

Policy & Implementation Working Group Meeting TRANSCRIPTION

Wednesday 07 January 2015 at 20:00 UTC

Note: The following is the output of transcribing from an audio recording of the Policy & Implementation Drafting Team meeting on Wednesday 07 January 2015 at 20:00 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-policy-implementation-20150107-en.mp3>

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

Attendees:

Cheryl Langdon-Orr – At-Large
Amr Elsadr – NCUC
Chuck Gomes – RySG
Greg Shatan – IPC
Alan Greenberg-ALAC
Tom Barrett – RrSG
Olevie Kouami – NPOC
J.Scott Evans – BC
Michael Graham – IPC
Avri Doria – NCSG
Wolf-Ulrich Knoblen – ISPCP
Stephanie Perrin - NCUC

Apologies:

Anne Aikman-Scaliese – IPC
Mary Wong – Staff

ICANN staff:

Marika Konings
Karen Lentz
Steve Chan
Berry Cobb
Terri Agnew

Terri Agnew: Recordings have been started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. This is the Policy and Implementation Working Group Call on the 7 of January 2015. On the call today we have Alan Greenberg, Cheryl Langdon-Orr, Olevie Kouami ,Greg Shatan, Avri Doria, Tom Barrett, J. Scott Evans, Amr Elsadr ,Wolf-Ulrich Knoblen and Tim Ruiz...

Woman: Excuse me. Mr. Michael Graham joined.

Terri Agnew: ...as well as Michael Graham .We have apologizes from Anne Aikman-Scalese and Mary Wong. From staff...

Man: Excuse me. (unintelligible) just joined.

Terri Agnew: From staff, we have Marika Konings, Berry Cobb, Steve Chan, Karen Lentz and myself, Terri Agnew. I would like to remind all participants to please state their name before speaking for transcription purposes. Thank you very much and back over to you J. Scott.

J. Scott Evans: Thank you everyone. Happy New Year. This is J. Scott Evans for the record. First we've had our roll call. Now we're going to ask if anyone has any changes or statement of interest and I have a change to mind. I was elected and am now serving as President of the International Trademark Association and will be doing that for the next year. So that's my announcement and change to my SOI and I will go online and get that done in the next day or so. With that, I think we're going to - unless - does anyone else have a change to their SOI? Hearing none, we're going to move onto the comments that we should make with regards to the initial draft of the initial report.

I believe there have been comments that have been circulated some and fair enough to say were only recently circulated moments ago when Marika sent them out but I think others have been circulated prior to the call. So let's go through these comments and go through the initial report and see how far we

can get today and then I'll cut us off probably about 10 minutes before the end of the hour and we can talk about our next meeting and the ICANN meeting in Singapore which is in February. I believe it begins like the 8 but of course the working sessions will begin two days prior to that. Okay. Here we go. So you see that we have our first comment and I believe, is this comment in the forum (Chuck)?]

(Chuck): It is.

J. Scott Evans: I'm sorry. Marika - I see Marika's hand is up and I didn't notice that in the adobe connect. Marika?

Marika Konings: This is Marika. I just wanted to highlight for those that may have not seen my emails of today that what I've done and as J. Scott says, this version integrates all the comments we've received today so that the comments from (Chuck) and (Michael) and as well as some from my staff colleagues into one document. So what I've done is look through those comments and try to highlight those that I think may warrant for some further conversation by the working group. There's quite a number of comments I think that are more improving the language, correcting some spelling mistakes.

So we may not have to spend specific time on those although, if you've correspond anything that you think is not a minor edit, you should of course flag that as accordingly but it may be helpful for today's call focus on those comments that have been highlighted in yellow and maybe use it as a basis for our conversation today and just know that you're correct and one thing to note as well that because of the merging of the different versions, I think some of the attributions have either disappeared or been wrongly attributed to me. So we may need to have people speak up if they see what is their comment but I'm sure as well that the first one there is indeed from (Chuck).

J. Scott Evans: Okay. Before we go there I will notice that there's a grammatical error in that initial sentence. That should be that after working group. That has been

posted, not which. All right. now, (Chuck), we're moving onto your comment in number one.

(Chuck): Thank you. All right. So my comment here really isn't directly related to the initial report itself but rather the public comment process because as I started going through this, I thought we have an opportunity to design the public comment process in a way that helps us more readily review the comments, analyze them and report on them. Public comment periods, as many of you already know, tend to be all over the place. Everybody's comments on what they want and so forth and hopefully they answer the questions you specifically ask -- sometimes they do, sometimes they don't -- but then it's quite a challenge in terms of summarizing those comments and in particular, identifying what people's opinions are if they didn't directly state them on key issues and so what I'm suggesting is that we plan on designing the public comment period by doing a couple of things.

