

GNSO
New gTLD Committee teleconference
July 5 2007 at 14:00 UTC

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<http://audio.icann.org/gnso/gtld-20070705.mp>

<http://gnso.icann.org/calendar/#jul>

Committee Attendees

Avri Doria - GNSO Council chair Nominating Committee appointee
Chuck Gomes - GNSO Council vice chair - gTLD Registries constit.
Edmon Chung - gTLD Registries c.
Jon Bing - Nominating Committee appointee
Adrian Kinderis - Registrars c.
Greg Ruth - ISPCP
Tony Harris - ISPCP
Mawaki Chango - NCUC
Robin Gross - NCUC
Kristina Rosette - IPC
Cyril Chua - IPC
Alan Greenberg - ALAC Liaison

Observers:

Marilyn Cade - CBUC
Dirk Krischenowski - CBUC
Steve Metalitz - IPC
J.Scott Evans - IPC
David Maher - gTLD Registries c
Ray Fassett - gTLD Registries c

Ken Stubbs - gTLD Registries c

Jon Nevett - Registrar c.

Tim Ruiz - Registrar c.

Miriam Sapiro - President, Summit Strategies International

ICANN Staff

Olof Nordling - Manager, Policy Development Coordination

Liz Williams - Senior Policy Counselor

Karen Lentz - gTLD Registry Liaison

Glen de Saint Gery - GNSO Secretariat

Apologies:

Philip Sheppard - CBUC

Alistair Dixon - CBUC

Sophia Bekele - Nominating Committee appointee

Tom Keller - Registrar c.

Cary Karp - gTLD Registries c.

Ute Decker - IPC

Glen de Saint G ry: We've got yourself Avri Doria, Olof Nordling, Robin Gross, Jon Bing, Chuck Gomes, J. Scott Evans, an observer from the IPC, (Karen Lentz), (the staff). David Maher, an observer from the Registry constituency and the chair. Dirk Krischenowski, an observer from the Business constituency. Liz Williams, staff. Marilyn Cade, observer from the Business constituency. John Nevett, observer from the Registrar constituency, Miriam Shapiro, observer. Tim Ruiz, observer from the Registrar constituency.

Greg Ruth, ISP. Edmond Chung, Registry constituency. Ray Fasset, observer from the Registry constituency. Ken Stubbs, observer from the Registry constituency. Mawaki Chango, non-commercial. Alan Greenberg, ALAC liaison and Kristina Rosette, IPC. And Adrian Kinderis, Registrar.

Adrian Kinderis: You nearly forget me Glen.

Avri Doria: Thank you all for coming on. It sounds like we have every constituency represented plus ALAC and we don't have a GAC representative, but that's not unusual.

Okay. If there's anyone have a statement of interest that they wish to update at this point? If not and you do, please send it to the list when you have it.

Quickly, to review the agenda. The first (time) that I've got on there is I sent out a list of the status of recommendation. I'm not actually looking to go through each one, I would just like people to confirm to speak up if it contains inaccurate picture. Then, we'll go in to issue six, check the level of support, discuss wording, we've had some recommended changes in wording, some NCUC and I have them some other discussion.

Then, go to issue 20, check the level of support on that, discuss wording. I believe there's also been some suggested wording changes from NCUC and perhaps others on that. Then come back to issues we discussed, the various wordings, there was still a proposal, there's been some discussions. There's (unintelligible) counter which seems to

be getting some acceptance. So, come back to back and check where we are.

There's a review of the reserved names data. And then there's a discussion of next steps. And I sent out sort of a list of the things that I think are on the lists that still need to be completed for us to finish this part of the work. See if there's any additional agenda items for the next meeting and then confirm the schedule of the next meeting because at the moment we're in a conflict with the council meeting of the same day, different times, but when I check and see if that works for people and we'll come back to all of that.

One thing I wanted to mention about the agenda is that I added times to things and of course I'm already running over the time for the first item. But, hey, I'll try and catch up.

And on some of the recommendations, what I hope to do is to discuss them for a limited amount of time, gauge where we are, if we're not at a point yet where we think we've arrived at broad support for particular item. Then, ask a few people, basically those who are at variance on the wording plus some who are interested but aren't part of, I mean, are sort of in a neutral position to get together and spend the next week trying to hash it out off list and on list and then see if we can get to something for next week.

Coordinator: Excuse me, Ken Stubbs now joins.

Avri Doria: So, is that agenda - oh, and just one note, I put three after six and 20, because even though I put timing, we've spent a lot of time on three. And I wanted to make sure that we had at least started our work on six

and 20 before coming back to three. And while I'll try to keep up the timings, if I fail, I prefer for that to be last.

Does anyone have any issues with the agenda as presented? Okay, great. In which case, we can go on to item one which is review the status of the recommendations.

You'll notice that I put in, I have the current text, I've indicated a level of support. I've indicated which constituency might have concern but I have not done anything about the two non-com appointees in terms of our – do we have concerns or whatever. And then have listed a proposed change, changes on the discussion, notes on concerns in the final column, let's say after every meeting, I'll update that to reflect what people tell me is incorrect or correct and what comes out of the meeting.

So, does anyone want to be on the queue now to sort of discuss anything, to point out any issues, any (hours) that are in this at this point? So...

Liz Williams: Avri, just a point of clarification if you wouldn't mind.

Avri Doria: Sure. Anyone else want to be in other than Liz? I recognized her voice. Oh, yeah. And please, it's a recording. It'll be transcribed I believe, and so everyone's got to use their name a bunch.

Liz Williams: It's Liz speaking for the recording. Avri, I just wanted to double check with you – thank you very much for sending around that table because it's concurred with what I had thought about for the report. Is it the intention of the group to only – I think that what I could do is complete

the portion that relate to each of the things that have got broad agreement.

Because I want to get as many of the sections of the report completed to indicate text that says this has broad report, this is supported by the constituency, in fact, that – this is supported by consultations in Puerto Rico so I can finish our portion of the report. Is that what you want to do or do you want to do it differently?

Avri Doria: I think I'd be interested to hear if anyone disagrees. I think that finish off is slightly stronger. I think that in each meeting I'll be asking people to confirm this and just sort of reinforce that consent to us over time.

And I'm not precluding that someone could come out with another consideration. I'm hoping that's not the case. So I'd say, yes. Certainly, come as close to finalizing it as can be done before we've done a final consensus.

Liz Williams: Okay. I got that. Thank you. That's great. Thank you very much.

Avri Doria: Does that work for everybody else? Does anyone think that's not the way we should proceed on this? Okay.

Woman: Someone needs to oil their door. Okay.

Avri Doria: If that's okay with people, then we can move on to issue six. One last view on this table. As I said – okay. As I said, I'll go through – I'll put this table as item one on every agenda and people can, you know, correct it at any time that it looks like it needs correcting.

Okay. Issue six. Issue six, to remind everybody currently reads this must not be contrary to generally accepted legal norms relating to morality and public order. They are enforceable under generally accepted and internationally recognized principles of law.

Examples of such limitations that are internationally recognized include but are not limited to: restrictions dividing the power of convention, for the protection of industrial property, (parent), in particular, restrictions on the youth of some strings as trademark, close parent and the universal declaration of human right, open parent in particular limitations to freedom of speech rights.

Now, there's already been, as I understand it, an agreed change, the change freedom of speech right to freedom of expression. And Liz has indicated that that's already done in the draft that she's got.

Liz Williams: Yup. That's true.

Avri Doria: I've got basically this marked on the level of support as level you have to be checked. However, it did appear to be broad. I have one notation of a constituency that hasn't – doesn't support this as it stands and that's NCUC.

Is there any other constituency that has concerns with this and doesn't currently support it? And then after I check that level, then I'd like to go and discuss NCUC's concerns and any other constituency that may have concerns on it. But is there any other constituency that would like to raise concerns on this one at this point?

Okay. So, at the moment, I can indicate that there is broad concern but there is still is concern. NCUC (unintelligible)...

Marilyn Cade: Avri, it's Marilyn.

Avri Doria: Yes?

Marilyn Cade: I'm sorry. Can I just ask you to restate – you said, you could indicate their broad concerns that...

Avri Doria: No. It's not – that's broad support. Sorry, if I said broad concerns.

Marilyn Cade: Okay.

Avri Doria: I did.

Marilyn Cade: Okay.

Avri Doria: I tripped over my tongue. Thank you for correcting me - that there's broad level of support. NCUC has registered a concern and has some recommended changes or some wording changes they'd like to discuss if I understand correctly.

Robin Gross: Yes. This is Robin. Can I get in the queue for that?

Avri Doria: You're in the queue and that is there any one else want to go into queue now or wait until I ask or Robin has presented? Okay. Go ahead Robin.

Robin Gross: Sure. So we sent around a proposed modification of that. Mawaki sent it this morning. Basically, we're not proposing to change the substance of it. But basically, we wanted to believe towards morality and public order. These are the words that are not internationally agreed upon what they mean and that's what – these are the words that are causing a great deal of concern from the community.

However, lawful objections that are based upon those issues are still within the scope, so, of the proposal that we've sent around. And, so we've sent around a proposal that's basically strings might not be contrary to legal norms that are enforceable under generally accepted and internationally recognized principles of law.

Taking into account, the aforementioned when it (unintelligible).

Avri Doria: Can you read slower on (unintelligible). I can barely hear you. I don't know if others are having trouble.

Robin Gross: Okay. Strings must not be contrary to legal norms that are enforceable under generally accepted and internationally recognized principles of law. Taking into account, the aforementioned limitations, no application shall be rejected solely because the applicant or string is associated with an unpopular or controversial point of view.

So, our concern is basically we're taking out the word morality and public policy while those types of concerns that are validly legal or legally valid are still within the scope of this. We're concerned in particular also with the existing language because we thought we had agreed on the June 17 meeting to try to build some protections for

freedom of expression and to this recommendation. But the way it's currently drafted is to build a limitation to freedom of expression.

So, we instead got basically has opposite of what we've wanted when our principles from the – that was agreed upon in the June 17th meeting got transposed into an actual text reference (unintelligible).

Avri Doria: Okay. Thanks. So, if I understand there are really two main changes here. One was the change to replacement of morality on law and order with the legal norms that are enforced upon under generally accepted. And then the second was the addition of the phrase, taking into account, the FMA aforementioned limitations, no applications shall be rejected solely because the applicant or string is associated with an unpopular, controversial point of view.

