

**ICANN  
Transcription  
IGO-INGO Protections Policy Development Process (PDP) Working Group  
Wednesday 06 November 2013 at 17:00 UTC**

Note: The following is the output of transcribing from an audio recording of the IGO-INGO Protections Policy Development Process (PDP) Working Group Teleconference on Wednesday 06 November 2013 at 17:00 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-igo-ingo-20131106-en.mp3>

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

Attendees:

Jim Bikoff – IPC/IOC  
Chuck Gomes - RySG  
Alan Greenberg – ALAC  
Catherine Gribbin – Red Cross Red Crescent  
Stephane Hankins – Red Cross Red Crescent  
David Heasley – IPC/IOC  
Evan Leibovitch – ALAC  
Judd Lauter – IOC/IOC  
Claudia MacMaster Tamarit – ISO  
Osvaldo Novoa – ISPCP  
Christopher Rassi – Red Cross Red Crescent  
Thomas Rickert – NCA –Working group chair  
Greg Shatan – IPC  
Val Sherman – IPC/IOC

Apology:

Avri Doria - NCSG  
Wolfgang Kleinwaechter - NCSG  
David Maher – RySG  
Elizabeth Finberg – RySG  
Joanne Teng –WIPO  
Berly Lelievre Acosta - WIPO

ICANN Staff:

Berry Cobb  
Mary Wong  
Julia Charvolen

Julia Charvolen: Thank you, (Tonya). Good morning, good afternoon, good evening everyone and welcome to the IGO/INGO Working Group call on Wednesday 6 November, 2013 at 1600 UTC.

On today's call we have Jim Bikoff, Chuck Gomes, Alan Greenberg, Catherine Gribbin, David Heasley, Claudia MacMaster-Tamarit, Jude Lauter and Christopher Rassi.

We have apologies from Wolfgang Kleinwachter, Avri Doria, David Maher, Osvaldo Novoa, Elizabeth Finberg, Joanne Teng, (unintelligible) and, I'm sorry, I can't remember - yes, Thomas Rickert is with us as well. I'm sorry for the attendance.

And from staff we have Berry Cobb, Mary Wong and myself, Julia Charvolen. May I please remind all participants to please state their names before speaking for transcript purposes? Thank you and over to you.

Thomas Rickert: Thank you very much. My name is Thomas Rickert and I'm chairing this working group. And I have to apologize up front because I'm sitting at an airport trying my best to moderate this call and I hope that the background noise is not too bad.

As usual the first item on the agenda is to ask you whether there are any suggested changes to the agenda and whether there are updates to Statements of Interest?

I hear none and since I'm trying to get into Adobe Connect but wasn't yet successful I would need to defer to Berry whether there are any indications of updates to Statements of Interest in the Chat?

Berry Cobb: This is Berry. Negative. No hands raised.

Thomas Rickert: Okay, which allows us to go to the next agenda item which is the Chair's Update and I'll be able to keep this very brief. You will know that we have - that the reply period of the public comment period has ended. We have put all the remaining comments - just a few into the public comment tool.

And we will discuss those during this call hopefully concluding our deliberations on public comments during this call. And the next step then will be for us to hopefully get closure or get a final version of the final report.

There are some comments that you sent to the list some of which we should discuss as a group to find a solution on how we present certain things in the report. But we will discuss this as we move along.

And then hopefully we will be able to have at least something which is very close to a final version of the final report. And as you will have seen on the mailing list we have reserved two time slots, tomorrow and the day after tomorrow, to continue our discussions. And the plan is to see how today's call works whether there is a lot of need for discussion or whether we can close the items on our table quite quickly.

Should we see substantial need for discussion we will do both the call tomorrow as well as the call on the day after tomorrow, i.e. Friday. And if we see that there is no (substantial) need for discussion then we will skip tomorrow's meeting to allow for more time to actually review the substance of the final report so that we then only have a call on Friday.

Now that's as far as the plan for today's meeting and the overall update is concerned. We hope to be able to pass on both the report as well as the draft motion before the motion deadline to the Council so that the GNSO Council can deliberate and hopefully vote on it during its Buenos Aires meeting.

I hope that I haven't omitted anything important. Otherwise I would like working group members, Berry or Mary, to step in. But unless you have

further comments on this agenda item I suggest that we move to the third agenda item and at this point I'd like to hand over to Berry who will guide you through the remaining public comments that we received.

Alan Greenberg: Thomas, it's Alan. I have a comment first.

Thomas Rickert: Please, fire on.

Alan Greenberg: Yeah. I'm not quite sure how we're going to be submitting the report but given that there may well be and are substantive changes in the (unintelligible) there needs to be an opportunity for people to revise or submit a minority statement.

I'm not unhappy if it goes to Council and the minority statements can come in over the next week or something like that but there needs to be an opportunity - the minority statements that are submitted to the draft report may no longer be appropriate. And in the case of ALAC we did not submit one but we may well depending on exactly what is in the draft report.

So the process needs to allow it. I don't want to slow down the submission but the final document needs to have an - there needs to be an opportunity to submit minority reports based on the content of the final report, not just the preliminary. Thank you.

Thomas Rickert: Thanks, Alan. That's a very good point indeed and thanks for highlighting this. I would suggest or like to invite working group members to point out to me if you see the need to update minority statements or if you plan to submit minority positions where you haven't done so far and we will then make sure that we agree on the time table for you to submit those.

But as far as handing over the report to the GNSO Council is concerned I fully support what you said, Alan, that we can do so even without all updated or new statements being with us. And this is also something that we've done

when we - before we published the first version of the report as you will recall.  
But thanks for that.

I can't see whether there are any more hands up. Otherwise I would like you,  
Berry, to take over and guide us through the remaining public comments.

Jim Bikoff: Thomas? Thomas?

Thomas Rickert: Jim, please - yeah, please.

Jim Bikoff: I just wanted to say with regard - I have no comments on the report but on the  
resolution that Mary prepared we have some comments. And I thought we  
can probably get them out by tomorrow so that by the end of business  
tomorrow. Is that - would that be sufficient time or does it have to be faster or  
what?

Thomas Rickert: Well to be quite honest, Jim, certainly if you want to write something to the list  
the sooner the better.

Jim Bikoff: Okay.

Thomas Rickert: Otherwise I do hope that we will have at least some time during this call to  
discuss what Mary has sent to the list. So if you could share your views or  
concerns or requests for amendments with us during this call that will at least  
give us the - an extra day to consider as a group. And certainly you are more  
than whole heartedly invited to send your written reports in at a later stage -  
written comments in at a later stage. Is that something that will work for you?

Jim Bikoff: Yeah, as a matter fact I think we can get you our written comments by the  
end of today - our time.

Thomas Rickert: Good. Thank you.

Mary Wong: Hey, Thomas? This is Mary. Can I jump in here, Thomas?

Thomas Rickert: Mary. Sure.

Mary Wong: Yes. Jim, thanks very much and there seems to be some delay in the email that's coming out from me. I don't know whether it's an ICANN problem or a computer problem. But I just wanted to note for the whole working group that there is a revised version of the draft motion that I tried to send out about 20 minutes ago.

So, Jim, I hope that you can work off that one. In my email covering notes I explained why there are certain revisions. They're not substantive in many ways but the language has changed in some respects. So if you guys haven't gotten that motion I will try and resend it but it will be dated the 6th of November. Thank you very much.

Jim Bikoff: Okay.

((Crosstalk))

Jim Bikoff: We have not received it at this point.

Berry Cobb: And this is Berry. I don't think anybody has resent it. It looks like there is an issue with the mailing list mail servers. But the working group should get the most recent version hopefully in the next 10 to 15, 20 minutes, somewhere in there. And if we do have time we will try to review through the draft motion before conclusion of this call.

Stéphane, I see your hand is raised. Please.

Stéphane Hankins: Yes, thank you very much. Stéphane Hankins, RCRC, Red Cross Red Crescent. Yes, I just want to chip in that, you know, we would have also, you

know, a similar concern that, you know, some of - that some of the points in the new version of the report do require to be revised.

