforce the resellers or to push past through to the resellers. But the obligation lies with the registrar and not with the reseller.

James Bladel: Thanks Volker, and yes, that is - I think that is my understanding as well. So I hope that helps Holly, but I think the important answer is that resellers themselves are not subject to ICANN compliance. But as a registrar, you better be darn sure you know what your resellers are doing late at night because your accreditation is on the line. And ICANN Compliance says you didn't live up to some particular obligation, you are not allowed to say, "Well, that was the reseller, so I'm off the hook."

I don't know if that helps, but I think that's one way we help to simplify and collapse this whole industry because sometimes resellers will have resellers as well. So we certainly don't want to follow that chain down into a number of rabbit holes.

Bob, you're up next.

Bob Mountain: Yes, thanks James. This is Bob.

I think based on that comment, I'm not sure what we do with that as a working group other than potentially, you know, is there any direction, further

direction, that the commenter could give in terms of what specifically they're looking rather than directionally think about resellers when you're doing anything.

Is there a little more specificity that could be provided, you know, that would just help us understand the types of things they want to watch out for? I guess I find this to be really vague and I don't think give the work group a lot to actually work on.

James Bladel: Thanks Bob. Maybe we should throw this back to the registries, particularly the members that we have on this PDP, none of whom are on the call I should point out. But say essentially, "You know, are you looking for something specific or is it sufficient to reinforce the existing responsibilities under the RAA as the Draft 2013 RAA? Is that enough or are you looking for something more?" And if so, you know, maybe have a longer discussion about that.

So maybe we can throw that back to them. Holly?

Holly Raiche: I think I would agree with that because otherwise it's saying if you continue with the conversation this way, it sounds as if we're saying, "Well registrars are under obligations and we're not sure about resellers."

So I think we need to say we've had a discussion and this is the way that resellers are roped in. Otherwise it looks as if we haven't addressed the issue.

James Bladel: Well thank you Holly. I think it's probably a good course that you propose. Mikey?

Mikey O'Connor: This is Mikey. I kind of liked your idea James, which was, you know, there are several ways we could do this. We could just highlight some things or refer to them.

I think that maybe, you know, I'm sort of putting words in the registries mouth, but if I were in their shoes reading this comment, I think that what they're asking is that we sort of remind people that resellers play a role in this and sometimes that role is a little ambiguous. So registrars in the RAA have clearly deeper responsibilities that they need to talk to their resellers about.

I do tend to agree though that without a little more specificity, it's hard to know exactly what to do. I don't think we want to go through every single recommendation and say, "Oh by the way, you resellers."

But you know, it might not be a bad idea to have a chunk of findings that says that. "By the way, you resellers, these apply to you too," just as a reminder.

So anyway, I sort of talked myself into the ditch there. Sorry about that.

James Bladel: No, I think we're all kind of coming down on the same patch of ground here. And that's we need to clarify - I think we all agree we need to clarify that what we think the Registry Stakeholder Group is saying here is fact that case.

But if it is, that we don't want to build a new chain of authority or alter the existing chain of authority between registrars - or chain or responsibility I guess, between registrars and their resellers. But we want to perhaps highlight or reiterate the existing chain or responsibility and point out that anything that's currently in IRTP as well as anything new coming out of this working group are part of that set of responsibilities and make sure all registrars are clear on that.

And I think just as the last PDP and the chain of transfer working groups, it probably doesn't hurt to put a, you know, exclamation point on that concept in this final report. Say that, you know, everything that we've talked about going back to IRTP AA, you know, is holding on resellers as well. So - and we can reference the RAAs as well.

So yes, I think we're going to that thought, but all of this is predicated on the idea that we're not missing some salient point that the registries are trying to make. So I think that as one takeaway from this comment, we will circle back with our members from that constituency and make sure we understand them completely.

So that is the end of the comments received. Were there any other thoughts, comments, suggestions, questions? Anyone else want to weigh in on this? I currently have an empty queue. And it's still empty.

And so we're into now Item Number 3 on our agenda, but I notice that we only have six minutes remaining in our call. So perhaps we can put that - I think that's a check-in with our work plan if I'm not mistaken Lars and Mikey.

