

ICANN
Transcription
GNSO New gTLDs Subsequent Rounds Discussion Group
Monday 08 December 2014 at 15:00 UTC

Note: The following is the output of transcribing from an audio recording of GNSO New gTLDs Subsequent Rounds Discussion Group call on the Monday 08 December 2014 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-new-gtld-subsequent-20141208-en.mp3>

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

Attendees:

Brett Fausett - RySG
Susan Payne - IPC
Stephanie Duchesneau - RySG
Donna Austin-RrSG
Jeff Neuman-RySG
Mason Cole-RySG
Michelle Sara King – RySG
Christopher Niemi- no soi
Stephane van Gelder – BC
Katim Touray – Individual
Michele Neylon-RrSG
Jon Nevett – RySG
Kristina Rosette – IPC
Ron Andruff – BC
Iliya Bazlyankov – RrSG
David Payne – no soi
Alan Greenberg – ALAC
Stuart Fuller – RrSG
Sonigitu Ekpe- NCUC
Tijani Ben Jemaa - ALAC

Apologies:

Gabriela Szlak – BC
Kiran Malancharuvil – IPC
Jeffrey Eckhaus - RySG

ICANN staff:

Marika Konings
Steve Chan
Lars Hoffmann

Terri Agnew

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

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the New gTLD Subsequent Rounds Discussion Group call on the 8th of December, 2014.

On the call today we have Michelle Sara King, Jeff Neuman, Bret Fausett, Iliya Bazlyankov, Michele Neylon, Christopher Niemi, Stéphane Van Gelder, Susan Payne, Jon Nevett, Mason Cole, David Payne, Ron Andruff and Alan Greenberg.

I show apologies from Gabriella Szlak. From staff we have Steve Chan, Lars Hoffman, Marika Konings and myself, Terri Agnew. I would like to remind all participants to please state your name before speaking for transcription purposes.

Thank you very much and back over to you, Bret.

Bret Fausett: Thank you, Terri. Well good morning, everyone, or good afternoon or good evening wherever you happen to be. This is our first follow on call since the Los Angeles meeting and I thought it was appropriate to schedule a short time together just to talk about next steps.

And I'll put out - we'll circulate, you know, sort of what we talk about today to the list because I know that we don't have everyone on; this is a smaller set of people than we've had in the past.

But I thought our meetings in Los Angeles were productive. I thought we had a pretty good way forward. And what I gathered from the sort of sense of the

room in Los Angeles was that we were coming to the end of sort of teasing out the issues.

Obviously there's a new mind map out that Steve has put out, and I'll talk about that in a minute, and we should continue to review that and update it as necessary especially as new items come to light.

But it may be time to figure out how to package this up and put it back to the Names Council so that we can wind up our group and start the actual discussion of the issues.

And so what I was going to recommend and what I heard from the group in Los Angeles was that we start developing a draft motion for the Names Council, a draft charter for the working group that will deal with these issues, and a light report on what we've done and how we've gathered our information as a background paper for the Names Council.

And then attaching to that would be either the mind map, probably both as a mind map and as a straight out line of issues to be discussed and allow people to then - then allow the Names Council to look at that, hopefully start an issue report and take that off to the staff.

And then maybe by the time we all meet in Singapore task a new working group to take over the actual discussion of the issues. So as that - as a draft way forward I'll open it up to the group to hear any comments and maybe different paths or suggestions.

Okay I'm looking in the room; I don't see any hands raised. If you're not in Adobe chat and you want to speak just go ahead. Okay well I'm going to take the quiet as general agreement that that's a way forward.

((Crosstalk))

Bret Fausett: Oh, David, I see your hand raised.

David Payne: Yeah, so I think you're getting silence because it sounds like a fine way forward. I was curious about you'd raised the discussion just kind of as a question before would there be anything different when we move towards an actual working group on this issue about whether we would divide up the issues into separate working groups and if so how to collaborate them together or would it be, you know, one big working group.

And I think that's a valid question because there are so many issues. And so I think would be helpful to discuss that, you know, find, you know, something that, you know, seems reasonable before we move towards taking that step right to the Council - right, what we can take to the Council actually is a recommendation either way is what I'm suggesting. So to discuss.