In particular, you know, the minority positions which the one that we had - that the Red Cross Red Crescent had submitted made reference to the recommendations which did not achieve consensus.

And of course since these no longer appear in the report, you know, the minority report - the minority position that we submitted is no longer, you know, fully congruent. So, you know, we do need to provide that. And we will need, you know, a little bit of time.

And then also with regards to the motion whether if there is a new version of course we will await it. I think we also have some concerns with some of the formulations which, you know, refer to the full names and identifiers of the Red Cross Red Crescent in reference to the Scope 1 names.

And of course, you know, this doesn't - does not fully, you know, make sense anymore because the Scope 1 names, you know, the designations of the protected emblems under the Geneva Convention, the actual, you know, names and identifiers of the organizations, per se, are (worked into) Scope 2 and would - which protections have, you know, did not achieve consensus.

So, you know, there are revisions to make this - to make the text - to maintain its logic. So we will indeed, you know, require to know exactly when is the specific deadline, you know, we can submit these. Thanks very much.

Berry Cobb: Thank you, Stéphane. Thomas, if you don't mind I've got a couple of statements to make with regard to the report and the minority statements. I think first and foremost...

Thomas Rickert: Please do.

Berry Cobb: So first and foremost, Stéphane, with regard to your question about the scope definitions that we have defined in the final report, there are a couple of comments that we need to review as the working group which we'll get to shortly after we review the remainder of the public comments.

After today's meeting - pardon me - after today's meeting I'm going to take in all of the other changes that - as a result of our discussions today and incorporate those into the next final version I want to send out, which will be version 1.5 to the working group so that working group members can review this version.

And like we've said, we have a meeting scheduled for Thursday and for Friday at 1400 UTC at which we can start to review any other changes that are required.

With respect to the minority statement then if the working group agrees with this approach this would perhaps probably give those stakeholders that wish to file a minority position perhaps we follow the same format that we've done in reference to the formal consensus call document as well as the public comment review tool that they'll actually be supplement PDFs that are - will be sent along with the final report.

And here is the - what we're dealing with. We have to have the final report submitted to the GNSO Council by the 10th, which is this Sunday at 2359 UTC. What might I suggest to the working group and if you agree is that we can extract the minority reports out of the primary final report and make them supplement.

And that will allow us - the working group - more time to complete their minority position statements if they still wish and submit them and then we can submit them as supplements to the final report. But that way we still make the deadline for getting the final report to the GNSO Council. And like I said, that gives us a little bit more time if there are changes to that.



Alan, I see your hand is raised.

Alan Greenberg: Yeah, thank you. I would suggest that the process and the motion allow for minority statements to be submitted after the GNSO, you know, prior to the report going to the Board but not necessarily in time for the GNSO to consider them.

You know, if the minority submitter is willing to have the GNSO not consider them prior to its addressing the issue then there should be an opportunity to submit it past that time. And the motion, I think, can allow for that.

Berry Cobb: Okay, Alan, so if I understood that correctly, would you - would you prefer that there would be some sort of a whereas clause that there would be additional minority statements submitted with - over a course of time or something along that - did I understand that correctly?

Alan Greenberg: That's right. There should certainly be a deadline that has to be done. I'm just worried that just because of travel and other things it may not get done in time for the GNSO to have considered it. And I don't - I wouldn't want the GNSO to defer talking about it in Buenos Aires because the minority reports are not yet all - may not all be submitted.

((Crosstalk))

Berry Cobb: Okay great.

Chuck Gomes: This is Chuck. If I can get in briefly?

Berry Cobb: Please, Chuck.

Chuck Gomes: Sorry, since I'm driving it's a little hard. But I don't have any problem with what Alan is suggesting. But I think we should encourage minority reports to be submitted before the Council takes actions on it.

Now if a provider of a minority report is comfortable with the GNSO Council taking action without that report being in that's fine. But as much as possible I would encourage the minority report before the - at least a couple days before the Council takes action on this if they do. Thanks.

Berry Cobb: Thank you, Chuck.

Alan Greenberg: Chuck, I agree with that completely. I just want to make sure that a minority report is not an opportunity to file one for the Board's consideration, it's not denied because of the timing. And I wouldn't want to see the overall process delayed because of it either.

Berry Cobb: Great. Okay understood. All right so if I'm capturing this directly and then anybody can correct me. Action Number 1 is that we'll migrate minority positions that exist within the final report now to separate them out as individual supplement PDFs to the final report so that we can submit the final report to the Council.

How about we set a deadline which we'll communicate out to the list that next Friday the 15th any minority positions that want to be appended to this final report should be submitted by next Friday the 15th so that I can get those included along with the final report that the Council is already looking at.

That should still give the Council plenty of time to read through those minority positions in preparation for the weekend sessions as well as the GNSO Council meeting on the 20th.

And then just to tack on a point, Alan, that you made is even post GNSO Council there will be an additional public comment period as the report is

submitted over to the ICANN Board for their consideration so there is an additional opportunity for any other public comments and I guess, you know, more or less reattach any minority statement from a group.

And then that way we should be able to still hit our time targets. Stéphane, your hand is raised please?

Stéphane Hankins: Well, yes, I - wanted to (unintelligible) a little bit earlier but, I mean, obviously, you know, we need a very clear indication of what is the final deadline so that the minority report can be annexed so that it can be taken into due consideration by the GNSO. I mean, that's the whole logic and spirit of, you know, allowing for minority positions to be filed.

And so we, you know, we obviously will want, you know, these to arrive in time so that they can be considered by the GNSO Council. Thank you.

Berry Cobb: Thank you, Stéphane. Alan.

Alan Greenberg: Yeah, just a quick note. I appreciate that there will be an opportunity for comments during the Board's comment period. But there's a subtle difference in making sure it's appended as a minority statement even after the fact because then it goes into the historical record whereas comments may well, you know, disappear from that or could not - if not disappear then be invisible. So just the rationale for why I was suggesting it.

Berry Cobb: Okay, understood. Thank you, sir. So just to recap then, we'll be working through iterative draft versions of the final report up until - I'm really wanting to call a final deadline for any changes to the final report by this Friday at 2359. That way I can incorporate any last minute changes and still make the deadline for the 10th.

As for filing minority position statements we'll give working group members until next Friday the 15th to send into the list any of those minority positions

and I'll be sure to - that they are appended and included for any of the communication to the GNSO Council as a minority position. So I think those are the two main deadlines.

All right great. Alan, I see a green checkmark. Thank you very much. And Stéphane, I still see your hand raised; is that an old hand or - hopefully I answered your...

((Crosstalk))

Stéphane Hankins: It's an old hand. Thank you very much, Berry. Sorry.

Berry Cobb: Thank you. Okay so let's go ahead and move on over to close out the public comments that were submitted. From our last meeting there were four that were submitted. One by the Red Cross, the Business Constituency, the ALAC and I believe one individual has submitted comments.

So for those that aren't in the AC room we're on Row 4 and the first comment that was submitted was by the Red Cross. And I'll just point you to this that I've actually - this is displayed on two different rows for the statement that was submitted by the Red Cross.

Part of the statement had kind of more to do about eligibility criteria so I extracted that out into a section below. And we'll get to that in a little bit. But this one for Row 4 essentially the Red Cross is encouraging the working group to continue support of recommendations in Section 5.1 regarding Red Cross Red Crescent protection and acknowledging the support by the working group for Recommendations 1, 4, 5 and 8.

And as well as they also included an additional statement to encourage the working group to endorse Recommendations 2, 3, 6 and 7 which I believe revolve around the Scope 2 names. As mentioned earlier I do have a few

comments flagged in the final report that we'll review through. And actually we'll be starting with that section.

But in general that's kind of the abstract of this portion of the statement from the Red Cross. Is there any discussion or anything been mentioned by working group members with respect to this?

Stéphane, please.