But we need to essentially check in where we are on our schedule, see what we have in front of us. We need to talk about the timing and structure of the (unintelligible) meeting which is probably knocked out today - at least get that topic started. And then we can confirm our next meeting.

So can we talk a little bit Lars, you wanted to discuss the face-to-face meeting. Is this structure or timing or both?

Lars Hoffman: Hi this Lars, thanks James. Yes I wanted just to confirm that we booked a seven-thirty slot again as we had in Beijing for Durbin on Wednesday. Because we thought that it didn't clash with anything because it's likely a time where nothing else will be planned, and actually the attendance from working group and community members were actually rather good we thought in Durbin - Beijing - I'm sorry. So we probably should keep it that way.

And then yes, if the group wants to discuss what they want to go into the meeting agenda wise, I'm happy to propose an agenda and turn it around next week so we can post it on the Web site, (unintelligible) and change that

during the coming weeks. But it would be good to have something up on the side for the Durbin meeting calendar.

I think that's it.

James Bladel: Okay, thanks Lars and I think that's a good approach is that we'll all confirm. Sorry folks, I think it's just the curse of the IRTP working groups and having so many of them that we always get stuck waking up at seven-thirty in the morning.

The good news is that we can always count on ICANN from previous meetings to provide coffee and juice and breakfast things, and hopefully they're not going to let us down again. I'm sure they can't promise, but we're going to make them promise to caffeinate us and provide refreshments if they're going to get us out of bed that early. That's Volker's...

Volker Greimann: The coffee and the croissant that (unintelligible), it looks...

James Bladel: Fantastic, yes it's only fair, you know, I mean when we have to get up that early. And I think to Volker's point, we sure know where we fall in the pecking order when you have your seven-thirty meetings. I guess the alternative would be if you're meeting very late at night.

So yes, and then as far as the agenda and the structure of that meeting, let's see if we can circulate something by next call and we can start adding that. If we can, actually, gets something on the list prior to that, maybe we can even have some contributions from the working group on what they'd like to see.

I'm not sure, you know, certainly our work plan doesn't target that we have an initial report for Durbin. But I think we will be getting close some point thereafter. So you know, let's think about how we want this meeting to proceed whether it's full meeting of the working group, whether we have set aside some additional time to receive feedback from our work thus far from

interested members of the community who don't participate in the PDP, or whether they just come in to drink our coffee and use our Wi-Fi as also past.

So anyway, that's something we can look for on the mailing list prior to next week's call which will be the same times, same channel. And I'll give you the last four minutes.

Mikey, is there anything you want to finish up here or bring us in for a landing?

Mikey O'Connor: No - this is Mikey. I think we did really well. I think we should give ourselves a round of applause for getting through the public comments and making, I think, pretty good strides towards tentative recommendations.

Run back through those discussion summaries that we worked on last week and you'll see that unlike previous IRTP working groups, we don't really have a huge set of disagreements. We've got a bunch of things we need to puzzle through, but this group feels pretty unified in where it's headed.

So I'm pretty excited that, you know, we can move pretty fast towards an initial report after we go to Durbin. And you all should take stock and say, "Yea team." I think we did very well so far. Thanks James.

James Bladel: Thanks Mikey. Yes, I agree with you. It sounds like, particularly with regards to the last few charter questions, the sentiment from today's call is there's not a lot of controversy there.

The other four, well, we've got some work to do. But it doesn't seem like there's any bitter divides that needs to be bridged. But who knows? You know, we may uncover one yet.

But I agree with you. We're making good progress. I guess we can give us that-a-boys and that-a-girls, but you know, there were only two stakeholder

groups weighing in. So really it wasn't that much of heavy lifting to review these comments. But I think they were good comments; the quality was there if the quantity wasn't. And I think the feedback was very relevant and helpful.

So we can move on from here, we'll tackle this at the beginning of next week. We'll revisit our work plans and make sure we're on track and see if we need to pick up the pace a little bit in some areas which is always a good thing.

Until then, thank you. Keep an eye on the list and enjoy your Monday.

Holly Raiche: Thank you.

Group: Thank you.

Volker Greimann: Thanks everybody.

END