One of them asking for feedback in a questionnaire format with just very short answers -- just select the choice type thing, either a rating scale or we can design that later -- so that all of the questions that we specifically want to answer that are short answer questions, we can tabulate those very easy and ask people as part of the public comment period to fill out the questionnaire and now that wouldn't sub clamp the narrative public comments because we want those too but in the case of the narrative public comments, if we provided a template that everybody who submits comments would follow, we could easily group them and organize them and evaluate them and that could supplement the questionnaire as well so if they wanted to comment further on anything from the questionnaire that they could.

So I go on in some of my other comments and I haven't got through even most of the document yet but I mention cases where I think it would be a good place to put a question in a questionnaire or multiple questions in a questionnaire so this is just the context for when those things come up later. I'll be glad to answer any questions on that.

J. Scott Evans: Okay.

(Chuck): J. Scott, it might be helpful if you noted that something like this was done in another public comment period in the past.

J. Scott Evans: Marika?

Marika Konings: Yes. This is Marika. So we rather serve in conjunction with the public comment forum on the post expiration domain name recovery initial report and if I recall well, I think we actually got over 40 responses to the survey and it did make it easier indeed for the working group to get input on those things they wanted input on and also to compare and contrast and comparing the number of responses received as well to standard public comment forums, it may have been an indication as well that for some people it lowers the threshold of having to fill in the survey while you just say yes or no or agree, disagree or give a rating than actually having to develop comments from scratch.

So I think it's probably a worthwhile experiment and as (Chuck) said, it has already been very helpful in actually identifying what some of those questions or issues might be that could be included in the survey and I'm happy to -- based on our conversation this week as well as next week -- to compare a draft of that survey so hopefully we can then release that in conjunction with the public comment forum and have that as an additional tool to obtain input.

J. Scott Evans: Okay. Any comments on (Chuck's) idea or any concerns? Let's see here. Okay. I don't see any hands. (Michael Graham)?

(Michael Graham): Yes. I had to raise it only to say I agree with (Chuck's) proposal. If we can put something together both on a plus minus type of basis. If people agree with what they see as they go through where we have appropriate places and then also in organizing the comments. I think having gone through this a

couple of times, it would make life much easier when we're trying to put them next to each other and make sure that we are looking at comments that are addressing what we believe they're addressing rather than guessing that. So to the extent that we can do this, this would be an excellent tool.

J. Scott Evans: Okay. All right. I see that Greg agrees. All right. Let's move on then having heard no huge complaint. Marika's taking us to the next highlighted comment. All right. Yes. I think it's that one from - does the definition need to reference the GNSO so that would any GTO related policy recommendation develop by the GNSO that is approved by the ICANN board? This is in one policy GNSO policy. Draft definition, any GTO be related policy recommendation that is approved by the ICANN board.

Marika Konings: J. Scott, this is Marika.

J. Scott Evans: Yes.

Marika Konings: I just wanted to flag because one of the reasons why I've highlighted this and I think that comes back as well in some of the other highlights is that some suggested changes have been made to the working definitions and the working principals. Both of those documents, I think, we parked in a semifinal state or at least at that stage. So I just want to make sure that everyone has an opportunity to look at some of the addends and suggestions that have been made to make sure that people are comfortable with those as we did spend quite some time on these documents.

Although I think we also recognize that towards the end or towards the initial report, we might need to go back to those and see if they actually reflected or were in line with our recommendations and conversations. So that's why I've called it out here. There are some other, I think, suggested changes to this part as well as the principals where we just may want to double check and again, when people review the documents, they'll have a closer look at that to

make sure that there's nothing in there that's controversial or changing what the working group had originally agreed to.

J. Scott Evans: Thank you Marika. I've raised my hand because I don't think we need to have GNSO in the definition because I think it's GNSO policy and it says any GTO D related policy. That's all that GNSO has purview over at this point. So I think that's like saying white. White is white as the definition of white. I mean, I just think we've already - I don't think you need to put GNSO in there. The mere fact that it says GNSO in the term is definitional enough. That's my opinion. I see Greg agrees. I see Cheryl Langdon-Orr agrees. Greg, I think - I don't know if your agree is an old agree or a new agree. (Michael Graham) agrees. So does anyone disagree?