Stéphane Hankins: Yes, thank you. Stéphane Hankins, Red Cross Red Crescent. Just to flag that the public comment that was submitted is submitted by a group of the National Red Cross Red Crescent societies. I believe it's 36 in - 36 national societies signed on to the public comments (unintelligible) provided which has been signed some 45 national Red Cross Red Crescent societies.

Basically the thrust over the public comment is to recall the concern of national Red Cross Red Crescent societies such as the British Red Cross or the Swiss Red Cross or the Afghan Red Crescent and others, that, you know, their names be considered. So of course, you know, these are part of the Scope 2 names and did not achieve the consensus.

But this is what, you know, we - the national societies felt significant, you know, for them to take a stand on the importance for, you know, their names to be protected as they are generally protected also under their domestic legislation and thus in their respective national languages and scripts. Thank you.

Berry Cobb: Great. Thank you, Stéphane. Any other comments with respect to this comment that was submitted? Okay. Sorry, I'm just taking a few quick notes. Okay so that will take us down to the next comment that was submitted which is from the ALAC which was submitted on - I think it was last Thursday or Friday morning.

And fortunately they did a good job of trying to summarize what their overall position was. And certainly, Alan, I'm going to read off what's listed off here in bold. And if I misstate anything then please feel free to chime in.

The ALAC particularly concerned that granting blocking level protections may prohibit other reasonable uses of the same strings and the ALAC is not satisfied that the exception procedures outlined in the report would be effective.

Their second item is, "This being the case it may be important to consider the principles that guided the ALAC in our participation and the activities that led to this report and that the ALAC believe should guide ICANN in considering any special protections."

First noting that, "ICANN should grant special protection to organizations that further the public interest and in particular those with a strong track record of humanitarian activities. However, such protections should only be granted where there is a history or reasonable expectation that the lack of protections would lead to misrepresentation of the organizations, fraud, deliberate confusion or malfeasance."

The second notion is, "Such protections, when granted, should not unreasonably impinge on the ability of others with a valid right to use the protected string from registering such names for use which do not negatively impact the protected organization nor use of the protected name with the intent to deceive users. Normal trademarks should not be necessary to demonstrate such a right."

Thirdly, "The procedures used to grant the protection exceptions identified in Number 2 must both - must be both inexpensive and fast." And, lastly, "That no top level protections are necessary; existing or new objection processes are sufficient."

Are there any comments with respect to the ALAC submission?

Chuck Gomes: This is Chuck, Berry.

Berry Cobb: Chuck, why don't you go ahead and go first please?

Chuck Gomes: Okay. Sorry for others if I jumped in front of you. The - it seems to me that in our response to that - to the ALAC comment with regard to the exception procedure that we could recommend that their comments be taken into consideration when the exception procedure is worked on and finalized.

So I would just throw that out as a possible response. I think the exception procedure is going to have to be worked on further and carefully detailed. And in that work it seems like a good place to take into consideration the ALAC comments in that regard. Thanks.

Berry Cobb: Great. Thank you, Chuck. Stéphane, I see your hand is raised. Is that a new one or an old one?

Stéphane Hankins: I apologize. This is an old one. Sorry.

Berry Cobb: No worries. Okay Alan, please.

Alan Greenberg: Thank you. Two comments. First of all these comments were not really written in general asking for working group responses but noting - and they will probably form the basis for a minority statement.

The part that you didn't present was a statement that said we are really worried that although - and I'll phrase it differently than was in the statement - that although this working group has tried hard to come up with what there is consensus for the sum total of those recommendations do not necessarily form a consistent grouping that can be implemented point blank.

You know, they were looked at one by one and do not necessarily hold together as a consistent whole. And that conclusion led to the fact that the Board or someone is going to have to pick and choose or perhaps augment to make consistent whole policy.

And that was the rationale for stating the principles that we were using because we feel that despite the best efforts of this work group there is going to have to be further work done at some level. And identifying what our goals are, in any case, we thought was important but not necessarily for this work group to modify the report based on them although I do appreciate Chuck's suggestion in that case.

And I think the report was clear that the - that what it was presenting in terms of exception processes were simply the basis for a start of the discussion. Thank you.

Berry Cobb: Great. Thank you, Alan. So in terms of kind of a recommended action I think especially within the section of implementation for incumbent gTLDs and the principles around that we've mentioned that an IRT would be formed and that is the basis - or I think that is also the whereas clause in our draft - or I'm sorry, no, it's an actual resolution statement in our draft resolutions to have that IRT review team formed.

So in terms of a recommended action that we'll make sure that there is language added to this section around exception procedures that these comments also be considered by the IRT when they get to that point and recognize that more work does need to be performed.

Alan Greenberg: Thank you.

Berry Cobb: All right great. Thank you, Alan. Give me just one second please. And just as a - I'm taking some brief notes but, again, after this call I'll relisten to the MP3 and make sure I capture everything as stated here.



Okay, I see no other hands. I'll move on down to the next comment which I believe was submitted by the Business Constituency. And they, in their submission, had basically extracted our recommendations from the report and listed their support or no support for the recommendations that were offered up.

I think in summary they did support the Red Cross Red Crescent recommendations that were listed in the report as well as the IOC recommendations.

When we go to review through these sections of the final report as - in terms of the next agenda item I think that their support or not support for some of the recommendations may affect one or two of our current consensus levels in the recommendations which I have highlighted in this draft version.

But outside of getting into the details on each of their support or no support for the recommendations I think it's pretty straightforward here. One point to note is that I did add their responses within the public comment to our consensus call document noting the date that it was submitted and I (unintelligible) the public comment period as well as any extra statement that they made as to rationale why they support it or didn't support.

It's also included in that consensus call document and as mentioned that will be a supplement attached on with the final report as it's sent up to the GNSO Council.

So in - for the sake of time I didn't really plan on going through any of these particular recommendations in detail. Again, as I mentioned they - where I think that there was a possible change to the final report I have highlighted in that when we review through it.

Does anybody have any comments or statements with regards to the Business Constituency's submission? Okay, seeing or hearing none and I'll go back to the public comment review tool.

And I'll take note that Claudia does have a couple of comments but they'll be reserved when we get into the detailed discussion of the report.

So basically here working group response will be, you know, acknowledging the statement and per some of our previous statements and the recommended action I'll just make note that they were highlighted in the - in this draft version of the report as well and being reviewed by the working group.

And I just noticed coming through on email it looks like Mary's email submitted to the list has come through so FYI the draft motion document that she sent has just been sent to the list final.

Okay moving on to the next comment. And I believe this is back to the Red Cross submission with regard to the section that I had highlighted as more or less eligibility criteria. Here I kept the abstract fairly simple but it was basically statements regarding the legal basis for the protections for Red Cross Red Crescent designations.

I believe that this is something that has been reviewed with the working group within our eligibility criteria discussions in the earlier stages of our working group. But essentially they're highlighting the fact that the Geneva - 1949 Geneva Convention and additional protocols as well as legislation in over 130 countries provide the legal basis as well as the ICANN General Counsel's research that was preformed earlier in our deliberation.

Does anybody have any comments or suggested discussion in regard to (unintelligible) comment submitted by the Red Cross? And, Stéphane, please

do speak up if I have mischaracterized anything of the comments that were submitted.

Seeing no hands and not hearing anything so I'll move on to our last comment which was submitted by Brian Beckham. I believe he's affiliated with Valideus which is a smaller organization within the DNS industry.

More particularly he pointed out the - or he focused in on the exception procedure that we had within our final report and that it should be amended for third parties and reflect coexistent principles under international law.

I did highlight this in the final - or in this version of the final report for us to review. And I believe Chuck had pointed that out as well and to include the statements. So in terms of time we will most specifically be addressing this when we review through the final report. And stemming from that discussion I'll update the working group response and any recommended action as we have that dialogue here in a few minutes.

Okay so pretty much as you can suspect after the call I will update the public comment review tool with the working group responses, any final action with the exception of these last four all the previous actions have been highlighted in the final report one way or another and/or the edits have been changed.