Do you want those taken as a pair or would it be worth taking each of those changes individually into the discussion?

Robin Gross: I don't have a preference (this time). I guess, individually.

Avri Doria: Okay. I'd like to open the queue on...

Jon Bing: Jon Bing.

Avri Doria: ...specially the first one. Okay. Jon. Anyone else? Okay. Go ahead Jon.

Jon Bing: It seems to me that striking those – the reference to morality and public order makes the first sentence over – overly general. Because as it stands, it is limitation of which recognized principle of law can be

referred to by striking that reference. There will be (any) kind of the accepted, any internationally recognized principle of law that they can be taken into account.

So, that I guess is what will be rectified by the second modification. But that identifies – I'm sure of the total results of this.

Avri Doria: Well, I thought of that when we were drafting it. As if in fact, we were opening it up and it seems to me that I couldn't think of any other objections that wouldn't relate to morality or public order because public order and morality are actually rather broad. And so, those types of concerns would still be included. And I'm not sure what else would be invited.

Jon Bing: But like – just think about all the disputes about the territorial claims and so on.

Avri Doria: Well, it strikes me that those could fit under public or – that those would've already fit under public order.

Jon Bing: Not as I understand public order of the – with the reference to the...

Avri Doria: Okay. Again, this is our problem. It's then – these terms, public order and morality are not, do not have an internationally agreed meaning. And so, I'm – I think...

Jon Bing: Or is it the public – does in international law. And that is usually translated as public order to (unintelligible) in legal address.

Avri Doria: Anyone else want to get in the queue on this?

Chuck Gomes: (What) – Chuck would.

Avri Doria: Anyone else while I'm taking a queue? Okay, Chuck?

Chuck Gomes: Yeah. A question for Jon. Jon, are you saying then that public order and morality do have accepted definitions in international law?

Jon Bing: What I'm saying is that public order is usually the English translation of the public which is a certain type of (unintelligible) and doctrine in international (the conflict of laws).

Coordinator: Hello. Tony Harris joins.

Jon Bing: The – in the conflict of laws which justifies some exceptions to the general principles. It's much discussed on quite well understood but I'm quite agree with Robin that is also is a wide term.

Avri Doria: Jon, can I ask a question? Would morality normally sit under those – the public order criteria also?

Jon Bing: I am of the impression that public order is more mundane than morality but is certainly it's overlapped. Like for instance things which has to do with acceptance of double marriages for instance. That would both be a – the – accepting two wives. That would be an issue of public order but it's also, I'm sure (unintelligible) see if that's an issue of morality.

Avri Doria: All right. So there would be morality though that wasn't public order?

Jon Bing: Yup. That is certainly true.

Avri Doria: Okay. Thanks. I just want to clarify. Anyone want to speak on I guess that they, I guess my trying to delink the two was probably a bad idea, I guess. And one opens it up, someone closes it down. Does anyone want to speak on either of these?

Chuck Gomes: I want to talk about a different word Avri. This is Chuck.

Avri Doria: Sure. Please.

Chuck Gomes: But I don't know if now is the time or not.

Avri Doria: As long as it's on six and there's no one else in the queue...

Chuck Gomes: Okay.

Avri Doria: ...responding to this, yeah.

Chuck Gomes: Okay. Well, there's been a little of discussion on the word enforceable and I think (Mary Ann) suggested the word enforced. But I recall in San Juan that someone else, it wasn't me that raised the concern about the word and I don't think it matters whether – forced. Is that something that's measurable? Do we want the expert panel that would look at this to check to see if complaint similar to these have been enforced or can be enforced? Or do we want them to just look at the law?

It seems to me it complicates it if we are asking them to determine whether the recommendation – the complaint is enforceable or excuse me, the law that's being applied is enforceable or not. I – you don't really know whether it's enforceable until it's tested in courts. But the –

but again, I would like some clarification on that. If it is where we want to go then we need to make sure it's doable.

Jon Bing: It's Jon.

Avri Doria: Does anyone want to speak to that (unintelligible) queue in it. Jon.
Anyone else?

Mawaki Chango: Then Mawaki.

Avri Doria: Mawaki. Anyone else?

Robin Gross: Robin.

Avri Doria: Robin. Anyone else. Okay. Go ahead Jon.

Jon Bing: Well, the bit – there are two levels here, aren't there? There's the level of enforceable under international law and most treaties do not have and it closes which make – similar to the World Trade Organization which has a dispute resolution mechanism and with teeth in it. Most of them do own the (unintelligible) sort of gentleman's agreements level. So most accepted is national legal norms are not enforceable from the international level.

On the other hand, you have enforceable as for instance, patent or trademark infringement where one country will accept the decisions of another – of the country's courts. The best often will be a bilateral arrangement and perhaps that is not what we are thinking of. I – my own view is exactly what Chuck mentioned that to take enforceable in

the formal and literal sense will make it – make very, very few norms enforceable under international law.

It mainly would be those laws, those norms that could be enforced under the – their detail.

Avri Doria: Okay thanks, Mawaki.

Mawaki Chango: Yes, my understanding is that enforceable will be relevant here because what we are talking about principles of law internationally, that's recognized internationally. And sometime you have that situation (got filed out) to be enforced, you need the state or the government to buy and to accept, to produce softwares to enforce those law - those principles of law.

So at some time, you have treaties or principles that's agreed upon, that the state or the government does – don't necessarily follow-up and enforce it as it should be. So, the – I think it's more – it's better to keep it in that general meaning, saying that ICANN disposes would take those principles into account, well over the enforceable and enforce of course. But at least, those principles exist, they are agreed upon and the structures are there for them to be enforced.

Avri Doria: Okay. Robin?

Robin Gross: Yeah. Mawaki really just said what I was just going to say, is that I think it's important that we leave enforceable in there because if it isn't a principle that's enforceable, I'm not sure that it's appropriate for ICANN to be enforcing it on people. It's the only national government zoning for.

Jon Bing: Could I get back into the queue please.

Avri Doria: Jon, yeah. Hold on a sec.

Chuck Gomes: And Chuck too.

Avri Doria: And Chuck. Okay, Robin has you finished?

Robin Gross: Yeah.

Avri Doria: Okay, I wanted one question and it's good that Jon's coming after. Does having enforceable in there serve as a limitation on the morality and public order? And then I'd like to ask, you know, Robin and Mawaki whether that in some terms does serve as a counterbalance for them assuming on how Jon response. So that's the question. Jon?

Jon Bing: Yes, I think it serves as a limitation. I just wanted to offer an example. If you take the Bern Convention which is the basic copyright law all around the earth, the Bern Convention do not have annex sources which makes it internationally enforceable. And it does never been. The only enforceable part is the reference in the World Trade Organization Trips Agreement.

So that's the only way you can enforce any part of the Bern Convention. And I would be surprised if he did not include that type of principles in the – as a reference. And I just offered that as an example.

Avri Doria: Okay, thank you. Chuck.

Chuck Gomes: Yes, my – I think my primary concern is how would this be measured by a panel that was making a decision on this. Is it really possible to determine whether something's enforceable or not. Because if we're putting something in there that the panel cannot objectively look at and evaluate, then it doesn't work.

Avri Doria: Yeah. I am listening and perhaps this is more of a question than an answer, it sounds like that there are various ways. One is at least, I think – that I think I pulled from what Jon was saying that one, certainly it has never been enforceable in the past. If there are any of the treaties or conventions that indeed do have explicit enforcement measures, then they could look at it and say that is enforceable.

And please Jon or someone else, correct me if I'm wrong, take another queue on this. And also people addressed, please, the last edition issues that was also in there. The – taking into account the aforementioned limitations, no applications have we rejected solely because the applicants I think is associated with an unpopular controversial point of view.

And I'd be interested to hear especially some constituencies whether they're willing to see that phrase added to the current number six.

Taking his queue.

Mawaki Chango:Mawaki.

Robin Gross: I think I'm in the queue. Sorry.

Avri Doria: Oh who? Robin?

Robin Gross: Yeah.

Avri Doria: Oh I thought you already spoken. Okay, I got Robin, I got Mawaki,

Kristina Rosette: Avri, it's Kristina. Can you add me please?

Avri Doria: Sure. Kristina.

Tony Harris: Tony Harris.

Avri Doria: Tony Harris. Anyone else?

Okay, oh apologies Robin. I thought – apologies for missing you.

Robin Gross: That's okay. Yeah I just – picking up on Jon and Chuck's point, with Jon talking about the Bern Convention and the fact that National Exhaustion is dealt with differently in different countries, I think that's a really good example because some countries, for example a (raw) parallel importation of goods and other countries don't.

And so, the point we're trying to make is that it depends upon the country that you leave in and how is it enforced in the country that you live in. We wouldn't want principals that it's from another legal regime imposed upon an applicant who's in the regime that has different interpretation of the enforceability of that provision.

And so again, I think it's important that the enforceability word remain there because it really is what ties the – it's what ties the particular principle to the particular jurisdiction in which the applicant decides.

And so - also to address text questions about how would we measure that. Well I think we would measure that the same way we would measure the – our other concerns where we're going to have to evaluate different legal standards. We look at what the courts have decided in the past and that certainly is the most compelling if there isn't a decision on record that enforces a principle in a certain way, then I don't think that ICANN should on it's own enforce that principle upon an applicant who's country doesn't actually recognize that principle as enforceable there.

And so - I think that the, you know, looking at past decisions is the best way. Certainly, consulting with legal experts in that jurisdiction would be a secondary way. But again, I think the main way is looking at – is there a decision on record that would support that enforceability claim.

Jon Bing: Can I get back on the queue please. Jon Bing.

Avri Doria: Yeah Jon. Did you want to address that directly or did you want to get at the end of the queue.

Jon Bing: I'd wait for my turn.

Avri Doria: Okay great. Okay Mawaki. Robin you were done, correct?

Robin Gross: Yes.

Avri Doria: Okay thanks.

Mawaki Chango: Yes, to address your question whether enforceable will work here as limitation, logically yes. If those principles related to morality and public order are not enforceable, then there won't be a problem.