(Michael Graham): J. Scott, it's (Michael). Just real quick. I think in a way this might be a very good test question to see if people are awake because as a public comment, I would be surprised if we didn't get some inquiry in that definition about the GNSO. I agree that it's calling white, white but that's often what we're doing here.

J. Scott Evans: Okay. Alan Greenberg?

Alan Greenberg: Thank you very much. As an aside, your definition - your example is wrong. It's not a good one because in many areas, there are many, many different kinds of white. Just go try buying paint one day or matching colors of Formica. I tend to think that putting it in redundantly does not hurt because no matter how much you say we're talking about GNSO, someone will presume that when we say policy, they're talking about wider policies. So a bit of redundancy doesn't really hurt in my mind.

J. Scott Evans: Greg?

Greg Shatan: Sorry. I was on mute. I'm Greg Shatan for the record. I was thinking about this and I actually think the redundancy also serves a purpose since - it's at

least arguably there could be GTLD policy that is not GNSO policy or that at least when you start using words loosely especially given the activism of the GAK as of late. Yes they are giving advice and not policy recommendations but a lot of what really results from that has the effect of policy. So even though this is under GNSO policy, arguably if there's a universe of GTLD related policy recommendations approved by the ICANN board that aren't GNSO recommendations, that technically may be a false statement given the terminology and work streams of ICANN but pragmatically, it's truer than we'd like to think.

J. Scott Evans: Okay. So we have a can't that's needed. I don't think it's needed and I think by that position. Let's use our red and greens to see what our consensus is in the voting.

(Michael Graham): Which is red and which is green?

(Crosstalk)

Woman: What are we voting for?

J. Scott Evans: Agree and disagree is to whether we need to put GNSO into the definition of GNSO policy.

(Chuck): J. Scott, this is (Chuck). We have to be careful how we word the question. I don't think it's needed but like Alan said in the chat and I think what Greg said, it probably doesn't hurt anything to include it although I see Avri's got a red X there. So maybe she has a different thought in that. I don't think it harms anything because this is - these recommendations are for the GNSO. I don't think it's needed but I don't think there's any harm.

J. Scott Evans: Okay. Avri Doria has her hand up and she's on mute. I don't know if she needs to come off mute.

Avri Doria: Of course I can come off mute. This is Avri. The only thing that I think of is that it's not beyond the pale for the board to develop policy recommendations on anything they please and therefore I don't know why you'd want to limit this to develop GNSO but I wasn't sure what red was so I figured I might as well speak. I think that not only is it not necessary but actually it's too limiting.

J. Scott Evans: Okay. So far I've seen Greg saying he's in favor, I saw - (Tom Barrett)?

(Tom Barrett): Yes. I guess I just have a point of order. The title of the document is GNSO Policy and Implementation and I guess I did not think that our working group was limited to the GNSO. So I'm going all the way back to the title of the document and somehow it's been narrowed down to just focus on policy and implementation for the GNSO and I thought it was a larger framework we were talking about.

J. Scott Evans: Okay. Alan?

Alan Greenberg: Thank you. We had that discussion a very long time ago and decided that we were talking about GNSO policy and implementation of GNSO policies and if at the end we decided it had a wider scope, we could make that clear but all of our conversations did focus on the GNSO.

J. Scott Evans: (Chuck)?

(Chuck): Yes. Very quickly. (Chuck) speaking. I respect Avri's point. It is a good point and I guess that makes me lean towards not putting it in there but on a process point, if we spend this much time on issues like this, we're never going to get through this document in the next two meetings.

J. Scott Evans: Yes. So I've called for a vote so that I can look and see where our consensus is and people keep erasing their saying. So I'm going to call one more time of a consensus call on this. The question is, do we need to add the language

that is in red on your screen which reads, developed by the GNSO that is approved by the ICANN board to this definition? I do not think we could...

(Chuck): J. Scott, I thought the suggestion was just to add GNSO? If you start saying developed by, I absolutely agree with Avri.

J. Scott Evans: So okay. So far, I've got three people saying they don't want this language. I've got one, two, three, four, okay. So I say we leave it out, we leave it the way it is, stick with where we are and then if we get a public comment that says something about it, we can look at it then. Let's move to the next one. Everyone clear your vote. I will try to do the same thing. Okay. Marika?

Marika Konings: Yes. This is Marika. Sorry. I came off mute. Any other comments on the implementation of a GNSO policy currently reads the process of carrying out or applying a GNSO recommended board approved policy and the suggestion is since you defined GNSO policy above, you could modify this definition to say the process of carrying out or applying a GNSO policy.