I'll send out a final version of this particular tool and if there are any additional feedback or comments that the working group would like to submit please send those to the list and I'll be sure to incorporate them.

And then just lastly, stating this will also become a supplement that we include with the final report just to make reference to the working group's activities and how we reviewed the comments and any actions that we thought were necessary to amend the report.

Any final comments for the public comment review tool before I move over to the final report? All right, very good.

Now the good stuff. Let's see, here's the final report - and I think I have it listed as version 1.5 within the - within the Adobe Connect room. Just so that everyone's clear and I wanted to make sure that this was stated, after we had submitted our draft final report for the public comment period that was essentially version 1.0.

And then I created a version 1.1 which just had some minor updates that had been submitted from working group members. But versions 1.2 to 1.4 was essentially the reorganizing of the report. And as you've noticed the recommendations have been floated to the top as well as we extracted recommendations that had versions down into a section that shows - or that's listed as unsupported proposals and we'll get to those in a few minutes.

But the reason why we jumped from 1.1 to 1.4 is those major changes offered up too much of a redline and so I had accepted those. But just to make clear that there weren't any real content changes per se but more just reorganizing the document itself to make it somewhat digestible when reviewing, you know, redline versions.

So 1.4, which was sent out to the list, and I think last night I even sent out 1.5, that includes changes that were submitted by the Registry Stakeholder Group and any other suggested changes that we've highlighted as a result of review of the public comments.

So with that in mind I'm going to start on what is Page 9 listed in the Adobe Connect room. And, Chuck, this one's actually for you real quick. One of the suggestions that you had mentioned was a statement within the minority view which is extracted from the Working Group Guidelines.

And you had suggested that - you basically state originally minority view refers to a proposal where a small number of people support the recommendations. And you had made the suggestion basically a small number of people do not support the recommendations.

I think first and foremost, A, that this was a pure extraction from the Working Group Guidelines and I'm hoping that we can avoid amending those. I think it's probably clear that that first statement is somewhat confusing and probably is more in line with the - our recommendation of passing this over to the SCI to review the consensus scale and perhaps clarify some of the language here.

So I just wanted to alert you to the fact that that particular change I'm not so sure that we should incorporate that into this version.

Chuck Gomes: Thanks, Berry. That's fine. And that makes sense. Thank you.

Berry Cobb: Okay great. Thank you, sir. So another quick highlighted change, I think Chuck had suggested about adding the note that, you know, essentially any recommendation that we have that has at least strong support are included in our recommendations matrix and any of the other recommendations, or what we're calling proposals now, are listed in the unsupported section.

I think there is a highlight about one particular recommendation that maybe needs to be migrated up to the top but I just wanted to ensure that we had the accurate consensus level before making that change.

And just to remind anybody that has a comment or suggestion please raise your hand at interrupt at will as we move through this.

This next little section, again, is just basically to make the connection from our consensus call document and listing out the groups and individuals that

had submitted for the consensus call as well as an additional footnote in that regard.

And I did also take in the suggestion that we don't have an exact URL address for the supplement document of our consensus call. And we won't really have that until I submit that to web admin which means that also this document is submitted to the GNSO Council.

To fill the gap I referred users to the IGO/INGO Webpage that'll have the section with the final report and all of its supplemental links that can be found here. So that's just kind of an interim change.

And so I think that'll take us into actually reviewing our recommendation tables. The first section is 3.1 regarding the Red Cross Red Crescent recommendations.

Essentially the only change here was removing or extracting the divergent recommendations here and listing them in the unsupported. Stéphane, I think you had made a mention earlier that they weren't included in the report, which is not the case.

For those recommendations that we had detailed for each organization they are included in the not supported and they are listed there. They still have their divergence consensus level designations but those particular recommendations are still included within the report.

And I think you were mentioning that in regards to whether your minority position statement needed to be updated or not. But, again, just to let you know that they are still included in the report, they're just down in a lower section.

One comment that I had here with respect to the Scope 2 identifiers and originally it was actually going to be a couple of comments. And this was prior

to the working group making the decision of separating out the divergent recommendations.

When we originally defined the scope of the identifiers we probably should have carried it a little bit further in that - in adding an actual Scope 3 which would make the distinguishment between the acronyms versus the full names of the 189 national Red Cross Red Crescent society names.

And when - because originally we had, in our consensus call, a more general recommendation with respect to Scope 2 names for IGOs. And when we floated that and basically placed those recommendations across the organization it kind of forced the expansion of some of these recommendations that are redlined here.

But we'll get to those - that distinction is not so much necessary anymore trying to expand into Scope 3 identifiers and we'll touch on that when we get into the lower section.

But for the sake of documentation my question here was - and this is directly pointed at you, Stéphane. In the submission of any of the communications around these 189 Red Cross Red Crescent societies, do you have a definitive list of those that we can include as a footnote and possibly as a supplement to the report just to make sure that we complete our documentation?

If not I don't think it's a show stopper but in terms of just trying to complete the documentation if you have that and you can send it to me I'd be happy to include it in the report. Stéphane, please.

Stéphane Hankins: Yes, thanks very much, Berry. Stéphane Hankins, Red Cross Red Crescent. Yes, in these we - (unintelligible) there's been quite an effort to put this together because we, you know, we intended, you know, to provide the names of the respective national Red Cross Red Crescent societies not only

in English as we had done previously in a previous communication but we've - we have now, indeed, a full list of the identifiers and designations of the respective organizations in the relevant languages. It's a table.

So I don't know, as you seem to be saying you would like to annex that, right?

Berry Cobb: If that's okay with you; it's really more just an idea that I thought of. If you don't think it's necessary we don't have to do it but in terms of just completing the documentation if we don't make it an annex we can certainly make it as a supplement with some of our other documents as well.

Stéphane Hankins: Very well, Berry. Stéphane Hankins again. So we'll consider that and submit this to you with, you know, with our eventual revisions at least to correct the numbers of the recommendations inserted in our - in our opinion - minority opinion. Thank you.

Berry Cobb: Great. Thank you, sir. Okay, it looks like - I think that's all the responses or questions I had for the first section of Red Cross Red Crescent recommendations. As I mentioned earlier, you know, with the BC submitting their support is they were in support of the recommendations as well just to reinforce the level of consensus that we had for here. So if there are no other hands or comments I'll move on to the IOC.

And which is on Page 14, Section 3.2. I didn't have any comments or suggested edits here. I think this was pretty straightforward especially with regard to the review of the public comments and just reinforces two stakeholder groups that are not supportive of these recommendations.

But I didn't have anything highlighted here for anything change - needed to be changed in the report. So I'll move on to the IGO section, Section 3.3 Very similar to the Red Cross those recommendations that didn't obtain support



we have extracted out and pushed to the unsupported section which we'll get to in a moment.

The only other new item listed here is a new footnote just basically describing the languages that were mentioned here. And I'm not - I don't think we have IGO representation here. But basically this is just a quick heads up and certainly something that the implementation review team will have to take on and determine how it's going to be organized.

But essentially within our scope of our identifiers it was identified up to two languages for the IGOs listed in the list provided by the GAC. And that's something that will have to be likely supplied to ICANN. I'm not sure there's a way that ICANN can try to determine which languages would be appropriate for which organization.

So that as well as any entry into the clearinghouse in general will need to - the IRT will have to need to work out a way how that information can be obtained and eventually not only bulk added into the clearinghouse for respective recommendations but as well as the implementation of creating any kind of reserve list.

Just as an example the existing Specification 5, reserve list, that has the current identifiers from the Red Cross, IOC and the IGOs you'll notice how ICANN has implemented and detailed particular strings that includes the string itself with, you know, without any spaces but it also includes dashes in between whole words of a particular organization's name as well as the XN-- label for that particular string which is basically the IDN conversion of that string from Latin script into IDN so it's a very extensive table.

I think there is approximately 627 unique strings that are identified in that even though the original list from a Latin script perspective is much smaller. So they're trying to cover the possible permutations and how a particular

string could be registered. And they just want to ensure that they're encapsulating the entire reservation list.