Bret Fausett: Yeah, I think that - I mean, we have discussed that a little bit. There were - my sense of the room in Los Angeles was that there was general support for having one single working group. I think that's, you know, still open for discussion.

And in fact, you know, even if we create - even if we recommend one working group to the Names Council it's perfectly possible that what comes out on the other side of that is a group that says once they get into the issues they decide that some subgroup of issues may warrant or require a small working group to go away and work on those separately.

So I don't want to presume how the working group is going to do its work. I assume that we're going to see - that all of us who are participating in this working group will see each other on the other side. But, you know, I think there's a sense of starting with one working group and then seeing, you know, how it goes. But I'm open to hearing more about that.

David, you have a follow up?

David Payne: No, it's - no, if that's the sense generally then, I mean, feel free to educate me. It seems like that wouldn't be anything that we need to - what we submit to the Council would be just like submitting any type of issue report then. And all of that would be decided later. So...

Bret Fausett: Yeah, that's my sense, yeah. Alan.

Alan Greenberg: Yeah, I saw Steve has his hand up, maybe we want to hear from him first.

Bret Fausett: Yeah, okay.

Steve Chan: Thanks, Alan. Thanks, Bret. This is Steve from staff. Yeah, I just wanted to make some quick comments, not necessarily about the process but more about the timing. Just a few things.

So first is that in the LA meeting we had talked about whatever the output is from this group that it would go first for public comment so that's going to add some time there, likely at least 20 but probably 40 days or so.

But the other part is also that there's a, you know, there's a formal way to request a working group to start. So first you need an issue report which the Council actually needs to vote on so that staff needs to prepare their preliminary issue report and that goes out for public comment.

And then following the public comment summary and analysis then you still have a final issue report. And that also needs - and there also needs to be the development of the charter, which can actually be proposed in the issue report. And that also needs to be adopted by vote as well.

So one other point is - actually the Council meets to vote on the final issue report too. Sorry, forgot I left that part out. And so another note is that we - I

think in LA we talked about doing one single working group as kind of the general temperature of the community.

But I just wanted to note that if we did do more than one working group for separate issues it would require that whole issue report and the votes processed for each single working group. So if there is more than one PDP it's going to require more than one issue report.

And so even if we actually do go just a single policy development process we could actually break into sub teams because I think it's - I think we can probably agree that there's going to be a fair number of things in - if we do go the single PDP route. So just a few notes. Thanks. Back to you, Bret.

Bret Fausett: Alan.

Alan Greenberg: Thank you. Steve's answer sort of implies the - some of the answers to my questions that I was going to raise. I wasn't at the LA meeting so for that I apologize, my schedule just didn't allow that.

I take it, from what Steve just said, that when you're using the term "working group" you're really meaning a PDP.

Bret Fausett: Yes.

Alan Greenberg: And I thought one of the possible outcomes from our group was to identify things that might need a PDP but also to identify things that might not need a PDP but needed to be changed. And therefore those would go a different route perhaps than a formal PDP.

And lastly, Marika is the expert on this so I might be wrong, but I think it's quite conceivable that a single issue report could spawn multiple PDPs. You know, I'm not - I won't swear to that and Marika will tell me I'm wrong if I am. But if that's really the way to go that we thought that they were PDPs that

were so different from each other that it would be - it would make more sense to have them differently that could be a result of the issue report and the Council decision.

So I think we need to be very careful if we're talking about PDP, as Steve said, there's a relatively complex process these days to create it. But it's not clear to me that that that's the only possible outcome from this discussion group. Thank you.

Bret Fausett: Marika, you want to get in?

Marika Konings: Yes, thank you. This is Marika. Just wanted to respond to Alan's question. My understanding or reading of the current PDP rules is that one issue report can only have, you know, one PDP working group, one charter. Which doesn't mean that, of course, a working group can split into sub working groups but if you're really looking at, you know, a whole different issue you may want to consider having different PDPs unless you envision grouping everything under the same charter.