J. Scott Evans: (Michael)?

(Michael Graham): Yes. I would agree that that's a good change to incorporate what we've defined up above rather than use some other wording on it.

(Chuck): This is (Chuck) but it says GNSO recommended board approved policy. Again, you can put it in if you want. I don't think it's that important.

J. Scott Evans: Okay. Does anybody oppose to it reading the way Marika has amended it as you see it on your screen?

(Michael Graham): Can we scroll back up and look at what the definition of GNSO policy was before you ask that question? Thank you. Sounds good to me.

J. Scott Evans: All right. Let's move on.

Marika Konings: So this is Marika. The next change or suggestion GNSO implementation review team, the definition currently reads, a team that may be formed under the discretion of a GNSO counsel to assist that and developing implementations, details for a GNSO policy. So I think there's a small change here in changing the to a and the comment is, is it GNSO policy or policies in general?

Alan Greenberg: It's Alan. I'd just remove the A. Implementation details for GNSO policy. It covers both.

J. Scott Evans: Any objection? (Tom Barrett)?

(Tom Barrett): Yes. No. I think actually the a is needed there. It's not one team that handles every policy that comes along. It's one team per policy.

J. Scott Evans: Okay. Anybody have an objection to leaving the a in? Alan?

Alan Greenberg: I don't have an objection to leaving the A in but I disagree with what (Tom) just said.

J. Scott Evans: Okay.

Alan Greenberg: A PDP may come up with a lot of policies.

J. Scott Evans: Okay but if you don't have an objection, does anybody object to leaving the a in?

Alan Greenberg: I don't really care. It's grammar.

J. Scott Evans: Okay. Next.

Marika Konings: This is Marika and I probably have to ask (Michael) here because I see that this part of stakeholder is highlighted in green and I don't know if this was something that was added or changed but (Michael), can you maybe confirm if this was something that was added?

((Crosstalk))

(Michael Graham): Yes. This is (Michael) for the record. In the draft that I received there is a - - and forgive me, I threw away the page so I don't have which section it was in -- where we were reusing the multi stakeholder model definition verbatim and I felt that was unnecessary there and following that was a definition of stakeholder which was also in that. So rather than have that as a clarification to one of the statements, I thought it best to move that into the definitions because that's the terminology that would be understood throughout the document eventually. So it was a matter of moving this from text that was in the draft before and that (Chuck) had commented on and rather than have it in the text, move it up here into the definitions portion.

J. Scott Evans: Can you just move the definition from the body of the agreement to the definition section?

(Michael Graham): Correct.

J. Scott Evans: Any objection? Moving on.

(Chuck): This is (Chuck). I noticed that on comment seven, it's not highlighted in yellow but it seems to be asking a question that we should talk about.

J. Scott Evans: Comment seven. Okay.

Marika Konings: (Chuck), the numbering may have changed as I accepted the comments that we've reviewed. Can you maybe just read out what that comment is?

(Chuck): Okay. Sure. It says, should this - it's on the ICANN multi stakeholder model...

J. Scott Evans: Okay. I see it.

(Chuck): ...and it says, should this part of the definition be moved down to the ICANN multi stakeholder model definition and then (Michael)...

Marika Konings: Yes. (Chuck), I actually already fixed that because I think the problem was that the left side had not moved along with the right side and disappeared before under the because I think that one has a double.

(Chuck): That's fine. That's all I needed to know.

Marika Konings: Yes. So I think that was a - it's the same for the next comment. There was a repetition in there that somehow got in there.

(Chuck): No problem.

Marika Konings: So those two, it should have been fixed.

J. Scott Evans: Okay. Let's go to the next highlighted comment please.

Marika Konings: Yes. This is Marika. Not highlighted but again, here in the definition of bottom up in a GNSO PDP, some suggested changes have been made and I suspect that those are and, and that's just - (Michael), you made them but I think your changed our comment up in green so I'm suspecting that this may have been suggestions that (Ana) has made.

(Michael Graham): Yes. This is (Michael). I'm trying to follow where that is I see. Just a moment.

Marika Konings: Yes. It's in - I've just highlighted the section. As you'll see, there is something there in blue and half blue, half red which have been added to the document.