I mean, we won't have to be concerned with that. But the thing is, I don't really see the relevance of having reference to morality and public order related to gTLDs especially when you've (cope) of this with the recommendation 20 that say, will go to a public objection, public comment and public objection process. And if I'm not happy with the strings then, there's a problem with the strings.

So the thing is, I'm afraid that this is opening -- how do you say that -- it kind of worm that might open a kind of worm. And I don't see it really the added fellow of referring to morality and public order if those -- if the issues related to those principle we're not that (unintelligible) at the national level. So we have a provision saying that the strings and all this process. The applicants have to abide by the relevant to the situation.

And we don't - I don't see the necessity to single out public order and morality issues here. So that's the -- considering what I said about the recommendation 20. But we come back for the...

Avri Doria: Yeah, we'll come to 20 shortly. Okay thank you. Kristina.

Mawaki Chango: I'm not done, I'm not finished.

Avri Doria: Oh okay.

Mawaki Chango: To address Avri, Chucks questions about measurement, in my view that is simple. When the – when we talk about enforceable principles the question is - are there any mechanism, any entity, any authority, any structure in order to enforce those laws or those principle of laws.

Is there any – those principle of laws, do they have any provision for any, for some mechanics to follow up and monitor the enforcement. If there's none, then they are not enforceable. We want to go other way to setup one to do the job.

Avri Doria: Okay thank you.

Jon Bing: Yeah.

Avri Doria: Kristina.

Kristina Rosette: I was now to offer a clarification or possible clarification that I think might go some distant toward helping with this enforceability problem but I do think it does in affect open to get another kind of worm.

And that would be the basically modified the language. So that it would read strengths must not be contrary to legal norms that are enforceable under national law. And then have under generally accepted be replaced with either input, you know, pursuant to or in accordance with generally accepted and international recognized principles of law.

As a threshold matter, I don't know whether that provides the additional clarification that everybody thinks would be useful.

Second, I don't know to what extent you could have some of the legal norms for example that I think may have been in people's mind as we've been talking about this in the sense that for example just to see you, you know, kind of (dot not seek) and the provision in Germany...

Jon Bing: Mm-hm.

Kristina Rosette: ...on using that. I don't know and I have no idea frankly, whether or not that provision will be considered to be, you know, in accordance with the pursuant to generally accepted internationally recognized principles of law. I simply don't know.

The other problem with the modification although it does solve the issue of where is an enforceable, what body of law do you actually look to. Because in many – Jon is absolutely right.

In many cases these three are simply not self implementing. You need to have national legislation of the national level. But then you get into "who's law."

And frankly, I think we (line) totally on the applicant (co) is to limiting because it's - no applicant is going to apply for string that is unlawful on their own country. So you're essentially rendering the whole principle mode.

Avri Doria: Okay thank you. We've got Tony Harris and then Jon, and then I'm going to sort of call this issue for now and try to put together so that you can talk about it. But - Tony?

Tony Harris: Yeah. My point is not on enforceability but on the second part which talks about unpopular or controversial point of view. And defecting of no application shall be rejected solely because this has involved.

And I don't quite understand the rationale for putting this in. I mean it's - it would open the way for the example which was just given for (Dod Noche) to console because why would we be able to object to that? If we're saying you know, things kind to be turn down just because some popular or controversial. That's my question.

Avri Doria: Okay thank you. Jon, you have the last word for now and then I want to talk briefly about getting a couple of people to work together on this. But Jon?

Jon Bing: Yes thank you. I might comment form this (certainties) mainly all that legal and technical reasons, it's not because I have anything against the principle. I'd like to make that clear and I – to the large extent I'm sympathetic to this - to the second sentence.

But my point is that as Kristina was pointing or mentioning. There are probably no international recognized principle of law that are directly enforceable in my own jurisdiction.

It has to be converted in to national law before it can be enforced. And then the other question whether there are national lawyers in accordance with the international law, which will often consult, of course and this takes but tunnel than types to address.

And then you have the problem of applicable law which would sort of hide under the term of national law. That's in many cases that will be

extraterritorial application of the context law on the action which are considered.

Currently, I find the reference enforceable, it extremely difficult to cope with as a lawyer. I think you might self understand. And as Robin as well who would you interpreted, what would you - what's the protest could you make to say that this is enforceable. Could you have to identify the applicable law for the action in question?

And if you are identifying the applicable law, you have to do that with the basis in one jurisdiction and which jurisdiction do you pick and so on? I simply think it is a formally very, very difficult.

Avri Doria: Okay thanks. That's a good question. What I'd like to suggest now is a lot of good questions have been brought up. I don't think I've heard support for a change yet. I certainly heard discussion.

And I'd like to put together and we can either do that now or I can continue it after a sort of small group five to six people, no more than one from a constituency possibly going to seven if have all constituencies, plus someone from NomCom that will spend the next week sort of taking the issues that have come up here and then the others that come in and see if they can come up with a suggested set of changes for next week's meeting at which point, you know, we can talk about it again.

Now from the people that spoke, we had either Robin or Mawaki from NCUC in a matter which one of you.

Robin Gross: Well, actually I was going to ask if we could have two from NCUC since we're the ones that have the concern with the current language.

Avri Doria: I would prefer to keep it at one. Because otherwise the group starts to grow and, you know, I also think this has become to try to work crap. I do believe that if small group comes up with some suggested changes, they float them on the lists (unintelligible).

Man: Avri, can I join?

((Crosstalk))

Mawaki Chango: Mawaki here. I know.

Avri Doria: Someone - that was Mawaki and there was someone else that was wanted to come in.

Adrian Kinderis: Adrian.

Avri Doria: Adrian. Okay. And this is the comment on the setting up of the group, correct?

Adrian Kinderis: Yes it is.

Avri Doria: Okay. So - okay, first Mawaki. I think I heard you're trying to get in first, and then I heard Adrian.

Mawaki Chango: Yes. I've got a little problem with having one person per constituency. And in that case actually I will suggest that we'll be in data one from NCUC.

And if I may also, I will suggest that Kristina may join that group.

Avri Doria: Yeah. I had Kristina on my lists of people to ask, thank you.

Mawaki Chango: Okay.

Avri Doria: I check I had on my lists just before we go on, and so far I have the people who had been talking. I had Robin, except for NCC (unintelligible). I had Robin, Chuck, Jon, Kristina and Tony as my first pick.

Adrian, I had you on the list (unintelligible).

Adrian Kinderis: Yeah. I just, I'm a little needed it and I just had a question of I guess procedure. How close do we have to get to consensus before we can take this to a vital just or just to ground it? Because it sounds like there's a few - a small amount of paper to have an issue with this.

Avri Doria: Right, okay.

Adrian Kinderis: And ultimately it's going to go to a vote, my understanding.

Avri Doria: Right. I can explain.

Adrian Kinderis: So how close do we have to get, to got in this exactly road before we can decide, "Well, I'm sorry guys but I'm just not going to agree with you." And we just go forward.

Avri Doria: Yeah. I can explain. The basis that I'm using is at the moment we've already got broad consent. In order to - and I'm kind of using rules of rough consensus which means that if someone disagrees what the broad content is, what needs to happen is that there needs to be sort of a certainty that their issue has been completely explored that had attempt to basically express at it, to work at it.

And then we are to reach conclusion, you know, we either change what we've got broad consent on or we move on. As we've seemed with the discussion on three, it looks like things that's move some based on that discussion.

So what I'm proposing is that, and this is something that is not quite what we've done before but the time come to closure on this is that we have a discussion now on issues. As a small group of people who care about this to work variant, discuss it for a week, see if they can come up with any proposed changes. See if we can get the broad consensus to accept it. If we can't, as of the next week, then basically we have brought support on what we have brought support on. And then we have the ability for those who don't agree with it to comment in the report.

But I also want to make sure that the report, as we've got it has to include a good explanation of what all the issues were that were explored.

Chuck Gomes: Avri, could I – this is Chuck – could I just...

Avri Doria: Please.

Chuck Gomes: ...ask for a point of clarification. Would it - I think it would be okay and I'm asking for your direction on this. If it was an absorber from a constituency, rather it doesn't have to be...

Avri Doria: Yeah, yeah, yeah.

Chuck Gomes: ...constituency member correct?

Avri Doria: I think so. I think someone from a constituency is fine. I just basically only one and one person...

Chuck Gomes: Yeah.

Avri Doria: ...from a constituency otherwise we end with a big group.

Chuck Gomes: Thank you.

Adrian Kinderis: And Avri, just thank you for your clarification. I just thought – I mean I guess we know whether – with the light of the end tunnel is on this.

Avri Doria: Yeah, light at the end of the tunnel is basically and it's being done sort of between Chuck and I. If we can agree that – and we put it up to the group and have general agreement that yeah. It has been discussed, have been discussed terribly, you know, thoroughly. We think there's a general understanding of all the issues. And you know, that that's the best we can do.

Man: Yup. Thank you.

Liz Williams: Avri, it's Liz here, supplementary question.

Avri Doria: Yeah.

Liz Williams: Please, if you don't mind. Avri, we've been talking about in the background the preparation of issues reports. And I just wanted to make sure that everybody understood that it is perfectly feasible to submit a minority on any issue at any point which sets out all of the – which is a separate issue from half of the issue being completely explored which you just said. And what were the issues to identify all of the issues. And then the approach to those issues is separate for the general group is – may well be different from a group that might wish to put in a minority report...

Avri Doria: Right.

Liz Williams: ...as opposed to the different way forward.

Avri Doria: (Unintelligible).

Liz Williams: So, that minority report, if there is such a thing, would be included in (unintelligible) in the final report.

Avri Doria: Yup. And, yeah, that's the step after we basically said we've reached broad agreement and discussion as it stopped.

Liz Williams: Yup.

Avri Doria: Right.

Liz Williams: Because I just have to – I was just trying to (Unintelligible) light at the end of the tunnel question.

Avri Doria: Okay, so yeah. So, anyhow, I had a min – we've already run ten minutes over this topic but this is the first time we've done this so that's cool. I have Robin as my first choice and then if you guys want to suggest someone out, please do.

I had Robin, Chuck, Jon Bing, Kristina and Thony Harris as several who had contributed. I don't know if they want to commit someone else from their grouping. And for the constituencies that I haven't include, for example, there's no one from the registrar constituency, in as (stiff) as it need to be.

I mean, if for example, constituency to fly in either way, then maybe, you know, it's good that you go in as a neutral party. But I don't think it's necessary that we have one some each if you really don't care.