So I think that is something worth considering although you could, of course, envision as well that you would have a charter with sub divisions for each of the separate working groups. So I think there are ways to do it but at least, as my reading is of the current PDP, it's, you know, one issue report, one charter, one PDP working group.

Bret Fausett: Yeah, and my - and just to both points, I mean, my memory of the discussions that we've had and we probably haven't gotten into it in great detail, was that people had difficulty teasing out from the list what was policy and what was implementation to the point where - to, Alan, your first point which is maybe there's some things that don't require a PDP, you're probably right. But I wonder whether we can make that call quickly or easily.

And then the - to the second point, should it be one PDP or multiple PDPs, people seem to feel rather strongly that some of the issues were so tightly interwoven that it made sense to keep it all in one discussion group so that you could, you know, follow the different paths if you wanted to.

And this even came to things like, you know, how to incentivize applicants from developing nations to apply. People thought that that belonged in the main group.

So I think it's - I think it's going to be difficult to create multiple PDPs. And the one PDP or the one group that discusses all the stuff, it may be cumbersome but I think we've always expected that these issues were going to be difficult and cumbersome however we divided them up. Just my sense of things.

And, Marika, you make a good point in the chat that if we do lump everything into one group it may take staff longer to turn this around. I think that's fair. I think we all understand this is a big undertaking and that the normal timelines may not be relevant.

Alan, you want to get back in the queue?

Alan Greenberg: Yeah, just a quick one. As Steve suggested, we really need to go out for public comment. And I suspect this is one of the ones where the public will not be silent and simply say, yeah, you guys did a good job. I think we're going to see input from people who didn't participate in this group or perhaps even from people who did participate.

So I think we may be jumping the gun of planning the full path out. I think we need to - once we're comfortable with what we have - we need to go out for comment. And the process of integrating the responses in, if I'm right - if I'm wrong and there's no comment then it's a piece of cake - may end up taking us a fair amount of time after that.

Bret Fausett: And I hope that our report...

Alan Greenberg: Planning out the detailed next paths past that may be a little bit premature at this point.

Bret Fausett: Yeah, and I hope that we've heard most of the comments that are going to come in already either through representatives of the group or things we heard in Los Angeles. You know, one of the things we heard in Los Angeles was that we needed to wait, we needed to not do anything until after all of the Affirmation of Commitments review, other external reviews until the process was complete and things like that.

I think we can, k if we do this right we should certainly task the working group coming down the road with taking account of everything that, you know, comes out of other evaluation groups so that we're trying to do things in parallel rather than do things serially.

So the - one of the, you know, tenants of the charter ought to be to, you know, work with the other groups that are also evaluating and to take account of their advice and to not complete any policy development work until those reviews have been completed and accounted for.

So, you know, maybe that will take some of that argument away or at least account for that concern that people are raising. And I also don't think that the list of issues ought to be locked down, you know, that we ought to charter the working group with the ability to, you know, add new issues to it as it sees fit and as it gets into the details of what we've given it.

But you're right, we will have to - we'll have to see what comes out of the public comment. But I'm hoping that we can - and whoever drafts this charter can take account of that too. David.

David Payne: Yeah, I wanted to ask if there is maybe a - it's about public comment. It sounds like there would be a public comment of what we've put together through this process of the types of issues. And then after it's submitted as an issue report there would be a public comment, maybe more than one, I'm still getting familiar with the process.

And so what would be the purpose of the original public comment if there's going to be other rounds of public comment, you know, involved in the issue report and the Council resolution?

Bret Fausett: Steve, you want to take that one?

Steve Chan: Thanks, Bret. This is Steve. Sorry, I was actually going to make another point but I guess I'll try to address that one as well. So I think the initial public comment that we would be looking at would be to just examine the output of this discussion group, which is not necessarily - I mean, I guess it could be the request for an issue report or something to that affect.

But I think what could also be in there is just how we, as a group, want to recommend addressing all the issues that are identified by this group which could be recommending a single PDP, it could say this set of issues need to be addressed first, this set of issues need to be addressed concurrently with this other set.