J. Scott Evans: I don't see.

(Michael Graham): This is (Michael) again and I think what it was, I read this as emphasizing the fact that these are the - this is just listing types of people who would be in the -- I'd hate to say it -- the bottom in terms of developing any PDP that it would include the stakeholders, internet users and for that reason, I thought it appropriate here rather than calling it the multi stakeholders which would get a little bit confusing and we actually never defined a multi stakeholder that by using these terms we were being pretty clear that the members of the multi stakeholder community are also the members that we're watching for to develop the PDP. So I thought we could leave that terminology in here and it actually made it clearer.

J. Scott Evans: Okay.

Marika Konings: This is Marika. Just to confirm because I don't know why the down and up appear in red because those were originally there. So the changes that were made here were instead of down, it's now downward, instead of up, it's upward and it added the process is designed to and will ideally provide instead of the process provides the opportunity. So I think it's just - at least from our perspective, it seems just more clarifications or enhancements of the language and not necessarily changes.

J. Scott Evans: (Tom)?

(Tom Barrett): Yes. I just think there's probably too many words in this definition and so I would actually strike the first part that talks about - I mean, first of all, you have whereby policy and organization decisions and analysis progress and then the next seven words I would just take out. They progress from stakeholders, internet users, companies, blah, blah, blah in which you participate. I don't think we need to talk about from analysis or policy not from the board would be my suggestion.

J. Scott Evans: So read it how you think it should read because I can't follow you.

(Tom Barrett): Yes. So I put it in the text, in the chat. Yes. From the word progress all the way to the - take out everything until the second from.

J. Scott Evans: Yes. Analysis. Okay. I don't care one way or the other. (Michael)?

(Michael Graham): I was trying to hit my green button. I would agree with that. I think we can take that out.

J. Scott Evans: Okay. Anybody disagree? (Lamar)? (Elmer)? Sorry.

(Elmer Elstar): J. Scott. No. I don't disagree but I wanted to ask a question on another point so I'll wait until we're done with this one.

J. Scott Evans: Okay. Does anybody have disagreement here? All right. (Elmer), we're going to go to your question.

(Elmer Elstar): All right. Thanks J. Scott. This is (Elmer). The way I read the last sentence regarding providing the opportunity for equal participation from all levels from the involved organizations as practical and possible, it seems I'm not sure what involved organizations is referring to. If it's referring to the stakeholder groups or SO's and AC's in ICANN or if it's referring to the companies and so forth referenced above but I just wanted to point out that GNSO policy when being developed and for example, in a working group, is open to participation by anyone and even the people who are not members of any SO or AC in the ICANN community. So we would either need to clarify what we mean by involved organizations or perhaps just add some involved organizations and other individuals or other organizations as well and so on.

J. Scott Evans: Yes. The way I read it (Elmer) is that is meant to be as inclusive as possible but I may be wrong. So let me start - (Tom), is that an old hand or a new hand? (Barrett)? Okay. Greg Shatan?

Greg Shatan: Thanks J. Scott. Greg Shatan for the record. My quibble here is with the list of stakeholders, internet users, companies and anyone who wishes to participate. I would say that internet users and companies are stakeholders. I'm not sure why they're listed separately. So I would think that those two should be struck, internet users and companies.

J. Scott Evans: Okay. What if we say from stakeholders and anyone else who wishes to participate in the process?

Greg Shatan: Works for me.

J. Scott Evans: I've got to tell you, nobody ever calls my sorry butt and my phones, both of them, are ringing off the hook since I'm on the call with you guys. All right. Next was (Chuck).

(Chuck): Yes. I always have trouble with the word equal. Ideally we want to make it equal but there are times we can't because of language and other things. So I would delete the word equal because it's a nice goal but sometimes you just can't achieve it because it's either too expensive or whatever.

J. Scott Evans: Okay. Avri's disagrees with that. Okay. I'm going with Alan Greenberg next.

Alan Greenberg: Thank you. On equal, I think these days we're using the term equal opportunity not claiming that everyone's representation is equal and I think listing individuals and organizations -- the last part of this last sentence -- becomes redundant. So I was going to say equal - forgetting the quibble about equal. Equal participation from all participants. That's redundant in participation of participants but I don't think we need to go through the laundry list of who the participants are again.

J. Scott Evans: All right. Avri?

Avri Doria: Thanks. This is Avri. Yes. I had issues, various issues. I don't know why we took out the internet users and organizations because not all internet users and organizations have signed on the dotted line to be the ICANN stakeholder. So perhaps some intermediate phrase such as such as and leave it at that. I have problems with the word upward to the board. I know we're trying to exemplify the hierarchy but...