Man: Jonathan, were you saying you wanted to get it on refund?

(Jonathan): Either our agent or I will serve. I mean, if the agent doesn't want to, I will.

Avri Doria: Okay, you go ahead.

Man: You go ahead, (Jojo) our lawyer.

Avri Doria: Okay, so, and we can settle that up later, you know, after the meeting but okay. So, at this point, I'd like to move on to 20.

Liz Williams: Avri, I'm sorry, would you mind, this just double checking before you go to 20. This presumes that three is all right? Because you (unintelligible)...

Avri Doria: No, no, no. We have not come back to – I have three on the agenda after 20.

Liz Williams: Oh, I beg your pardon. I'm sorry.

Avri Doria: Basically, I wanted to make sure...

Liz Williams: Sorry, fine, fine.

Avri Doria: ...that if we run over, we got those things we hadn't talked about yet.

Liz Williams: Yup. Sorry about that.

Avri Doria: Okay. Twenty, an application will be rejected if it is the time and based on public comments or otherwise that if it's a substantial opposition to it from amongst significant established institutions of economic center or cultural or language community to which it is targeted or which it is intended to support.

Just to say, the level one in this have been – that would appears to be broad (NCUC) has broken a several concerns. Several wording changes had been considered. We went through I guess before the San Juan meeting, a whole set of wording changes that I haven't captured in this table. And basically, it never stabilized anywhere.

So, first of all, others in (NCUC) is the – is there any constituency that wants to basically register a concern or issue with this one at this point?

Okay, tripped over my tongue the level of support is brought at this point. However, there are (NCUC) concerns that need to be totally flushed out and discussed.

So, any off take therefore, Robin and Mawaki, would you like to start talking about your issues with this one? And then I'll take a queue for further discussion. And I know we've talked about at some already in the six but please.

Robin Gross: Yeah, our main concern with this one is that there's no limitation on the types of objections that we invite. Right now, it's an infinite type of objection that anyone can make. Anyone from the English language community can object to an English word that they don't like and on down the line.

And so, we feel like this has to be narrowed to accept types of objections. Infinite – an infinite type this isn't – just isn't going to work. That's going to basically swallow up all of our other attempts to narrow the kinds of objections that could be made.

And it potentially swallows up to the entire – the rest of the recommendation process by permitting sort of a peripheral objection to any word that your language – that's in your language or that you feel maybe it's an economic competitor. And you want to have access or you want to be the one to have registered that word. So, you can object and you can say, well I'm the real (that think) not you.

And so, we feel there has to be some kind of limitations. So, it is legitimate objections that could be made and not just any old objection as it currently staying.

Avri Doria: Okay, thank you.

Kristina Rosette: Avri, this Kristina, can I be on the queue?

Man: Hello?

Avri Doria: Kristina and then Mawaki.

Chuck Gomes: And Chuck.

Avri Doria: And Chuck, anyone else? Okay, I'd like to ask in that that people sort of bring up their issues certainly but try not to go in to long expounding on it. Please Kristina, you're first. You haven't spoken much. I just...

Kristina Rosette: Okay. Thanks.

Avri Doria: I just wanted to make sure that we didn't – yeah. But thanks...

Kristina Rosette: No, and just – and (in this some matter) I support recommendation 20. But what I'm hoping that we can maybe do is find some language that we could add to this that would satisfy the concern that Robin has.

And although I was not – I don't believe, initially involved in the drafting of this recommendation, it's my understanding that it's real emphasis is to essentially avoid a situation in which consumers and users would

believe falsely that there were some kind of association between, for example, the string and the significant institutions within that sector or for example, a string and a significant cultural institutions in that sector.

And just, you know, we've been using that bank as an example. It's my understanding that the whole idea there was to really avoid a situation in which consumers falsely believed for example, that, you know, the American Bankers Association and the IMS and this organization, and that organization were all supporting that bank when in fact they had no connection with it, that there was really no true association between those key institutions and the applicant.

And similarly, Marilyn, I'm going to steal your example, on the cultural side that for example, you know, I don't think anybody would want me running that Navaho just because I think it's a good business opportunity. I would think that frankly, you would have a situation in which that community, that recognized, you know, sovereign people would have the opportunity to say, hey, there's no association here between this applicant and us.

And to the extent that others will think that by virtue of the strength, there is an applied association or sponsorship or endorsement. We have an opportunity to challenge that.

And if that is a basis for objection that Robin and Mawaki and others are comfortable with, then maybe we can start from there to try and find language that captures that.

Mawaki Chango: Yeah, Mm-hm.

Avri Doria: Okay, thank you. Mawaki.

Mawaki Chango: Yes, a couple of points. First our fields don't really understand why. I mean, as someone can come up with a new string, you know, a string like the bank who has was not previously involved in the business. Maybe he hasn't been around long enough to build a support. But still are far relevant and inserting services to the bank industries.

So, I'm still struggling if that idea that's only not industrial representative. No matter how they got to be representative, we'll have the right to apply for a string and to do business so we've got string because it's supposedly to do honest business – honest and clean business without being deliberately (patently) industries.

Second, if we are talking about string perhaps for folks to address is basically community set of activities. Then I post a couple of questions as (you exit) go on the email list. We've talked – we are not talking about FTLDs, right? We are talking about gTLD in general.

So, are we going to evaluate a couple of the application of the string through the statement made by the applicants? Example, the applicants stepped in its application much earlier, that's – the intention is to service this community or this sector. Or are we going to evaluate that to assume that's based on the string it's – those things need to be clarified.

Avri Doria: Okay, thank you.

Anthony Harris: Can I get in queue? Thony Harris.

Avri Doria: Okay, I've got Chuck, I've got Thony Harris. I heard somebody else.

Robin Gross: Robin, can I get in the queue please.

Avri Doria: Robin, anyone else? Okay. Chuck.

Chuck Gomes: Okay, I hope I don't muddy the waters too much on this one. Let me say first of all I think that this was probably the most difficult one of all 20 or 21 to get the wording right. So, I have empathy there. But a very broad question I have is this that the community input – broad community input seems to be either important or not in this process.

There are going to be public comment periods. And one of the thoughts that's been running through my mind, do public comments matter, if not why do we have public comment periods? And it relates to this one as little some of the others.

If our process only factors in the dispute processes, where does public comment come into play? And this particular recommendation in particular seems to try to deal with that issue. And it's an easy one to craft, I don't believe.

But it seems to be that if there's going to be public comment that we need to consider a public comment in some way and this particularly recommendation at least in part, seems to deal with that.

Liz Williams: Avri, can I be into the queue please?

Avri Doria: Ah, Liz.

Liz Williams: When the queue is finished, Avri.

Avri Doria: Wait a sec I'll give you the last word on this queue and then we'll talk about how to proceed. Okay, so Chuck, you are done?

Chuck Gomes: I'm done.

Avri Doria: Okay, Thony.

Anthony Harris: Yes, mine's really quick. It goes a bit to what Mawaki was saying. I understand his concern about the level of playing field and people are not being this in franchise because maybe they're not the bank, the association – the world of banks.

But I would put this example in front of Mawaki which is we need to have some safeguards that we have which is something we've discussed in all the PDP as to how a contention issue is solved. And I think this goes to that.

Because if for example, as have been rumored there will be a presentation for a dot Africa string representing the region of Africa, this could be presented by a relevant group of stakeholders who've come together. They're people in Africa and different NGOs. And they've put together a good proposal. And then somebody with a lot of money could come along and say, well, I can provide services for dot Africa and look I have all this money and I can do all this advertising.

And so, I think basically, the question of demonstration of support even if we're not on a sponsored TLD playing field, is important. And having

a broad opportunity or broad scope of potential people who could come to the – come in and speak on this, may not be the worst idea.

Avri Doria: Okay, thank you. Robin.

Robin Gross: Yeah, I just wanted to suggest that a way we could narrow this that would certainly address our concern would be if we could limit it to a lawful objections. I'm very sympathetic to the concern. And I absolutely understand we don't want people to go around pretending to be something that they are not and misrepresenting the public about what they're trying to do and who they in fact are.

And so, there's a variety of laws in existence on the book that deal with this, trademark laws, unfair competition laws, misrepresentation, fraud, all of these things are legal remedies that would be available in those circumstances. So, if we can narrow this to technical or lawful objections, that would remove a lot of our concern.

Man: Mm-hm.

Avri Doria: Okay, thank you. Liz, you got the last word for the moment.

Liz Williams: Yes, thanks Avri. I just wanted to just ask the community to look again at some mixture of existing recommendations and look at recommendations 12 if you have Avri's chart in front of you. And for those of you who don't, I'll just read it quickly.

It says, dispute resolution and challenge process – processes which is what's being dealt within section 20, must be established prior to study application process. I wonder if to help us get through this, whether

would be helpful for that recommendation to stand, but then some more works to be done on standing and on establishment of standing for objections, there's three things.

One is the purpose of public comments. And that is being handled by Greg in a number of areas in the implementation plan. And that's on that very long chart that we (one) had in Puerto Rico.

Secondly, if you wanted to – if we could, we might go to come back and say with respect to 12 and all the other recommendations of the package, we could do some more work around the objection process. Because it seems to me, that's what you're – that's what we're struggling with, about how that would be established.

And I hear Robin's point about lawful objections. We could perhaps do some more work on that. Because, from my side, we're going to have significant problems in the implementation side with determining what substantial means, what significant means, what established means and what council or language community, how you balance competing cultural languages and economic speak the concerns. So, from an implementation point, and I'm – Greg is away on leave this week. So, I'm doing two jobs at the minute with the implementation guides.

The substantial, significant established and the variety of communities present significant test for the implementation term in terms of how they would actually apply this recommendation as it stands.

And just a suggestion for moving it forward would be to read 12 again. And then think about some implementation guidelines that could be linked with 12 and that distant suggestion to see if that can capture

some of the concerns here which removes some of the subjectivity which is included in the existing 20.

Avri Doria: Okay, thanks.

Man: (Unintelligible) in the queue please.

Avri Doria: Actually, I was going to cut the queue on this one at this point. And sort of go into, you know, about how we continue working on this so that we – I don't think we're actually going to solve this in the next couple of minute. And I'd like to make sure that, you know, there's a set of proposal.