So I think what we want to have as an output is just really a roadmap for how issues that are identified need to be - or how we recommend it be addressed through the GNSO Council.

And so I think that's what actually would go out for public comment. And then whatever comes back we would take in account and then wrap it up into our final output that goes to the GNSO Council. So I think by putting out our recommendations it allows the public beyond just this group to have a voice in how the issues are addressed. So I think that's all I had for that.

I did have another point but I can also wait on that if someone wants to respond to this specifically.

Bret Fausett: Alan, is that a new hand or an old hand?

Alan Greenberg: It's a new hand to respond to the same question.

Bret Fausett: Okay, go ahead.

Alan Greenberg: I guess I see the public comment as very much a sanity check of did we forget anything. Once we start the steamroller running of requesting an issue report to some extent the topics are locked in. The PDP is predicated by the issue report, the issue report is predicated by the request for the issue report.

If we, in our wisdom, have missed something, you know, perhaps something substantive and important, this is the opportunity. So I really don't think we can avoid a public comment on our output. Thank you.

Bret Fausett: Steve, back to you.

Steve Chan: Thanks, Bret. This is Steve. So the other point I wanted to raise is I think in regards to something Alan said about policy versus implementation. And so I'm not trying to jump ahead but the discussion of the mind map - so what I tried to do for the mind map in this iteration to try to map back the issues to the original GNSO recommendations or principles or implementation guidelines as the case may be.

Because I think that's a good way for us to be able to analyze the issues and realize whether it is directly related to part of the original GNSO output or if it's perhaps something completely new that they didn't think of and was, you know, maybe the group thinks need to be addressed through a new policy

development process. So I think that might help us get there. That was my intention for undertaking that change to the mind map.

And I think using something like that - I can't remember actually if you mentioned on this call but I think we would need some kind of drafting team to start putting together all the package that you mentioned at the beginning of this call. So those are my two comments. Thanks.

Bret Fausett: Great. And I think that is something that I wanted to raise with the group now. And obviously we'll want to put it out to the mailing list as well. But would love to see a, you know, volunteers either in the chat or on the mailing list or, you know, raise your hand and offer now for people to take on maybe a small working group - a small drafting group to draft up a little, you know, summary report of what we've done, describe some of the issues and, you know, draft up a draft charter for the working group that's going to come down the road.

If here's anybody who would be interested in assisting with that or taking that on please let me know. And I will - as I see nothing here on the chat right now I'll put that out to the mailing list later today and ask for people to - see who would be interested in helping out with that because I don't think it's going to be a huge amount of time and work but it is going to take probably several hours of dedicated effort to get that together.

Katim, I see that you want to suggest additional comments on the mind map, absolutely, I think that's going to be open for discussion all the way up until the time we finish our work. So if you have suggestions post them to the list and Steve will take account of them.

Steve, do you have anything else?

Steve Chan: Hi, Bret. Thanks, Bret, this is Steve. Actually just a quick question for you, did you have some anticipated timelines for the drafting team to try to wrap up their work?

Bret Fausett: You know, it would be nice if we could finish - if we could get something ready for public comment by the end of the month. I know that December is a busy month for a lot of people but I'd love to be able to at least start that process so that sort of the core of our work can be done in this calendar year.

And I realize that this is not going to get to the Names Council and not going to get to a working group until next year but it's sort of the heavy lifting of what we're doing had been completed by the end of the year I think that would be great.

And if, you know, if probably - it all depends on, you know, who can volunteer and what kind of effort they can put to it though.

Steve Chan: Thanks, Bret. This is Steve again. Not to dash your hopes and dreams but I think that might be a little ambitious but we can always try.

Bret Fausett: I've had my hopes and ambitions dashed many times in this process so it would not be anything new. But, you know, let's - I think, you know, we - the heavy - the hard work is still to come so I'd like to finish the, you know, the outlining work and the issue listing work as soon as possible so that the more difficult work can, you know, start in earnest and (unintelligible).

Yeah, Alan, I see that you also agree it's overly ambitious. You know, maybe what we hope for then is just to get a draft that we can look at because now that I'm thinking about the time that's left in December it would be nice to have people put together a first draft.