((Crosstalk))

J. Scott Evans: Avri - Avri, we just missed a bunch of stuff. You're fading in and out. If you would tell us again. You started with you had problems...

((Crosstalk))

Avri Doria: Excuse me? So anyhow - so you cut off on including other people. Yes. I don't think we are basing it on this hierarchical notion of upward to the board. Yes. They go to the board as part of the process but I don't think we should indicate upward, downward or what have you. I also was against the removal of equal. I'm fine with equal opportunity. I'm fine with putting in words like to achieve but it is something that should be there and as I said on my first one, from stakeholders such as internet users, companies, et cetera because it's not interconnected and not (unintelligible) are members of stakeholder groups and we always have that ambiguity between how do you become a stakeholder? Are you a stakeholder because you've joined a stakeholder group or are you a stakeholder because it's in the nature of being a user of the internet that makes you a stakeholder? So I think it's good to include the further detail. Thank you.

J. Scott Evans: Okay. Alan, is that a new hand or an old hand?

Alan Greenberg: That is a very old hand.

J. Scott Evans: Okay. (Tom Barrett), is that a new hand or an old hand?

(Tom Barrett): This is a new hand...

J. Scott Evans: All right.

(Tom Barrett): ...and I think we could simply say we've - anyone who wishes to participate because basically everyone in the world is a stakeholder. So if we say from stakeholders and anyone else who wishes to participate, I don't know who else we're including if they're not - since every one of these is by definition of stakeholder. So I would simply say from anyone who wishes to participate and really try to stop trying to differentiate between a stakeholder and everyone else.

J. Scott Evans: Okay. I can live with that. Greg Shatan?

Greg Shatan: Thanks (Chuck). J. Scott rather. I guess I'm in between on this. First I guess it depends on how we define stakeholder. Can we go back up and see? I think we had a definition of stakeholder.

J. Scott Evans: We do.

Greg Shatan: Can we go back up and see it? So this is the broad definition of stakeholder and whether or not they're a member of a stakeholder group. So I guess in that case, rather than saying...

((Crosstalk))

J. Scott Evans: ...and move on.

Greg Shatan: I think if we just say stakeholder that seems to include everybody unless there are people who have no stake in a possible outcome and those will be the everybody else. Again, given the board definition of stakeholder, I think we should just stay with stakeholder.

J. Scott Evans: With a capital S?

Greg Shatan: Yes.

J. Scott Evans: I can live with that and take away and anyone else just from stakeholders because I think and anyone else is included in the definition of stakeholder and then change that to a singular verb and I don't know why we say - why do we have upward to the board? Let's just take that whole thing out and end at process.

Greg Shatan: I think we're trying to give a sense of bottom up...

J. Scott Evans: Yes but I mean...

Greg Shatan: ...and we say progress from stakeholders as the progress to some place.

Woman: Just say to. Not a direction, just to the board if you need to say anything.

J. Scott Evans: Yes. I agree.

Woman: Right. (Unintelligible). Yes.

Greg Shatan: Yes. That's fine.

J. Scott Evans: Okay. Are you done Greg?

((Crosstalk))

J. Scott Evans: Are you done Greg?

Greg Shatan: I am so done.

J. Scott Evans: Okay. I see that (Elmer) has said he disagrees so we'll have to get to him but first I'm going to let Alan comment.

Alan Greenberg: Yes. I originally put my hand up to say scrap upward to the board. I'm not sure what participate in the process to the board means. We're looking at bottom up GNSO PDP's. It's a process. The definition later on says it has to be approved by the board. I don't know why those are referenced to the board here.

J. Scott Evans: Well...

Alan Greenberg: If you don't get the bottom up concept from the title, then we're not going to make any more impressions. Sorry. It's been a long day already and I'm grumpy.

J. Scott Evans: Well, I mean, we're defining here bottom up in a GNSO PDP, that term. Let's look at the left hand column. So if we're going to have that definition, you've got to have something and I'm fine with the way it's crafted as of now. Can everyone live with this definition as it's printed? (Tom)?

(Tom Barrett): I don't think it sound and I don't think it parses very well but I'll live with it because I don't care a lot.

Alan Greenberg: So to my suggestion is to change the word progress to originate.

(Tom Barrett): Progress.

Alan Greenberg: So we originate so that then you could leave it unspoken that it's going to the board if you want.

J. Scott Evans: Okay. (Elmer)?

(Elmer Elstar): Thanks. This is (Elmer). I was first going to say that I disagree with removing and anyone else after stakeholders because...