So, again, I'd like to put together a small group of people. It may even be the same group of people that we're working on the other one. But it might also be good for to be a different group. Although, many of the same people spoke.

Man: Avri, could I make a suggestion on that regard?

Avri Doria: Please.

Man: I really like your ladder suggestion much better because we're only talking about a week. And...

Avri Doria: So, a different group of people.

Man: Yeah because the extent we can, we don't have to be rigid on it. But if we can get different people in each subgroup, I think we have a better chance of making some progress. And hopefully, we can do that.

Avri Doria: Okay. Great!

Mawaki Chango: Avri, it's (Mawaki). Can I just make two remarks for the record now that I intend to resolve this recommendation issue?

Avri Doria: Are these things that haven't been said before, because I really did want to cut it, so, if it's something that hasn't already been said by someone else along the way.

Mawaki Chango: Yes, it is.

Avri Doria: Okay, very briefly please.

Mawaki Chango: Yeah, okay, thoughtfully addressing what Liz has said, I do think that might be a difference between – that might be a difference between (unintelligible) TLDs and economic sector of activities see I've pulled to TLDs. And I do think if the board – if during the public comments, the board who see if that session that an application is really disruptive for a sector of activities, we don't need necessarily to have a policy recommendation for that. I think that will increment the abort on the application.

And second remark about what - following up on what Thony has said. I do – that there's a difference that this was not reflected here yet. But my personal section is that there's a difference between community related TLDs or identity TLDs and sectoral activity related TLDs who is commonly (unfledged) but that is a common word. So, anyone I think, can step in and apply...

Avri Doria: Okay.

Mawaki Chango:...for that and do a nice job with that.

Avri Doria: Yeah, that was the appointment or – okay, thank you.

Mawaki Chango:Okay, yeah.

Avri Doria: Okay. So, getting back to trying to put this together, so how do we want to go about it to people who want to volunteer now who aren't already – because it was, you know, Kristin. Also one of the suppressions I had was that now there is still broad support that continued to be broad support for the current text.

There is some willingness to consider rewording to take some of the other considerations into account. So, I'm hoping the group can, you know, look at that, look at perhaps some of the suggestions that Liz made, look at perhaps whether there's a solution in terms of creating another implementation guidelines or something like that.

Do I have any volunteers for this, as, other than Kristina, Robin, Chuck and Thony, who were the people that spoke and Mawaki but aren't – but are also wants – any volunteers at the moment?

Woman: Avri, just a quick question, I – not a quick question, a quick statement. I'll help both groups and is it intended that the groups would meet – the little group would meet on a little special conference call next week?

Avri Doria: I think that's totally up to the little group whether they can do it by email or they want to have a call. I think that's totally group specific. And if

they want to have a call and you all can provide them with the facilities to do it that works for me. (unintelligible)...

Woman: All I'm saying is that it's easy for me to do whatever the group wants.

Avri Doria: Okay.

Woman: I'm suggesting that perhaps that it might be easier to do on a call (by via) email trading.

Avri Doria: Yeah, well, I wouldn't - I would hope that there would be some email trading...

Woman: Yes.

Avri Doria: ...before the call because otherwise the call leaves us right where we are now.

Woman: Okay, whatever the group wants to do, I'll (unintelligible).

Avri Doria: But, just to say, it's up to the group to figure out how it wants to do it. I don't corner.

Woman: (Unintelligible)...

J. Scott Evans: Avri.

Avri Doria: Yeah?

J. Scott Evans: This is J. Scott Evans. I volunteer for that...

Avri Doria: Okay, thank you.

Mawaki Chango: And Mawaki also volunteer.

Avri Doria: Okay, Mawaki.

Robin Gross: I Volunteer.

Avri Doria: I didn't – who was that?

Robin Gross: Robin.

Avri Doria: You already got Mawaki. I'm trying to keep it to one per constituency and you're on the other. And Mawaki volunteered for this one, if that's okay. Just to say these things will come back on the list. We'll all get us the chance to discuss them. And hopefully, the people participating will consult with others in that constituency.

Okay, so I only have two constituencies at the moment.

Man: Avri, I'm trying to – I've been – David Maher, are you willing to participate on one of these or even the one I'm already on and switch it?

David Maher: Sure. Either way you want to do it.

Man: Which one would you prefer it David, do you care?

David Maher: I think probably the first one.

Man: You want to do number six?

David Maher: Okay then, switch me to number 20 unless somebody else from the registries wants to do that one.

I don't have to be them. But so, put David on number six instead of me. And of right now, put me on (unintelligible)...

Avri Doria: Okay, sure. And focus into substitutions. But there's probably not that much time because a week is short.

Man: Yeah that's why we need to do it now.

Avri Doria: Right.

Man: Yeah.

Avri Doria: Okay, anyone else just to say I don't someone from every constituency? Thony, you were on the other one. Did you want to do both? Should you want to find someone?

Anthony Harris: Well, actually, if it's not a problem, perhaps and since I'm following this (unintelligible) than other people in my constituency. You can put me on both...

Avri Doria: No problem.

Anthony Harris: ...if that's acceptable.

Avri Doria: It's no problem for me if you've got (it or not).

Anthony Harris: Okay.

Avri Doria: Anyone else or people can let me know later for example from registrars. I know who had said, one of you would take one or the other. So perhaps the other one will take this one versus John and Adrian, I mean, registrar, tipping off of my tongue again.

Man: Yeah, I'm just looking at it now. I think we can maybe watch from afar on this one.

Avri Doria: Okay. That's fine.

Man: I'll see what comes back to the table.

Avri Doria: Okay. Great! So if – at the moment I've got J. Scott, Mawaki, Chuck and Thony Harris, if anyone else wants to be a part of it, please let me know.

Woman: (Unintelligible) you're already on another...

Avri Doria: Excuse me?

Woman: Can – if we want to be part of it, can we even if we run on the other group?

Avri Doria: Yes, but I'm trying to keep it to one person per constituency.

Man: And Avri, one more point in that regard. One of the advantages of having different people, and like I said I don't think we need to be too rigid, but scheduling also becomes a problem the more duplication you have.

Avri Doria: Yup.

Man: So, we just need people if they're going be on more than one to try and be as flexible as possible so that doesn't (mean)...

Avri Doria: Yup.

Man: ...impossible the schedule a meeting if it's needed.

Avri Doria: Yup, no I understand.

Mawaki Chango: And I do – can I add that's our have – will be the sharing my discussion or the information about a discussion with my fellow constituencies.

Avri Doria: Yeah. I understand you both want to be on boat. So, please share. Okay, if more people want to get involved, please send an email to the list and do it. And if it doesn't work, you know, to have just one in the future ones we can do it. But I really want to keep it small.

Coming to issue three, issue three, let me get that. Okay, we've had a lot of discussion. It currently read strings, must not infringe the existing legal rights of others that are recognized or enforceable under generally accepted and internationally recognized principle of law.

Examples of this legal rights that are internationally recognized, include but are not limited to, like defining the Paris conventions for the protection of industrial property in particular, trademark, right and (properties).

The universe with declaration of human right and the international covenant on civil and political rights, for instance and apparent, in particular freedom of speech right. Now, that has also been changed in the working draft that Liz have freedom of speech to freedom of expression since your good team to be void consensus for that change.

The level of support on this has been indicated to be broad. And if we have mentioned several concerns, these were discusses at lunch in our last meeting, possible edits were under discussion. We must group several different suggestions. The last suggestion that's being discussed on the list after various we write did not gain broad support was a suggestion to leave three with the current text. And to add a principle that said the string evaluation process must not infringe the applicant's freedom of expression right. They're enforceable under internationally recognized principles of law.

From what I understood, (Philips) on BC would finally says it was accepted, I mean, it was suggested by (Bruce). And I understood that Robin from NCUC would find us with the suggestion. So like I said, I'd like to start and take a queue from this point to see if we can develop sort of a broad support for this solution which is leave three as it is and out of principle. And I'd like to take a queue on that.

Mawaki Chango:Mawaki.

Avri Doria: Mawaki, anyone else in the queue?

Mawaki Chango: Avri, just one clarification. Didn't – I thought (Bruce) changed the wording a little bit in the current recommendation.

Avri Doria: He (di)...

Mawaki Chango: I thought he did but I don't have it right in front of me.

Avri Doria: Okay. Well, while we're talking, I will see if I can find anything, any changes and if it is, I'll bring it up.

Mawaki Chango: I'll tell you if you want.

Avri Doria: Huh?

Mawaki Chango: I said, I would tell you if you want.

Avri Doria: Oh, if you know, please do.

Mawaki Chango: Yes.

Avri Doria: Sort of.

Mawaki Chango: I've been wondering if the string evaluation process must not infringe this applicant's freedom of expression rights, but are protected, that's the word that is changed. Put that instead of...

Avri Doria: Oh, enforceable.

Mawaki Chango: Enforceable on that international recognized principle as well.

Avri Doria: Okay, thank you for that modification.

Mawaki Chango: You're welcome.

Avri Doria: Okay. So, anyone else want to be in the queue? And I've still queue, Mawaki. I don't – I didn't take that as your...

Mawaki Chango: Okay.

Avri Doria: But while I...

Kristina Rosette: Avri.

Avri Doria: Yes?

Kristina Rosette: This is Kristina. I just have a clarification question. Do principle trump recommendations?

Liz Williams: Not a – sorry, Avri if you don't mind, I can answer that.

Avri Doria: Okay.

Liz Williams: Please. Kristina, in the establishment of principles, it was things that we generally agreed where a good waiter proceed and that they will be reflected in the recommendation. So, the principles are really important. And as they stand now, they incorporate many, many, many different things from ICANN's mission core values, from the

committee's point of view, from the GAAP sets of principles, from technical principles about good practice.

So, there are m lange of all kinds of different things that are just the way we'll do things. And it's not a case of trumping or not trumping or one being better than the other. I think the distinction lies between – and this has happened a couple of times, where agreement was not able to sort amongst all of the group. A recommend – a proposed recommendation could become an implementation guideline to provide guidance for the staff in the implementation rather than it being a series of trumping or not trumping.

Kristina Rosette: Let me ask the question more pointedly. To the extent that a recommendation could be deemed to conflict with the principle, what happens?

Liz Williams: That just causes heaps of problems for the implement to you to actually unravel what the basic thing to do it.