Okay I think the first few recommendations here are pretty straightforward in terms of the support of consensus or divergence. And I think what we wanted to touch on here is on the next or the second chart which is in regards to the second level protections of exact match acronyms, Scope 2 identifiers for IGOs and that they're bulk added into the trademark clearinghouse.

I think originally we had a strong support but significant opposition as a level of consensus for this recommendation noting that the NCSG doesn't support this. However, there was a statement from the IPC that they could support this where the acronym is the primary identifier for the entity.

And then I have some comments listed over here. The first comment, BAC3, I think I just basically mentioned, you know, this is something that the IRT will have to take a look at in terms of how they acquire the contact information necessary to enter into the clearinghouse.

And but then my next comment is more important with respect to the consensus level designated here that - my apologies, that's the next one. But what I did want to list here is the comment BAC6 which is basically retesting the consensus level for Scope 2 acronyms entering the trademark clearinghouse.

The BC did state that they supported that. And I was curious if our current level of consensus level matches what we have listed in the clearinghouse. Essentially, you know, there is full consensus for 90-day claims but that recommendation, you know, probably doesn't become relevant if there's not at least consensus level for the acronyms entering into the clearinghouse; one needs the other.

And I'll stop there. Alan, I see your hand raised.

Alan Greenberg: Yeah, I realized as you were talking that when you were mentioning that positions of the Business Constituency could change the consensus levels. I realized that ALAC At Large staff did not submit the support or non support part of our statement. The text refers to the ALAC positions being at the end but they're not.

I will make sure that the group gets the copy and make sure that statement is amended to reflect what it should have included because we did include a table of all the recommendations and whether we agree or disagree. So I will get that to you.

It may - that may, again, alter the consensus levels because there were a number of recommendations in the draft report which we had - which only arose late in the game and were not something we commented on before. So I will make sure you get that part of the ALAC statement. And we'll make sure that the formal statement is amended. Thank you.

Berry Cobb: Okay. Thank you, Alan. And I'm hopeful or what I have understood is that - because I think as part of the consensus call the ALAC was very careful to use the exact recommendations and state your support or non support which are included in the consensus call document. I guess maybe what may not be clear is whether any of those have changed based on the most recent deliberations by the ALAC.

And I'll just note that the reason why the BC submission in the public comments is because they did use this form and they weren't a part of the actual consensus call document and so I just wanted to add those because they did line up with what we were trying to accomplish here.

Alan Greenberg: There was some reorganization and splitting of things from the time of the consensus call to the time that the report was published. And that caused a

little, you know, it wasn't obvious to me at the beginning until I started counting and realized there were different numbers in some cases.

Berry Cobb: That's correct. And that was based off of the feedback that we had received prior to releasing the draft final report that the - basically the acronym recommendations were attributed to each organization whereas when we did the consensus call it was in a more general nature of all of the organizations.

Alan Greenberg: Yeah, I'm not arguing with having done that. I just realized when I realized that I realized that we needed to submit something that mapped to the current - to the recommendations in the report. And therefore that may change the consensus call. I missed a number of calls just before the draft final went out and that's probably why our position was not updated.

Berry Cobb: Great. Thank you, Alan. So just to reconfirm with the working group then if you'll notice that the comment labeled as BAC4 over to the right - and I just want to reconfirm with what we have listed here is still the correct designation of strong support but significant opposition.

And what I have from our consensus call is, you know, basically PI support, the IGOs supported, the IOC had supported, RL - or Rodenbaugh didn't support which was an individual, ALAC had mentioned that they supported, the Registry Stakeholder Group mentioned they supported.

The NCSG said that they supported with opposition. And I recall our interpretation was that within the NCSG that they had opposing views as to whether they should be allowed access into the clearinghouse or not. And I think that the same for the IPC. They had mentioned that they didn't support except for cases where it could be demonstrated that the acronym was used as their primary identifier. And then lastly, the ISPCP and the BBUC did support it.

So I'm going to open this up to the working group and especially Thomas as chair. Based on, you know, our review of the public comments and our consensus call are we still good with strong support but significant opposition? Or is it possible that this may be has elevated to possible consensus?

Thomas, it sounds like maybe you came off mute?

Thomas Rickert: Oh, sorry, I was yes. I actually - I would keep this as strong support but significant opposition but it's certainly a borderline case so I'd be more than happy to get some views from the working group members.

Berry Cobb: All right thank you, Thomas. Anybody else have any opinions or suggestions about how we have this listed here? If not it's...

((Crosstalk))

Alan Greenberg: Berry, it's Alan. Which item are we on?

Berry Cobb: This is on the - what is currently designated as Recommendation 5 for the IGOs which is second level protections of exact match acronyms for Scope 2 identifiers being added to the clearinghouse. And as a reminder there was consensus level for 90-day claims notification if there is consensus to get them into the clearinghouse.

And what we're trying to determine is based on the feedback that we got from the BC and their support of this recommendation is it possible that this recommendation could be elevated to a level of consensus? If there is not enough agreement then perhaps it remains as strong support but significant opposition.

Thomas Rickert: And maybe I should add to what I said earlier that when we did the original assessment of the consensus level we did not, in any way, just do counting of

noses as Greg Shatan called it in one of his earlier emails to the list. But that would also include yet oral or informal feedback from the registrars at the time. Maybe that's just to further illustrate why I would not immediately jump to changing the consensus level on this one.

Berry Cobb: All right great. Thank you, Thomas. All right I think for the time being we'll keep it as strong support but significant opposition. I suspect that this is where it can kind of get perhaps maybe a little sticky when this is elevated for the GNSO Council to review.

But currently I think we'll just leave it as is. I'll keep an additional highlight on it when I submit the next version up until we're ready to conclude our review of the final report and submit it to the Council. And we'll move on from there.

Okay moving on I think that will take us into the INGOs section. And which is Section 3.4 on Page 18. The first thing that I'll point out is very similar to the previous organizations we extracted the divergent recommendations out of this section and pushed them into the unsupported section below.

And then what I'd like to start off with first and foremost is under the Scope 1 identifiers I did add a new footnote again pointing that the, you know, the IRT will need to take a closer look at this and how this could be implemented.

And certainly having reviewed through some of the ECOSOC list there are a couple of challenges there such as organization names that exceed 53 characters as well as highlighting the fact that - because I think there is support for these organizations to enter the clearinghouse.

The General Consultative Status list is rather small and perhaps manageable. But the Special Consultative Status list is rather extensive, something along the lines of 2000 plus names.

And if there is the adoption of that list being entered into the clearinghouse that could be an implementation challenge of trying to acquire that much contact information to be bulk added into the clearinghouse. So again, more implementation than anything else but I just wanted to highlight it for the group's attention.

So basically here on Recommendation 1 as a result from our draft final report and the consensus call it did appear that we had a level of consensus for reversing or exact match full name of Scope 1 identifiers for INGOs and that they be placed ineligible for delegation which is the General Consultative Status list.

We had the level of consensus based on the public comments that we received from the BC - the Business Constituency they have highlighted that they do not support this since existing mechanisms for rights objections and GAC advice are adequate to block undesired delegation at the top level.

So as you'll see the edits here I've also included that the CDUC doesn't support this. And then I'd asked the working group if there is - does this possibly change the level of support that we have designated or more importantly chair but everybody within the working group. Shall this remain consensus or is it possible that this gets a significant support - strong support but significant opposition?

Thomas Rickert: This is Thomas. I'd very much like to hear from working group members as well. Claudia.

Claudia MacMaster Tamarit: Hello, Thomas and Berry. Thank you for the opportunity to speak. We would like to suggest to you that the scales remain at consensus. But before I highlight some of the points, we'd like Thomas, you and the group to consider I'd just like to say that this has been a first for us in many ways and we humbly appreciate all the hard work that everybody has put in for this working group over the last year and continues to put in.

We think that the appropriate level of consensus for the recommendation to reserve full names of some 140 INGOs should remain at consensus and first because many supported this recommendation during our deliberations and many could abide by it.