J. Scott Evans: Okay but before we go there, let's look at the definition of stakeholders.

((Crosstalk))

(Elmer Elstar): Yes. Stakeholders, the definition involves individuals, groups, and organizations that have a stake direct or indirect.

J. Scott Evans: No. It says has an interest or stake. An interest or stake. That could be just anybody who shows up...

(Elmer Elstar): Okay. Well, to be honest, I missed the interest part and I only...

J. Scott Evans: ...and it says direct or indirect.

(Elmer Elstar): I guess you would be right. Yes. I guess you would be correct and I will change my mind on...

J. Scott Evans: Okay.

(Elmer Elstar): ...objecting to...

J. Scott Evans: Okay.

(Elmer Elstar): ...just leaving stakeholder in there then.

J. Scott Evans: Yes.

(Elmer Elstar): My apologies.

J. Scott Evans: Yes. I just want us to make sure that we're being as consistent as possible because you add that in here and then someone's going to say, well, what's the difference for them and we'll get into a whole - look how hard it's been for us to just create a language. Can you imagine when it gets into interpretation? Greg? You're on mute. I hear you.

Greg Shatan: Sorry about that. I think rather than who wish to participate in the process, it should be participating in the process and the comma's should come out. So it should just be originate from stakeholders who participate in the process to the board.

J. Scott Evans: Okay. We've got a whole slew of hands that went up with that. (Elmer)?

(Elmer Elstar): This is (Elmer). I just had a question on (Tom's) last suggestion of replacing...

J. Scott Evans: Okay.

(Elmer Elstar): ...progress, originate and aren't some processes or analyses, don't some of them actually originate with the board and not with the stakeholders and then the stakeholders pick them up? So I'm wondering if originate is a very accurate term we want to use here? Thanks.

J. Scott Evans: Okay. Greg?

Greg Shatan: Old hand.

J. Scott Evans: Okay. I'm going to Marika and then I'll go to (Tom).

Marika Konings: Yes. This is Marika. I would like to suggest that we take this to the list because I think...

J. Scott Evans: Okay.

Marika Konings: ...we can spend another three hours on this paragraph.

J. Scott Evans: Yes. We've only got about four minutes left so let's move on. We'll go to the list. Marika if you would circulate the current language that we have now to the list and then we can build off that email.

Marika Konings: Okay. Thank you. Let's move. (Tom), real quick.

(Tom Barrett): Well, I thought that to Avri's point, this is defining a bottom up process. So yes, policies can originate elsewhere. We're talking strictly about policies that originate from a stakeholder and so I think originate works. I would just get rid of the word to the board.

J. Scott Evans: Okay. Well we'll talk - we'll do that offline. Cheryl, I'm going to give you the last word on this one.

Cheryl Langdon-Orr: Just if you're going to send the language out, make the word term originating for stakeholders and not originate from. That's all just because...

((Crosstalk))

J. Scott Evans: Okay. Thank you. Thank you. All right. Let's move to the next. We've got one more we can do and then we've got to move on.

Marika Konings: I'm sorry. This is Marika. The next comment -- I think this is one from (Chuck) as well -- where he recommends that in relation to the section policy and implementation principal, it seems to me that we should include a recommendation regarding formally adopting the principals because they are a critical part of our work and if I may comment on that because that was something indeed that did occur to me when I was writing this but the question I had, who are we recommending this to? This is to the counsel, to

the board, board and staff or basically we're saying this should be adopted by the counsel and the board and it's the expectation that any policy and implementation work would follow these principals? Is that what we're trying to convey and I'm happy to read this and to write something along those lines.

J. Scott Evans: My thought would be that it's to the GNSO, not to the counsel. To the GNSO because they're the ones that are going to ultimately vote at the counsel level through the representative. (Chuck)?

(Chuck): Yes. I think at a minimum it needs to be the GNSO. It would be good if they were endorsed by the board as well because the board has the control over staff and a lot of these principals have to do with what staff does with the policy.

J. Scott Evans: Okay. Alan?

Alan Greenberg: Thank you. I guess I originally thought these were principals that we were using to guide our work and not necessarily something we were passing on. I'm not 100% sure right now and they may be something that we want to document for future mankind so to speak but I'm not 100% sure and I think I would want to go and read them again quietly when I'm actually awake to see if they made sense stand alone as opposed to rules that we're using in the process or embedded in it.