Kristina Rosette: Okay.

Liz Williams: And frankly, Kristina, the choice then becomes – within the board report, we resave it information, we balance it, we put it into an implementation plan, we see if it's possible to increment it. We present that information to the board. And the board says, we accept your advice that we done it. We want to write this way or that way.

Kristina Rosette: Okay, thanks.

Avri Doria: Okay, thanks. Mawaki, why don't you go ahead and let us see who else we have in the queue.

Mawaki Chango: Yes, first normally, my recommendation that we shouldn't be having a recommendation that's contradict to principle. (Unintelligible) (reaction) that's, (unintelligible) right now. My point – my initial point was yes, this recommendation – initial recommendation three actually, in a way, in the substance wise, if the – is just one because, actually, we all agree on this recommendation - on the substance of this recommendation.

The only problem that remain was a logical problem saying that the string by itself cannot conflicting, infringe freedom of expression. So, we are trying to fix that logical problem. So, normally, this one really has a broad consensus of this approach.

The only thing is what's the (unintelligible). And now, we agree not only a little been but I think the constituency agree if it can be resolved by separating first the two access of the initial recommendation is just as the principle. Thank you.

Avri Doria: Okay, thanks. Anyone else would like to speak on that.

Man: Avri, not so much on the topic. But if nobody else has have discussion on it, one approach we might – it looks like we maybe close to some agreement on this. And we maybe able to continue this one on the list in the next week and get it finished.

Avri Doria: Okay, yeah. I'd like to do that but I'd actually like to find out at the moment sort of take a gauge on what degree of support we have for

adding the principle itself and see if we can spend a few minutes getting that.

So, I assume that if NCUC is fine with leaving three if it is, we won't need to discuss that. But of course, they're being fine with that has had to do with the principle. Is there anyone from the constituencies at this point that is unwilling to see this principle added or that still maintains reservations or concerns about it?

If not, then, I mean, obviously, it stays on the list and next week I think I'll add principle to the table there so that when I ask are there any clarifications or issues, it's included in the thing I'm asking issues about.

But if there's no objection at this point, I will add it to the list of principles that we've got and then we can come back to it next time to see whether in discussions with the constituencies or discussions on the list, we developed it.

So, I would put it down as sort of tentatively broad with no one having voiced concerns yet. Does anyone object to my taking of that approach to this?

Man: And Avri, as to check again, a suggestion. If I'd helpful for everybody participating on the list, if you send out an email on this one specifically, restating...

Avri Doria: But...

Man: ...what we're looking at.

Avri Doria: Yup, that's a good idea. Thank you. And either or I could do that. Yes.

Man: Okay.

Man: Excuse me, I didn't hear that list stating what?

Avri Doria: What basically that I've just sort of stated is what I'm doing about this about putting it in the principle about it being tentatively broad, no one at this point having mentioned their concerns and just restating what we're doing.

Man: And restating groups as recommendations.

Avri Doria: So that's clear – (so that it appears to go mailed wall) and...

Man: And restating (Bruce's) recommendation, right?

Avri Doria: Yes.

Man: Yup.

Avri Doria: And then having people that have issues with this see it there. So, basically, taking a sort of, you know, how we move towards the consensus process...

Wow that was loud.

Everyone still there.

Man: Yup.

Man: Yeah.

Avri Doria: Okay, good.

Man: You made (mail wall) thing kind of move towards this process.

Avri Doria: Right.

Man: God spoke.

Avri Doria: Or the devil whichever.

Man: Well, it depends on your perspective, Avri.

Avri Doria: Yes. So, and basically - so basically, stating that, you know, I think that we're moving towards it and getting people a chance to feedback on that other than just the one statement. Does anyone, you know, object now? So, if that's the case then I'll move on.

Woman: Avri, you're going to send that the list.

Avri Doria: I will send that to the list later today...

Woman: Thank you, thank you.

Avri Doria: And I will update my chart to reflect that.

Woman: Thank you.

Avri Doria: In which case do we move on to review reserved name status we spent quite a bit of time talking about it a week ago, sorry, I mean last Thursday. Say, it's Thursday. So, I basically – Chuck put out a table sort of showing where we are. And I'd like to basically let Chuck sort of – basically ask if there are any issues with what he's expressed there. Does it reflect the people on this call, understanding, do people want to bring up any additional issues that need to be thought about at this point.

And chuck, if you'll sort of, I mean, I'll keep the queue but if you would like to...

Chuck Gomes: Sure.

Chuck Gomes: ...sort of deal with the discussion. So, does everyone received it? I – should have. So, anyone have any discussions? Is it fine everyone?

Man: Mm-hm.

Mawaki Chango: Can Chuck – Mawaki here – can Chuck or someone update us about the pending issues with that report, please.

Chuck Gomes: Sure. I'll do it very quickly because I had hoped that everybody review it. I know it's pretty easy to review because the information was highlighted that needed to be reviewed.

Item – recommendation to, there's a sample little which was top level IDNs that we – and I think we just need a validation by IDN experts

and then inserting a document reference in the new wordings that one was changed. And Liz, is staff taking care of both of those?

Liz Williams: Yup.

Chuck Gomes: Okay, going on then, and I'll just go over the ones where there's something still needed to be done. Recommendation three which was second and third level for IDNs we need the same thing, the document reference and IDN experts. So Liz has already staff is working on that one.

Symbol's needs was going to be rewritten by (Kari) and that's recommendations for probably be good – probably give me an action item on that. And I'll follow up with (Kari) on that, Avri.

Avri Doria: Okay.

Chuck Gomes: To make sure that that happens.

The next one is recommendation five single and two character IDNs. Several people volunteered in San Juan to provide examples, art share included. If you would sent those of you that did that – if you'd send those to Liz so that we can add those examples, that would be good. And I think that's all that's needed on that one.

Skipping the recommendation seven, which was single letters and digits at the second level, okay. This is a contractual issue then. I'm not – I put a question mark on that one. I'm not sure where we're at as a committee in that. We changed it to – in the future gTLDs who

recommend that single letters and single digits be available at the second and third level of applicable.

And then there is the issue that we talked about in San Juan was well it shouldn't happen at the same time for existing TLDs and new or does it matter. So, I'm a little vague in where we exactly were in terms of that one and what needs to be done.

Liz did point out on the council meeting in San Juan that staff is apparently doing some work on this particular one or maybe Liz can add some clarity here.

Liz Williams: Yes, Chuck. Anything to do with the contractual condition is part of it for the staff at the second and third level needs to be handled within. And of course, the basic contract is being reviewed, and reviewed and reviewed as we get closer to completion of the recommendations. So, that's an ongoing piece of this.

Chuck Gomes: Okay, and what about for existing TLDs that you had indicated at staff...

Liz Williams: Yes, that was the piece that was curved up by (Kurt) I mean, I said this a couple of times at the meeting that that has been curved out as a separate implementation issue for the services group. So, and they will come back separately from this process about what is essentially an allocation method for the existing TLDs.

Chuck Gomes: Thank you. Okay, now, then moving on, skipping all the way down to recommendation 20, geographic and geopolitical names and several of them related to those. I think those are all, I think being worked by us

all in this committee with regard to the recommendations that we're working on and the same thing for the controversial name's recommendations which were the last several ones.

That's a quick summary. Everything else, as far as I understand it and they reserved name working group recommendations are done.

Avri Doria: Okay. So my first question is does anyone disagree with that that...?

Mawaki Chango: Mawaki have – I have...

Avri Doria: You have a question?

Mawaki Chango: Yup.

Avri Doria: Okay, anyone else in terms of talking about the actually report itself?
Okay, Mawaki.

Mawaki Chango: Yes, from what list does said – so, are we expecting seeing some inputs from the staff especially from (Dan) about a single letter second level domain name for new gTLDs?

Liz Williams: Yes, Mawaki. And the context solved this for the preparation of the basic contracts. But I'll take (Dan). He's not on the call at the moment. But I will just – I think that he's on vacation this week like many in the NGO are off. So, I'll just double check with him later today.

Mawaki Chango: Are you talking all the above preparation of the best contract of the allocation framework that we kind of mentioned quickly in the...

Liz Williams: Sorry, in the allocation framework is the separate piece of work, to discuss that relates to new TLDs. The allocation framework for existing registry operations – for single legislation level names is a separate piece of work that (Kurt) will handle and his bunch.

Avri Doria: And it's not really directly part of this...

Liz Williams: Nope.

Avri Doria: ...committees, although...

Mawaki Chango: But that was been why you say allocation framework for existing registries.

Woman: Because we're talking about new TLDs.

Woman: Right.

Mawaki Chango: Yes.

Woman: In part of this meeting. This is a piece of work that was done that combined existing and new, the pieces that relate to existing registry operations will now be curved out as an implementation exercise to develop an appropriate allocation framework. So nothing more needs to be done. (Unintelligible)...

((Crosstalk))

Woman: ...to the group.

Avri Doria: Yeah, if I can comment on that. Nothing needs to be done in this committee if the council members, I think I've stocked an item on the council meeting agenda that we need to figure out what, you know, what if any of the counsel needs to do on a policy respect to those recommendations and that on next weeks council agenda.

Mawaki Chango: Okay, that's what I recall. My understanding was that the council will need to talk further about...

Avri Doria: Yup. And that's on the council agenda for next week. But it's not on this committee's agenda.

Mawaki Chango: While we are talking about, there was no memory (unintelligible)?

Avri Doria: No. Actually – okay, that was probably my fault for not being specific. We're talking about the reserved name report in respect to new gTLDs.

Mawaki Chango: Okay.

Avri Doria: And at next week's council meeting we'll talk about the reserved name report in respect to existing TLDs.

Mawaki Chango: Okay.

Avri Doria: Okay, thanks. It was at my fault for not being very clear and just relying on context. Would anyone else like to comment on this at this point.

Man: One correction, Avri, I note in a little table I sent around it on recommendation's five on single and two character IDNs at all levels I failed to put at least the error (big) example...

Avri Doria: Oh, okay yeah.

Man: ...and so just note that. And I think...

Avri Doria: That's probably could you didn't get the examples from those of us that are of good examples, so you didn't look at it.

Man: Well, you have left it left clarified who owns and want it. I think Edmond, you were going to provide another one too. Weren't you?