And as we can see only two groups submitted that they didn't support it. We feel this number matches other recommendations where consensus was rightly found and shouldn't tip the scales against it.

Also, unfortunately this comment came in a few hours after the close of the comment period and doesn't seem to have been previously highlighted so we couldn't submit points of clarification. But we'd like to submit them here for you to keep in mind for your consideration.

The comment expressed an expectation, as Berry just mentioned, that INGOs will be able to rely on LROs and the GAC advice for protection of their full name at this level.

Well, first of course the GAC advice, woefully, excludes the INGOs dealt with this in this particular recommendation so we're not sure where the reliance on the GAC advice in this context comes from.

And also, as for the LRO we note that not all INGOs have trademark protection for their full name; that they would need to be able to show (unintelligible) LRO. And we wonder that for those INGOs that could rely on such trademark protection we didn't see any distinction between those and other international organizations like the IOC that has trademark protection for its full names but received support in this comment for similar top level protection.

And finally, I would just like to frame these considerations in prior sentiments from ours and others corners regarding the protection of INGOs in this



particular program. We're talking about INGOs that do meaningful and recognized work on an international level.

We'd like to submit that the protection of their full names at top level doesn't represent a cumbersome recommendation but rather grounds for a real way forward for the protection of INGOs names and would reflect a recognition that we've seen week upon week that if we grant protections to international organizations we should include INGOs.

We hope that it is in this light, Thomas and the group, that you will carefully consider and agree that the current level should remain at consensus. Thank you.

Thomas Rickert: Thanks, Claudia. My tendency, unless I hear more arguments from the group, would be to also maintain the original consensus level for that recommendation.

Again, this might also be a difficult call but taking into the equation what the earlier responses by the registrars were, you know, we would have the registrars being in favor of this one if my memory doesn't fail me that Berry will hopefully correct me and for Recommendation Number 5 there was an against by the registrars which I think, you know, should at least be taken into consideration when determining the consensus level.

Berry Cobb: All right, great. Thank you, Thomas. And thank you, Claudia as well. Appreciate the feedback. So if I understood that correctly we'll leave it as is and then we'll go ahead and move forward.

Which I think takes us down to Page 19. And actually this is - trying to gather my thoughts here. Oh okay so I'd just like to highlight so what is listed as Recommendation 3 for the INGOs is basically about an exception procedure for any identifiers that were reserved within Specification 5.

I think this is kind of one of the same types of recommendations that we had. And we'll review this when we get into the unsupported ones. But it didn't appear that there was support to reserve - I think it was - yes, to reserve second level INGO identifiers in Specification 5, therefore this particular recommendation would most likely become moot if there is no reservation of those names.

And we'll come back to this in a minute, I just wanted to highlight that. And I guess the question that I have to the working group is if there isn't adequate support for reservation of second level names in Specification 5 should we even include this recommendation in the package on the exception procedure?

And I think it was one of those situations where most stakeholders would say they supported it if in fact it did get reserved at Spec 5 even though there wasn't necessarily support for it.

Alan, I see your hand is raised.

Alan Greenberg: Yeah, I think it should be included. The rationale is included in what I said before. I don't believe that what we're submitting is something that can be implemented without possible additions or making sure that it's a wholly consistent document, therefore it is possible that those names are included or are reserved in which case they should be, you know, the message that they should then be put into the trademark clearinghouse is relevant. So I believe that we should be passing that message on.

Berry Cobb: Great. Thank you, sir. And I believe when we get down to the unsupported section this is one of the recommendations that I think is still highlighted as significant support or strong support but significant opposition. And I think that we'll probably be making this a little bit more complete.

And then basically I think Chuck had basically stated the same thing in his follow up comments here as well. So we'll come back to that page. Alan, I see your hand is still raised, I just want to make sure I got you covered? All right, thank you, sir.

Alan Greenberg: No, that was old.

Berry Cobb: Okay that takes us now down to the general recommendation section which is on Page 22 and which is designated as Section 3.5. In general I think, you know, the biggest changes here - there are several big changes here. First and foremost are regarding the first and second recommendations with respect to top and second level reservation protections of acronyms.

And I think that there's been extensive dialogue about the level of support that has been listed here. The other - the one change that hasn't - I should say the one recommendation that hasn't changed is regarding creating an issue report for a possible PDP on UDRP URS protections so I think we're good to go there.

A new recommendation was added that based on these first two recommendations that the SCI should take a look at the consensus levels that are defined in the Working Group Guidelines.

And then, lastly, again these two recommendations about the acronym identifiers were listed as consensus again. And primarily the rationale for that is because some sort of action will need to be taken in regards to no support on protecting acronyms which is why they are listed here.

There are several footnotes that were appended to provide rationale for this. I won't read through those but there's definitely some content here. And I do (unintelligible) working group members to pick through the language I have listed here to make sure that I've captured it correctly.

Thomas, I see your hand is raised, please.

Thomas Rickert: Okay because I didn't see my hand was raised in my mobile Adobe Connect version. I'm not sure whether we've already reached that point but talking about the general proposals there is one which is Number 2 which is strong support but significant opposition.

And I just wanted to point out that Chuck was correct in stating on November the 4th that it is inconsistent to place this very recommendation in this section of the report but it should rather be elevated to the other recommendations so that we have everything down to as - (BSO) in one place and not in other sections as well.

Berry Cobb: Great. Thank you, Thomas. And I will take that action. And I think the only reason that I didn't elevate it initially is just because I wanted to confirm with the working group that we did indeed have the right level of support. But that is definitely an action I'll be taking.

Okay any other comments about how we have the general recommendations presented thus far? Right, great. Let's move on to the next section which is a newly - oh, hi, Claudia, please go ahead.

Claudia MacMaster Tamarit: Sorry, Berry. I didn't mean to stop you but I'd just like to say that we're really pleased with the general recommendations section. We thought that it was very, very clear and so we just wanted to congratulate you on that particular section. We are very comfortable with that. I just wanted to tell you that.

Berry Cobb: All right thank you, Claudia. I think the congratulations are for the working group not me, that this is more the will of the working group and the testament of chair. But the process seems to be working.

Okay so Section 3.6 is what is a newly created section which is essentially the unsupported proposals. We do have a few small paragraphs of the - just to introduce this section.

And essentially - and I think Chuck made a very good point - I think originally I had the general recommendations that were - I'm sorry - the general proposals that weren't supported first. And just to increase the continuity of how we positioned our recommendations by across the four organization types and then general I rearranged those and pushed the general unsupported proposals down to the bottom.

So within this section essentially is those proposals that weren't supported or did have - or classified as divergent. And we thought it was good to leave out the details. And so just as a reminder or a refresher, again, originally when we did the consensus call we had a more general recommendation about the protection of Scope 2 type names.

In publishing the draft final report we applied that across the four organization types so that there was representation of a more packaged-based approach on the possible types of recommendations but based on community feedback and working group deliberations it seemed that to extract the divergent recommendations out while we still main the specific language of that proposal.

And I think the big - the main motivation here as well is in terms of how these are going to be presented at the Council level and beyond and thus the organization way that it exists today.

You'll notice that I do have a couple of comments listed over to the right about retesting the consensus, which I don't think those apply any longer so I'll make sure that - and it's basically just trying to restate what I mentioned about how these recommendations - or these proposals were included in this section.

And so I'll go ahead and move along. There were - there was not a section regarding the IOC so that'll take us over into the IGOs. And as we discussed a little bit ago the same logic applies as I just mentioned for the Red Cross.

What I would like to highlight, which we did just discuss, was - no, I think the - I misspoke. The IGOs are fine, it's the INGOs where we have the - my bad. I'm confusing myself which I'm sure it's confusing you guys so I apologize for that.

It was in relation to the general proposals - I'm sorry, just give me one second please. I need to get my bearings. I feel like I'm missing something. Okay sorry about that. I confused myself immensely.

So I was misspeaking about a recommendation within the IGOs or the INGOs down in this unsupported section. What it is it was under the general section about IGOs INGOs being allowed to participate in the sunrise phase. And as Chuck pointed out this should be elevated to the above sections.