Obviously, we're going to have to look at it before it goes out to public comment so maybe we're talking about a month from now or mid-January. But I think if we could get a first draft done here in the next three weeks that might be a good start even if it's just a very, very rough draft.

Marika, go ahead.

Marika Konings: Yeah, this is Marika. Just to note - and I'm sure that...

((Crosstalk))

Woman: Thank you for holding. One of our team will be...

Terri Agnew: This is Terri from staff. We'll isolate the line.

Marika Konings: Thanks. So just wanted to note and I'm sure Steve has already shared that with you that there is a template that people are requested or encouraged to use when it comes to requesting an issue report in relation to, you know, ensuring that as much information as possible is provided before a request for an issue report is made.

So it may be helpful as well as you start drafting and looking what kind of information you want to provide to the Council as it looks at these requests to maybe keep that template in mind.

Bret Fausett: That's a good idea.

Terri Agnew: This is Terri from staff. We're trying to isolate that line as well.

Bret Fausett: Thank you. Oh there we go. Thank you. Okay well I'm going to wrap it up here unless anyone has any more questions. I think what I'll do is post a very light summary - obviously the mp3 will be made available to everyone on the list over the next day or two. I'll post a very, very light summary onto the list today and ask for that call for volunteers.

If you're interested in helping draft up some of the next stage documents please either let me know on the list or you can write to me directly. But thank

you all. Katim, I see you've emailed us suggestions. We'll look for them on the list and we'll take account of them in the next mind map.

Steve Chan: Hey, Bret? This is Steve.

Bret Fausett: Oh.

Steve Chan: I had a few more comments, actually.

Bret Fausett: Yeah, go ahead.

Steve Chan: This is Steve for the transcript. The first thing is I think we are going to probably need an updated project plan that we'll need to share with the group. You know, as I shared, I think it is probably a little ambitious. We do have just a few weeks left through the end of this year especially with the holidays to actually try to get a draft done. And of course we don't actually have a drafting team approved or, I don't know, volunteered yet I guess.

So I think - Bret and I - I think you and I will need to put down an updated project plan together so that we can share it with the group so we get - everyone has a sense of how long this is going to take.

And so the other issue I wanted to bring up is - okay...

((Crosstalk))

Bret Fausett: Go ahead, we can hear you.

Steve Chan: Okay. The other thing I wanted to bring up is there is a set of - so the NGPC had provided a response to - actually, let me start over, so the GNSO Council - or the GNSO Council resolution from the London meeting that invited the NGPC to provide comment to the GNSO Council regarding their comments

on areas for evaluation from the first round or possible adjustments for subsequent rounds or I guess application procedures.

And so there is actually a response from the NGPC that was delivered on the 17th of November. So what I'm going to do is after this call I'm going to send around to the list the actual output from that. It's an Annex A from the GNSO Council or, sorry, the NGPC.

And what it talks about is areas that they think could be considered for future development. And so things that it touches on are community considerations, rights protection mechanisms, string similarity. And there's a collection of about eight different things that I think people might want to consider and take a look at to help determine whether or not we might have missed something from our issue report.

And another thing that might help us to evaluate what's in our list of issues is also in Los Angeles GDD staff actually had offered to provide input. And I believe Bret had accepted that offer gladly. So I think they are intending to try to have something ready for this group to consume some time before the end of this year. So we'll have two sources to look at to make sure just as a sanity check that our issue list is as complete as we want it to be.

And, you know, by no means are we closing off the issue list at some point, but, you know, at some point we have to consider it relatively close to done so that we can actually do the heavy lifting and drafting part of this discussion group.

And finally one additional comment, you know, there was a lot of discussion on the actual process in requesting a policy or a PDP or an issue report - both of those things. So what I'll do after this is also I'll send around to the group just a reminder of how the policy process works. I think that's all I had. Thanks.

Bret Fausett: All right very helpful. Thanks, Steve. All right well seeing no other hands let's call it a call here and continue the discussion on the mailing list. Thanks so much.

Operator, you can stop the recording.

END