Edmond Chan: (See – I've been) all these typing at (unintelligible) and sending those over.

Man: Okay, and was there someone else who was going to provide one?

Avri Doria: I thought I was going to give a (props of Hebrew one) but...

Man: Yeah, you were. No, no...

Avri Doria: Yup.

Man: ...I mentioned that I have that little subtle reference to the chairman earlier.

Avri Doria: Yeah, yeah. I heard that. I was (unintelligible) that I had to bring it up myself.

Man: Okay, good.

Avri Doria: Okay, I think it was just the two of us that don't remember.

Man: That's fine.

Avri Doria: Maybe (Kari) had some others I don't remember.

Man: Okay.

Avri Doria: Any other issue on this at the moment before moving on? Okay. In which case then – let me go back to the agenda, see where we are – next step, correct?

Man: Yes.

Man: Yup.

Woman: Yup.

Avri Doria: Okay. So now, I sent out a not unless I just sent it out last night I've just got ready today of pending action list for the new gTLD committee. And I'm going to try and keep this. And let me explain what I've got here. Basically, I have a description of the overall activity. For example, resolved recommendation three.

Then I have the date that it was added to the list at this point. I vote mostly went on things that were discussed at the meeting. I've put them on the meeting date on things that came up in discussions either with Chuck or staff on the list. Since then, I sort of try to pick a date that was when I added it to the list.

The date due is when we need to finish the whole – the whole basically need to resolve our recommendation’s target date is July 12, the next meeting. Who holds the token at the moment, it is the committee. But after this, I will add and then the next pending action.

Woman: Could you please – could you just tell us what you mean by who holds the token?

Avri Doria: In other words – in some cases for example, it might be something that Liz have to do or something that I have to do. Or is it up to the committee as a whole to deal with it.

Woman: Okay.

Avri Doria: So, it's basically where the next pending action, who's responsible for it.

Woman: Exactly.

Avri Doria: So, for example, if I was to look at this now and sort of say, on recommendation six and 20 – oh I should look at 19th, resolve 19 now, that was listed as an open issue. There has been some discussion between registry and registrars that they're talking about it. And that they'll basically give us some feedback.

So, as opposed to saying that the issue was already in the committee’s lap, it was basically saying before the committee actually reviews it again, and we need to get the feedback from registries and registrars. So, that token at the moment is in the registry and registrar can.

Next week, hopefully, we'll get to – we'll have that by next week and then we can talk about it in the committee. So, I would hopefully be able to put it on the agenda for next week. And this basically sort of to try and track where we were – where we are.

So, on the first column are sort of a large thing and then the last column is what's the next step to resolution of that.

Woman: Could I just make a request that I found this page particularly confusing because it was like sometimes a year was at the beginning of the date. And sometimes the year was at the end of the date.

Avri Doria: The year's always at the beginning.

Man: Avri, a simple way to deal with that maybe is to put (unintelligible)...

Avri Doria: Sell out the month.

Man: Put the month – yeah exactly.

Woman: Ah, yeah.

Man: It's that three digits. Three (unintelligible)...

Avri Doria: Okay, yeah. No, I'll do that certainly. I've put the dates in a way I always do them and then - yeah. So, now I'll put the – but yeah. The year is always at the front. It's (worked) this year that way and I'll bigger one of this.

Woman: Except where it's been updated.

Woman: Top, top, top, at the top. But that's okay. I get it now. It was just I saw a different...

Avri Doria: Oh, yeah. Now, that's – that's only a mistake in my formatting that I didn't pick the right format for automatic re-updating the date. So sorry, I will fix that. I'll fix that also in the ones with the council.

So, basically looking at this, so, we have resolved recommendation three and we had a discussion at today's meeting. And I'll update it to say that the next action is basically a report from these working groups at the next meeting and then we talk about it some more.

That same for six. For 19, looking for feedback. For 20, it is also a discussion. Oh, actually no. For three is my sending out a note at the moment and then checking next week to see whether the board support holds. I misspoke for three.

For six, it's the small group. For 19, we're waiting for registries and registrars to give us some feedback on the issue. For 20, we've got the small group. We discussed open implementation issues at the moment. We had an extensive discussion on that in San Juan. And I've basically asked Liz and (Dan). I actually asked Liz and put Liz and (Dan's) name here.

To give us an update on that, for the next meeting so that we can discuss that further in that agenda. Initial impact statement with the registrar having deliver theirs is all done. I believe that's correct.

Woman: Yup.

Avri Doria: There will be an opportunity based on any changes that get made in recommendation or requirement or implementation guidelines for any constituency to update their impact statement if necessary. I've got that down as the 19th. I'm not sure that that's the right date. But think that Liz would have to tell me if that's the right date or whether it can wait a week longer.

Man: Avri...

Woman: Avri, just on that one I'd prefer it didn't.

Avri Doria: You'd prefer it didn't.

Woman: I'd prefer it didn't just because I'm trying to close off as much of the report as possible remembering that we've got very tied internal deadlines to resolve things to resolve things in a shifting target on the report. It's really hard for us to deal with.

Avri Doria: Okay. Chuck you wanted to comment on that?

Chuck Gomes: Yeah, on the update of impact statements. I think – and we seem to be doing this but it maybe a mood point. But let's make sure we keep the recommendation numbers the same so that – when constituencies update their impact statements, we haven't got new numbers that kind of invalidate the old impact state.

Woman: Yeah, Chuck I won't make any amendments to that.

Chuck Gomes: Yup, good.

Avri Doria: Yup. I'm sort of assuming that all the way through.

Chuck Gomes: Yeah, it looks like that's what happening. I just want to clarify that...

Avri Doria: Yup, okay good.

Chuck Gomes: ...that way it simplifies it.

Avri Doria: Okay, for report from working group dealing with reference implementation of RPMs of the right protection mechanisms. Our group has been built. I've put Kristina's name in there as holding the token in relation to this particular group. Kristina, tell me if that's not right. That's why I also put a question mark because I hadn't had a chance to talk to when stock (unintelligible).

Kristina Rosette: I am very much hoping that I can pass that token to one of the other volunteers. But I'll be in a better position to tell you that next Tuesday.

Avri Doria: Okay, so at the moment, you hold the token and...

Kristina Rosette: For now.

Avri Doria: ...then tell me someone else has it.

Kristina Rosette: Absolutely.

Avri Doria: Okay. So, are basically the group has been informed. I understand there's a mailing list. In fact, you know, that that was – it was sent out.

Just so, the mailing list knows, I'm on it following the conversations but I won't be participating actively in the group.

So, they need to start discussions and I am asking that the group sort of give a brief update on a weekly basis. And I stuck a target date on of the end of the month. The group needs to come back and say whether that's livable.

That certainly gives you us the ability to have that reference implementation in the hand when we as the committee decide to pass on the recommendations of the council, allows the council to have it in hand when it makes it – when votes on passing on the recommendation to the community and the board.

Kristina Rosette: Avri.

Avri Doria: Yeah?

Kristina Rosette: We – I'm really rendered speechless. We had talked about within a kind of Mike and Liz and I and some of the other volunteers. We were really expecting to be able to go until the very end. I mean we basically are using...

Avri Doria: (The various support).

Kristina Rosette: ...October 15 as our deadline.

Avri Doria: October 15?

Kristina Rosette: Yeah.

Liz Williams: Avri, I can clarify there.

Avri Doria: If you wish.

Liz Williams: Yeah.

Avri Doria: Go ahead, sure.

Liz Williams: Yes. Kristina is exactly right. There is no – the two pieces of work are being decoupled. I double checked that with Greg in terms of the implement plan. And Kristina and the rights protection mechanism middle Ad hoc group, do indeed have that time because that materials that I will develop will be in (servicing) to the implementation plan as of when it's just developed. So, there's no necessity for it to come back.

Kristina Rosette: Okay.

Liz Williams: And there's no necessity for it to be of critical part piece of work for the policy though.

Avri Doria: Okay, I've changed the date.

Woman: Excellent.

Woman: Yup.

Woman: Thank you.

Man: Thank you.

Woman: (Unintelligible) that was going on.

Avri Doria: That's why, I mean, I've put these together out of my own imagination, so...

Man: By you're asking us questions.

Avri Doria: That's why I'm asking. And then basically, an updated draft for final committee review at the end of the month. And basically what was being proposed is that after that updated draft comes out, we'll basically – because our deadline for passing this on to the council is essentially the following week is the (ten).

And basically, then giving ten days essentially for this group to review, to discuss on the list to have one meeting, to discuss anything in the report that needs to be dealt with. I mean, the hope is that that will be a no conversation that everything will be, you know, correct and you know, a (side chat). And everybody's statements and impacts statements will be correct, et cetera.

But basically, give a week for people to discuss, collage issues, to add comments that that maybe missing, to, you know, raise a flag saying wait a second, you know, it says board support here. But (three) constituencies have changed their months.

Hopefully, that doesn't...

Woman: No they won't Avri.

Avri Doria: What I'm basically saying is of course they won't, we hope they won't...

Woman: Yeah, I have a sense.

Avri Doria: ...but it's basically a week to check that the report does reflect the reality within this group.

Chuck Gomes: Avri, a clarification. Your showing the due date as August 10. That's actually – so wouldn't the week consensus call be done the week before that?

Woman: Yes, Chuck.

Avri Doria: Right. We have a final meeting with Liz for – it would probably have a final meeting – at start, the consensus call would start with the updated draft coming out. And then it would take a week at being seven days, you know, and yet there's three days variance factor in there.

Chuck Gomes: Okay. So, I'm just playing out...

Avri Doria: Oh, yeah we should be done by the tenth but we should really be done by the seventh. All things being equal but rarely are all things equal.

Chuck Gomes: Yeah, got you on that. A general comment and it doesn't really directly relate to your table but for recommendations 3, 6 and 20 that we're still working on...

Avri Doria: Mm-hm.

Chuck Gomes: ...it seems to me - and this just relates back to a comment made by the Liz earlier in this call. It seems to me that the more work that staff can do investigating the feasibility of implementing though the recommendations as we understand them now, is going to be very important with regard to finalizing our work on August 10th.

Because if there are implementation problems that impacts our recommendations.

Avri Doria: Yeah, and I take a corollary to that is we should use implementation guidelines to assisting that effort if we can.