And I think what this will require is that, you know, this is basically for all IGOs and INGOs so the - what will have to occur here is that there will be a new recommendation added for the Red Cross, the IGOs and the INGOs.

It'll still list as sunrise participation if they're allowed to enter into the clearinghouse. It'll still remain strong support but significant opposition noting that the Registries and the NCSG don't support it. But very similar to our acronym type recommendations this one to apply appropriately will be applied to the Red Cross, IGOs and INGOs.

And I think we're all in pretty much agreement on that but any comments or last minute thoughts before I take action in that regard? And as Chuck stated that will provide the consistency we're looking for based on our statements and actions prior.

Hearing nothing and seeing no - Alan, please.

Alan Greenberg: Yeah, just a comment. I'm double-timing here so I'm not putting my full attention into this call. I would appreciate if after the call you go through the table I sent and make sure that there is nothing in the ALAC's last position that has significantly altered the consensus call. I don't think there will be too many of them that you are not already changing but I do ask you to do that.

Berry Cobb: Absolutely I will. And if I do detect any changes - basically I'll start with the comparison from the consensus call document and make sure that we're aligned there and then just do a secondary sweep within the recommendations that we have listed here in the final report to make sure we got...

((Crosstalk))

Alan Greenberg: Okay. Thank you. I just wanted to note that. You're periodically asking is there anyone on this call who disagrees and unfortunately I'm doing two things at once and not 100% paying attention so thank you.

Berry Cobb: Great. Thank you, sir. Okay moving forward then I think from there that takes care of our recommendations and unsupported proposal sections. And now we move over into the section regarding the implementation considerations on incumbent gTLDs.

I came across - I was doing a little homework last night and I added a new comment that I thought I would just ask to the working group real quick. In terms - I know that we've outlined some general principles on how this would potentially be implemented. And clearly the Implementation Review Team will have to take a strong look at how these will be applied.

But something that popped into my mind is, you know, it was clear that we had a lot of public comment feedback regarding, you know, infringing on existing property rights and what would happen in terms of how names would potentially be recovered within the existing or the incumbent gTLD.

And one thing that I don't think that we discussed and it may not even be necessary to mention it here but I just wanted to bring it up is, you know, there are some exiting registrations within existing TLDs that are in fact owned and/or used by the organizations seeking protection.

And is it worthy of noting that distinction versus a name that is not owned by an organization seeking protection? And do we need to draw out that distinction at all or is it worthy of just not touching? Alan.

Alan Greenberg: Thank you. Since we hope we're making it really clear that the working group is not recommending that there be any explicit action to try to deregister existing names I don't think there's any need to call it out.

Berry Cobb: Great. Thank you. And that's what I was - that's what my gut was telling me but I just wanted to ask to make sure.

Alan Greenberg: Yeah, I would like to review while I have - have the microphone - review the section that was talking about registrars reassigning domain names to a different registrant to make sure that that in fact covers what I originally raised on that one.

Berry Cobb: Yes, and this is the bullet - the third bullet from the bottom. And I - if there is any kind of feedback from working group members I want to make sure we, you know, we, again we did get a lot of public comments on this I think mostly stemming around confusion of whether acronyms are going to be protected or not and certainly some specific comments targeted on the language that we have listed here.



So I do ask that all working group members strongly scrutinize the language that we have listed here so far. But more to your point, Alan, I think what we have listed now and definitely provide feedback is if a second level name that matches a protected identifier as (unintelligible) in consensus policy is defined here becomes eligible where the last registrant is not involved in any subsequent transactions the name shall not be - shall not be eligible for registration or transfer and become immediately reserved.

Secondary sentence says, "At the time the name completes eligible grace periods and becomes eligible for deletion the name shall not be reallocated by the registry and shall be deemed ineligible for registration per the defined policy."

Alan, please.

Alan Greenberg: Yeah, I'm not sure this covers it. The reason is that some registrars in the past - and maybe still, I don't know - have made it a policy that the original registrant gets a percentage of the revenue from the resale essentially. And that may be deemed to be involved. So I think this is going to have to be - the wording is going to have to be done a little bit more carefully than what we have here. But I'm glad to work with you and try to suggest something if you'd like.

Berry Cobb: Absolutely. I definitely want to make sure we get this right. You know, most obviously the IRT is going to, you know, really have to take a deep dive into all of this but the better we can clearly state it for them like you've mentioned the better off we'll all be so...

Alan Greenberg: Yeah, my personal feeling is we should make explicit what we're talking about and let the IRT worry about the implementation. But, you know, for someone who doesn't realize what the exact process is I'm not sure they would get from this bullet what we're talking about. So I'll propose something to you.

Berry Cobb: Please. You know, this is kind of my third strike at it, if you will. And I think one of the key phrases that you had mentioned in last week's call is, most specifically where the, you know, the registrant is no longer involved in any subsequent transactions...

Alan Greenberg: Yeah.

Berry Cobb: ...I think is very clear or a beginning for that statement to be clear as to what we're trying to accomplish.

Alan Greenberg: Yeah, we have to make sure that involve does not cover receiving \$10 which could obviate it. Okay, I'll...

((Crosstalk))

Alan Greenberg: I'll send the list something that I'll propose.

Berry Cobb: Thank you, sir. Okay I think that's all the highlights for this section. Then we move on to, I believe, the exception procedures. And again I have highlighted first and foremost that this is, again, something else that the IRT is going to have to take a strong look at with regard to the exception procedures because they do apply to both top and second level.

I think most of the focus of these procedures - or let me restate. I think most of the discussion around these procedures stems - or was in regards to the organization seeking protection and how can they can get them unprotected if they should choose to register them.

And I think one of the strong comments that we got within the public comments themselves is that we should understand that - and this was, again, specifically from Brian Beckham, and he was touching on the fact that,

you know, that there should be consideration for a legitimate party as well to traverse any kind of exception procedure that is mentioned here.

I think, you know, it was mostly in the context of the acronyms. You know, and certainly I think we've all identified that there could be several legitimate possible uses for acronyms other than the organization seeking protection.

But even though we're not recommending that acronyms be reserved there are still a couple of strings that there is support for those reservations where there still could be some competing interest involved.

And so at the end of it all the commenter just - I think he wanted us to take a closer look to make sure that we have the appropriate language here that it's not just about the organization seeking protection but as well as possible legitimate use by entities other than those organizations getting protections.

So I won't draw out any more details unless anybody else has any additional comments here. But again I do ask working group members to strongly scrutinize what we have listed here and make sure that we're going to steer the IRT in the appropriate direction.

Okay hearing and seeing no comments I think that that pretty much takes us through the remainder of the report. As I mentioned the minority position statements we're going to make individualized supplements for each of the organizations submitting them.

As a reminder, we're tentatively targeting next Friday at 2359 to have any minority positions submitted. And so I'll definitely - you'll see those changes in this next version of the report.

And then lastly, I'll just draw your attention to the background section. I have one other action item in here that I've neglected to do last night. It was - I spaced it.

But there were a couple of new events that occurred that do belong in the background section and I think that involves the NGPC's response back to the GAC advice on the protection of acronyms as well as the IGO Coalition also sent a note to the GAC in response to the Board's statement - or the NGP's statements - NGPC's statement. So I'll make sure that those are included in the background section as well to ensure we've covered all of the major events that have occurred through our deliberations.

So I think that's it for review of the final report. I appreciate your feedback on that. It looks like we have about 18 minutes. And that will take us into trying to review the draft resolutions.

Mary, I'm going to put you on the spot and turn it over to you to kind of start discussing the approach. And while you're doing that I'm going to PDF the - what you had sent out so that I can get it presentable up in the Adobe Connect room.

And if - as well if anybody has any comments about the draft resolutions please do raise your hand. So, Mary, over to you please.