J. Scott Evans: Okay. Well, then I suggest that you do that and come to our call next week having done that and let us know what you think.

Alan Greenberg: Good. As long as we can cancel all the rest of the calls between now and then I'll be glad to...

J. Scott Evans: Listen, it's volunteer bud. You volunteered. Okay. We are done with today but we're making slow progress. So I suggest that we have a 90 minute call next

week that we loop in and just do the chairs call and we start 30 minutes earlier so that we can plow through this because we have to have this thing together by when Marika?

Marika Konings: This is Marika and 19 January.

J. Scott Evans: Right and so we have next week is - today is the 7 so next week is the 14. So we will not have another regular call before the 19 because that is a Friday correct?

Marika Konings: No, 19 is the Monday. So we'll have next week's meeting but that will be the last one.

J. Scott Evans: That will be the last one so we've got to get through this thing. So how many people can live - (Chuck), is that a new hand?

(Chuck): Yes it is. I just want to say that we really need to do our editing online which is what we talked about at the beginning of the call but we quickly reverted into a - no criticism of you J. Scott. If you have edits, let's put them on the email list and let's try and resolve them there. If we edit everything where there's an edit, we will not achieve our objective. Keep in mind that we can always - the initial report is an initial report. So if there's something that we need to fix, we will have some time afterwards but let's try and do the editing on the list.

J. Scott Evans: I still think we need a 90 minute call next week.

(Chuck): I agree. I'm not disagreeing with that.

Marika Konings: This is Marika. What I can do to facilitate maybe is encouraging conversations on the list or at least focusing on those yellow, highlighted items. I can maybe pull the remaining ones out and put them in the email with the latest version so people can focus...

J. Scott Evans: That would be great.

Marika Konings: ...on those specific ones and then maybe we can have as a cut off date next Tuesday for any other yellow items that do need conversations and as I said, I think there are quite some things in here that are just improvements and enhancements of the language. So we may not need to focus on those but if you do see any, call those out as well so as have a dedicated list that we can focus on for next week's meeting and hopefully come to conclusion on what we want to put in there and as (Chuck) said as well, if there are certain items where we can't come to an agreement, well, maybe we just flag that as one of the items where we would specifically like comment input and community input on so we can take that as part of our discussions on the final report and hopefully resolve it there.

J. Scott Evans: Great. Great. Now let's move to - so our next steps is everyone look at the - Marika is going to call out the things that she's highlighted as things she believes we need to discuss, discuss those online and then we come with those fairly much resolved online and we only deal with the stickiest of issues next week so we can give this preliminary report in final form by the 19 so it can go out for public comment.

With regards to Singapore, when the chairs met earlier and vice chairs, it was determined that the format we think that we should do since we'll have a public comment period open is to do a presentation to the room on what is in our initial report and then to do an open mic and allow people to come up and give oral comments about things they've seen or concerns they may have or positive yay's for how fabulous we are. The last meeting we had, nobody was in the meeting but one person that was on our team. So it could be a slow day.

We'll have to do it if there could be people online. So that's what we think. Does anybody agree, disagree? How do we feel about that? (Elmer) agrees.

Cheryl agrees. (Chuck) agrees. Okay. Well then that's what we're going to do and I think our meeting slot is going to be the same as it's been in the past which is that 4:30 - either it's 3:30 or 4:30 on the Wednesday. I think it's 4:30 local time. My next question is, by show of green or red arrows, would everyone indicate to me who in this group on the call today plans to be in Singapore? Okay. All right. That's a good number.

Hopefully everyone and I would really strongly suggest I know that many people are quadruple booked but this is when we present this to the public and we get public reaction and I would ask you all to make this meeting a priority and so skip the other meetings and come to this meeting. I promise you that (Chuck) and I will look at the room. If it is not looking like it's going to be a productive intake of public comment, we will cancel the meeting quickly because we really can't do any further work until such time as we get the public comment. So that's a commitment that I would ask everyone to make. All right. So with that, I'm going to give everybody four minutes of their day back, remind everyone that we're going to start 30 minutes earlier next week. So put it in your diaries, 30 minutes earlier for an hour and a half call, 90 minute call next Wednesday the 14 and Greg is inviting you to bring all your friends. Okay. Thank you all very much and we'll talk to you next week. Thanks. Appreciate all the hard work.

(Chuck): Thanks J. Scott.

Woman: Thank you.

J. Scott Evans: All right. Bye.

Woman: Bye-bye.

Woman: Thanks. Bye.

Man: Bye all.

END