Chuck Gomes: And it'll help us cast our recommendation.

Avri Doria: Yup.

Chuck Gomes: Before we're done.

Avri Doria: Yup. And I've added – thank you – I've added a line here. I haven't flushed it out yet, basically talking about wizard of names and listing the actions that those of us that all actions for completion of this. Does anyone have any other comments on this table at the moment? I will get it updated. I'll send it out probably sometime today or latest tomorrow. And I'll try to basically keep that up to date as we move along to completing so that we know what's still on the table.

Chuck Gomes: And a question for Glen, logistical question. Chuck again, the – have all of the new observers been added to our gTLD council list so that they kept informed?

Glen de Saint Géry: Ah, yes. (As far as I note) Chuck.

Chuck Gomes: Thank you.

Glen de Saint Géry: If you know somebody.

Chuck Gomes: No, I don't know of any problems. I just know that we've had a lot of new added since San Juan. And I just wanted to make sure they're getting all the information.

Avri Doria: And anybody on this call who isn't added, please contact Glen.

(John Nevitt): Yeah, this is (John). Could I just ask question on that? Did – I've never been on the list. Oh, I don't know if we were – I assumed that as observer I just need to check on through the internet and not get – well, I'm not need emails pushed to me. But if that's an option, I would love to have that.

Glen de Saint Géry: I'll do that straight away (John).

(John Nevitt): That would be great, thank you.

Avri Doria: Yeah, but just we've always had a policy that observer spoke. Yup, yup. Okay, anything else on this table that anyone wants to comment on, ask on, change, tell me to add?

Okay, moving on. Agenda items for next meeting, they'll be driven by this to-do list. and anything else that we may still need to complete. But hopefully, anything that needs to be on the agenda is here unless some new topic comes up but I wanted to ask at this meeting whether

anyone tell anything that should be added to the agenda for next week that isn't either already continuing from this week or on my pending list.

You think of it later, please let (go of it) now.

Liz Williams: Avri, may I just a supplementary question, please?

Avri Doria: Of course.

Liz Williams: I'm just trying to identify next week when it might be helpful to do whatever it is the work want - the group wants to do. Could I just draw everyone's attention to the GNSO's master calendar and note that next week, there are meeting at this time.

I can't support Monday', - Monday's (unintelligible)...

Avri Doria: That was my next – that was actually on my next line on one of the agenda.

Liz Williams: Oh, I beg your pardon. Sorry.

Avri Doria: So, but since we're there...

Liz Williams: I'm up there Avri. I'm with you on it.

Avri Doria: Yeah. So yeah, the next thing was to confirm the schedule of the next meeting. Now as I understand it, we don't actually have a conflict but we have an overload in that this meeting is at 14 UTC and the council meeting is at 12. But very few of us wanted four hours in a row. Is that correct Glen?

Glen de Saint G ry: That's right Avri, yes.

Avri Doria: And so – and in terms of looking at things, I'm sort of love to ask people to do it on Wednesday or even Tuesday because then the group instead of working for a week, haven't had a week. And I think that interim work is as important as the meeting in terms of getting things done.

Woman: Also Avri, the little group doing rights protection mechanism stuff, then there is some overlap there we'll start on Tuesday.

Avri Doria: Okay.

Woman: And those WHOIS.

Avri Doria: Right. And so, I was hoping that maybe with a slight shift we could keep this on Thursday, like start a half hour later which I know is terrible for anyone in Asia and especially in Australia.

Chuck Gomes: Except...

Avri Doria: And continue after the council or I know Friday is another option but I understand that that gets very problematic because you're (leading) into Friday night and early Saturday morning. So, I wanted to bring it up and see what people had to say about it.

Edmond Chan: Avri, I wonder if we could explore on with the people on this call, whether the Friday option would be unmanageable for those in Asia Pacific.

Avri Doria: Especially if done early.

Edmond Chan: Right. No, no.

Avri Doria: Which punishes the council on your folks.

Edmond Chan: Yes.

Avri Doria: Any comment?

Kristina Rosette: Avri, this is Kristina. I have a question. Before we explore that, do we really think we're going to need the two hours for the council call – meeting. I mean I don't have a sense as to what's on the agenda but...

Avri Doria: It's a fairly full agenda in it.

Kristina Rosette: Okay.

Avri Doria: And there's one item that may cut it shorter.

Kristina Rosette: Okay.

Avri Doria: And I don't know at the moment. And that's whether we're actually ready to vote on contractual conditions or not.

Kristina Rosette: Okay.

Avri Doria: If we are ready to vote then we'll use the full two hours. If we're not ready to vote then we'll probably won't.

Edmond Chan: Or we switch more time to some other topics.

Avri Doria: Yeah.

Edmond Chan: Because we're kind of tied on anyway.

Avri Doria: We've added a lot of topics.

Kristina Rosette: Okay.

Avri Doria: But yeah. So what do people think of we – I guess there are two options on the table. One is to do it on Thursday, a half out later which is late for Asia Pacific and it's overload for everybody on the council.

Of course I have to set in one (that's seen) smiled. But or there's the Friday option. Any comment? Friday morning – so Friday morning would be like new UTC which is 8:00 in the morning, which is 5:00 or is that ridiculous?

Man: And it's okay for me. Edmond, how...?

Avri Doria: (Unintelligible) California?

Woman: I'm not sure what time you're saying.

Avri Doria: In other words the same time as the council meeting, the 12:00...

Woman: The 5:00 am.

Avri Doria: The 5:00, the 12:00 UTC.

Woman: It's doable. It isn't pleasant but it's doable.

Avri Doria: Okay. So the California folks are willing to do the 5:00 am. How about...?

Woman: On the 12:00 Avri?

Avri Doria: Huh?

Woman: On the Thursday (unintelligible).

Avri Doria: On the Friday

Woman: Oh, okay.

Avri Doria: Because we already have a council meeting on the Thursday at that time. You try to separate out the two. Okay?

Woman: Thank you.

Avri Doria: Right. Yeah. No, I'm not trying to change the council meeting at the moment, I'm trying to leave that fixed and figure out how we move this one. And as we could keep it in the same time slot, they give us four hour straight. We could put in a half hour break that pushes Asia Pacific to wee hours of the morning. Or we could move it over to Friday where the Californian's sched too early morning and Europe and Asia Pacific is stock doing New gTLD committee on Friday evening.

Man: Excuse me. Avri?

Avri Doria: Yeah.

Man: Are you talking about next week running the...?

Avri Doria: I'm talking about next week, yes.

Man: Next week, I won't be able to make it. I'll be in a joint – in the summer institute and I will have in classes.

Avri Doria: Okay. So you're out for both Thursday and Friday.

Man: Yes.

Avri Doria: Okay. Well, then that doesn't – I mean thank you for letting me know but thanks.

Woman: Avri, just an alternative and I wonder if this works for the other European but I'm happy to do Friday, late evening. You know how we used to do the 8 o'clock in the evening call. I'm happy to do that if that's...

((Crosstalk))

Avri Doria: Early Saturday morning?

Woman: Yeah. Just in case that helps because that might be doable for other there in Europe but I'm just having a struggle to think about who that is - it's Jon and me and Olof. I'm happy to do that if that just gives us a bit

more flexibility because it seems to me that that very early morning time to California and it's very late for the Asia Pacific guys. It might not work.

Man: Yeah. I think there...

Avri Doria: (Unintelligible), I'm sorry.

((Crosstalk)):

Edmond Chan: Olof is fine with Thursday. I'm reluctantly made personnel to remind that part, and Friday and Saturday. (Unintelligible) so.

Avri Doria: Do you accept any of the option?

Edmond Chan: Yes.

Avri Doria: That was Edmond, right.

Edmond Chan: Yup, that's right.

Avri Doria: Yup, okay. Anyone else have a comment?

Olof Nordling: Yeah, very quickly. I'm not available. This is Olof. I'm not available next Friday.

Avri Doria: You're out of....

Olof Nordling: But that's shows stopper I think.

Man: Mm-hm.

Edmond Chan: And this doesn't have to be a shows stopper either but it's probably, highly unlikely that I take the Thursday time.

Avri Doria: Okay. You can make the council but not the second one.

Edmond Chan: Then I may even have to cut off early on the council.

Avri Doria: Okay. It's a sure stopper but between you and Olof together it's getting closer. Anyone else?

Woman: Yeah. So if our option is the two meetings in a row with a break on Thursday or splitting it up and doing it at other time on Friday, I guess my preference would be to split it up work between the two days but I can do either.

Avri Doria: Okay. So it's pending towards Friday. Anyone object to doing to doing it on Friday but now we have a suggestion of two times. We have the early morning and we have the late. Does anybody care which option?

Edmond Chan: I think I do but what would the late be on Eastern Time. I'm actually going to be in Virginia next week, so.

Avri Doria: Oh.

Edmond Chan: Three.

Avri Doria: Four I think.

((Crosstalk))

Edmond Chan: Oh yeah. I'll be getting on an airplane, so.

Avri Doria: Okay. So the early option then is better, if you really should be here.
Any objection to Friday early option? I think, you know, one thing we're willing. You're not going to be in California.

Edmond Chan: Well, hey, I...

Avri Doria: Just filling Robin?

Edmond Chan: Friday, I'm really – I can handle better than most people but – in California because I'm early bird – early person.

Avri Doria: All right now. All right that was Tuesday.

Woman: Avri, if we just state quickly on the list.

Avri Doria: We can do it but if we could settle it now which is Friday morning tentative and we'll confirm it on the list. Any objection at the moment to Friday morning confirmed on list which is UTC 2 o'clock.

Man: UTC noon.

Glen de Saint Géry: No, UTC (unintelligible) as well.

((Crosstalk))

Glen de Saint Géry: UTC 12 o'clock.

Avri Doria: Thank you. Because I didn't want to push...

Liz Williams: Yup, got it.

Avri Doria: ...Asia Pacific later unless they say they really don't care. But – okay, I will float Friday morning on the list and we can confirm it there.

Bye. Thank you all. It's 11:57.

Man: Bye.

Avri Doria: I know (unintelligible) would want to do both, (unintelligible) you have to listen (unintelligible) hours.

Woman: Bye.

Avri Doria: Bye-bye. Thank you all.

Man: Bye-bye.

Woman: All right. Bye.

Woman: Thank you.

END