Mary Wong: Sure. Thanks, Berry. And thanks, everybody. We do recognize that, you know, there hasn't been a whole lot of time to review the resolution whether in the earlier version or the one that was just sent out so thanks to Jim, Stéphane and others for saying that you probably will have some feedback and getting those to us as soon as you possibly can.

I assume that we can continue this discussion at the next meeting if we do have one. So for now as Berry requests just to reiterate what I said in the first email I sent with the draft motion that is a pretty long motion, as you have seen.

The whereas clauses are pretty long. And the idea there is really so that for someone who has not been following this discussion that closely - including possibly some Board members who may not be on the NGPC, for example, who may still be called on to vote on something, they can look at the whereas clauses and get a sense of the history of this work. Not just how the working group was formed specifically but the context, what happened with the GAC. What were the other communications and letters and so forth.

On the resolve clauses what you'll notice - and I know that some of you will probably have comments about this. The resolve clauses we did not choose to reproduce word for word all the recommendations even just the consensus recommendations.

First of all we thought that this would make the motion rather long and difficult. Secondly, we felt that it was imperative for the Council and everyone interested in this to not just look at the resolve clauses but to really go to the report itself and look at the actual language as well as some of the other proposals that did not get support and the footnotes and minority statements. We thought that was very important and that's a point that we intend to emphasize to the GNSO Council.

As discussed in last week's working group call those recommendations that we called out in the draft for voting are just the consensus recommendations. So thank you all the discussion today about some of the borderline ones. And, again, you know, we will remind the Council that they should feel free to discuss the (unintelligible) consent recommendations perhaps especially those that have strong support.

So those are just the introductory comments. And I see, Berry, you've got the document up. I suppose in the time that remains if anyone has any specific feedback or just general questions it would be helpful if you can raise them so that we can take them on board for the next meeting. I think I just put everyone to sleep, Berry.

Berry Cobb: Thank you, Mary. Yes so anybody have any comments or suggestions around this. As Mary said it is a very in depth and detailed resolution. Hopefully there's some kind of trophy at the end for whoever gets to read this at the Council meeting.

But I think that it is very important that we be as descriptive as possible while still maintaining a general nature of shaping these into the forms of consensus policy.

Jim Bikoff: Berry?

Berry Cobb: Jim, please.

Jim Bikoff: I was just going to say we'll have our comments to you by the end of the day today. But just for Mary on the description of what's going to be the - I guess it's the section in regard to each of the organizations seeking protection, for the IOC at least it says for the top level exact match full names, identifiers, for the IOC that are exact matches of the organization's full name.

I think that could be somewhat confusing. And I think we're going to recommend that it say something like top level exact match full name Scope 1 identifiers of the IOC that are exact matches of the - that are exact matches of - and then maybe we can put in Olympic and Olympiad in the case of the IOC since it's not the full name of the organization that's being protected but two of the names owned by the organization.

Mary Wong: Thanks, Jim. Thanks for that. And actually, you know, in looking this over Berry and I just thought of that too. I mean, I think one of the things we were trying to do was get some consistency. So your comment as well as whatever you put in writing for us today that will be very helpful.

We do want the working group to feel comfortable with the language as well to correct any inaccuracies that we may have inadvertently included.

Jim Bikoff: Thanks, Mary. But we'll get you our comments, again, it's about - going on 2:00, we'll have them to you probably by late today.

Berry Cobb: Great. Thank you, Jim.

Mary Wong: Thank you.

Berry Cobb: Any other comments or questions about the draft motion that we have thus far? Okay if not then before I turn it back over to Thomas I'll just, again, mention to the working group members, you know, we certainly have a number of changes to apply to the existing work products. We'll have those sent out later this afternoon. Again, there is going to be another draft motion that will be sent based on some member's feedback.

I will be sending out a new - the next version of our final report. And as I mentioned, you know, obviously there are several changes to our charts that will be updated and migrated to the appropriate section.

We talked about the minority position statements. I will send out an email - separate email noting the deadlines on any changes to the final report as well as the deadline for submitting updates to the minority position statements and/or new ones.

And I think there is - there's probably one other document that I owe you as well. So the question that I have for the working group, as mentioned earlier, we do have two sessions scheduled tomorrow and Friday at 1400 UTC.

If working group members think it's necessary to meet for those tomorrow we'll have the meeting. If not we can just meet on Friday. Or if need be we

can meet on both days and we'll just kind of feel out for what the participation looks like.

Thomas Rickert: Berry, maybe I can - I can jump in at this point because I guess that the request to working group members is sort of two layered request. You correctly mentioned that we need to find out from working group members whether they have - whether you all have questions with respect to the final report or the language of the motion.

But at the same time I'd like to extend that request to the groups that you're representing. So should your groups have any questions or should there be the need to further discuss or explain what we did and why we did things in order to facilitate our success or, you know, the achievement of our goal to be able to present this in time to the Council and not only to do so but also to ensure that no deferral is being asked for in Buenos Aires.

So should you see any benefits in having the meeting tomorrow to answer your questions or to bring in colleagues from your respective groups to facilitate the discussion please do speak up now or make yourselves heard or read in the Adobe.

Back over to you, Berry. Thank you.

Berry Cobb: Thank you, Thomas. Appreciate that. Mary, I see your hand is raised?

Mary Wong: Yeah, it was just something that I forgot to ask specifically of the whole working group as well as the groups you represent, as Thomas mentioned. I think specifically especially for folks like Chuck and the Registries - I don't know if Chuck is still on because it must have been a long drive - that we do have existing language that specifically talks about application of certain consensus recommendations to existing registries. And Berry has that up on the screen now as Resolve Clause Number 4.



What we haven't got into - and we're not certain if we need to but it might be helpful to the IRT, for example, if there was some sense as to how this can be done. Does it involve, for example, a modification of the current reserve name list? Does it involve another different kind of contractual language or can there be an advisory to all existing registries to make the accommodations at stages.

So I guess what we're asking - especially those with experience in these matters and who may be impacted by them to look particularly carefully at this language and let us know if it's sufficient or if it should be more specific. So that's it, Berry. Thanks.

Berry Cobb: Thank you, Mary. And, Chuck, are you still on the call?

Chuck Gomes: I am but I'm not in a very good position to talk. What's the question?

Berry Cobb: Okay, no worries.

((Crosstalk))

Chuck Gomes: ...ask the question.

Berry Cobb: Okay. Essentially we're just kind of looking for some feedback with regards to Item Number 4 in the draft resolution statements. And you're one of the more experienced persons here. And essentially these resolution statements stem around how any of these consensus policies would be applied in the incumbent gTLDs.

And we'd be interested in feedback that you might have to improve these statements to better understand how they just might be implemented, you know, whether it's just adjustments in any current reserve names list or would a new reserve names list be created or are there actual contractual changes that need to be applied or could it be accomplished through an advisory?

And so we would just, you know, you don't need to provide it now but when you land back in front of your desk take a good look at Section 4 and if you have any feedback or suggestions we'd be appreciative.

Chuck Gomes: Will do.

Berry Cobb: Great. Thank you, sir. All right, Thomas, I think that that pretty much concludes our review. Again, I think for tomorrow we'll go ahead and launch the call at 1400 UTC. And if any of the working group members have any questions or need any clarification please join the call.

We'll be happy to answer any questions. We will still record it. And we'll also send out another reminder about Friday's session based on any of the feedback. But it sounds like we're getting pretty close so we may not necessarily need them. So, Thomas, over to you to close out.

Thomas Rickert: Yeah, thank you very much, Berry. And let me go on record by saying that both you and Mary did a sterling job in preparing all this and guiding us through this very challenging task and these complicated documents.

I would say let's meet again tomorrow. If you don't have any questions you don't have to attend but at least we want to provide the opportunity so that all your questions are being answered.

We are going to definitely have a meeting on Friday to apply finishing touches to what we did and then hopefully we'll be able to submit the document on time. And I'm sure we will.

So thanks again. I guess with this we can conclude this call. And thanks all of you for your patience and participation and I'll talk to you tomorrow or the day after tomorrow. Bye-bye.

Berry Cobb: Thank you, everyone.

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