

**GNSO**  
**Domain Tasting ad hoc group teleconference**

**July 25, 2007 at 15:00 UTC**

**Note:** The following is the output of transcribing from an audio recording of the Domain Tasting Ad hoc teleconference on 25 July 2007. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at:

<http://audio.icann.org/gnso/domain-tasting-20070725.mp3>

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

**Attendees**

Mike Rodenbaugh - group co-ordinator CBUC (Council)  
Sophia Bekele Nominating Committee appointee to Council  
Greg Ruth - ISPCP  
Jeff Neuman - gTLD Registry constituency  
Paul Diaz - Registrar constituency  
Jeff Eckhaus - Registrar constituency  
Jothan Frakes - Registrar constituency  
Kristina Rosette - IPC (Council)  
Alan Greenberg - ALAC

**Absent apologies:**

Margie Milam

**ICANN Staff**

Olof Nordling - Manager, Policy Development Coordination  
Patrick Jones - Registry Liaison Manager  
Glen de Saint Géry - GNSO Secretariat

Glen de Saint Géry: Okay. Have we decided that we're going to have lots of people on this call or just (shoot)?

(Mike): Just a small group supposedly, we'll see what happens. The registrar accounts announced who specifically they're going to designate, but...

((Crosstalk))

(Mike): ...have two people, so...

Glen de Saint Géry: Okay.

Margie Milam has excused herself and I don't know if she falls under registrars or IPs because sometimes she changes her color.

(Mike): Right. Excuse me. I suspect she's registrars. I know that - I mean that's what she's formerly a member of. I think she's formerly a member of the IPC.

Glen de Saint Géry: Yeah. She's formerly a member of the IPC.

(Mike): She is?

Glen de Saint Géry: Uh-huh.

(Mike): Okay.

Coordinator: Hi. My name is (Les) and I'm going to be the operator today. If you can just "Operator, we're ready to start recording" and I'll start the recording for you.

(Mike): Great. Thanks.

Coordinator: Okay.

(Mike): Thank you, sir.

Glen de Saint Géry: Somebody wants a caller number in Brazil.

(Mike): Good.

Coordinator: Olof Nordling now joins.

((Crosstalk))

Olof Nordling: Hello.

(Mike): Hello. Just looking at your - the latest chart you sent. Thank you.

Olof Nordling: That's something isn't it?

(Mike): It is interesting. It would be neat to see the number of ads too even though it's going to basically be below 10 million, the entire length I imagine, right?

Olof Nordling: Well, the total number of ads -- well, the net ads, well, you can take this...

Coordinator: Sophia Bekele now joins.

Olof Nordling: I see a multi-curve actually. It's actually negative from February to March.

Man: Yeah. I noticed that as well at the end there. Very interesting. I'm trying to figure out how that could be.

Olof Nordling: I think - well, you could say it's (exciting) is becoming commonplace, you would see an effect like that.

Coordinator: Patrick Jones now joins.

(Mike): Interesting. Hey Patrick. Hi (Sofia).

Sophia Bekele: Hello.

Patrick Jones: Hello.

(Mike): Hello.

Coordinator: Greg Ruth is joining.

(Mike): Okay. Good morning.

Hello Greg.

Greg Ruth: Good morning.

Coordinator: Excuse. Jeffrey Eckhaus now joins.

(Mike): Hi Jeff.

Jeffrey Eckhaus: Hey. How are you doing?

(Mike): Good, thanks.

Coordinator: Paul Diaz now joins.

(Mike): Hi Paul.

Coordinator: Excuse me. Peter Becker now joins.

(Mike): Pete, hello. Good morning.

Peter Becker: Good morning.

Man: Good morning.

(Mike): Paul, are you also with the registrars?

Paul Diaz: Yes. I work with (John Nevin).

(Mike): Okay.

Coordinator: Kristina Rosette now joins.

(Mike): Good morning. Hello Kristina.

Kristina Rosette: Hi (Mike). How are you?

(Mike): Doing good, thanks.

We've got - getting to a pretty full small group here. I'll give it another minute or two.

Glen de Saint G ry: Sorry. Peter Becker is he subscribed to the list? Are you subscribed to the list, Peter?

Peter Becker: I'm actually standing in for Aaron Kornblum. I'm also from Microsoft. Aaron, unfortunately, is on a plane right now so unable to attend himself.

Glen de Saint G ry: I don't know if Aaron Kornblum is subscribed to the list.

(Mike): Don't know either. But Pete, I think there might be a little bit of misunderstanding because I believe Kristina is representing IPC at least on these phone calls, and the email list is going to remain open for discussion.

Coordinator: ...now joins.

(Mike): But the conference call for having an issue about trying to keep the group small and manageable basically with one rep from each constituency.

Peter Becker: Okay. Well, in that case, I will drop off. I'll pass the news along to Aaron and we'll leave it Kristina's very capable hands.

Kristina Rosette: Yeah. And Peter, I'll...

Peter Becker: Okay.

Kristina Rosette: Probably after the call - probably helpful so I'll - updated as to what's going on and...

Peter Becker: Right.

Kristina Rosette: What the next action items are going to be.

Peter Becker: Tremendous. Well, best of luck everyone.

(Mike): Sorry Pete. Don't get me wrong, we want your help.

Kristina Rosette: Yeah, absolutely.

(Mike): All right.

Peter Becker: Okay. Take it easy, (Mike).

(Mike): Thanks.

Peter Becker: (Unintelligible).

Jeffrey Eckhaus: Good morning or afternoon or wherever you are in the world.

(Mike): Hey Jeff.

Jeffrey Eckhaus: How's it going?

(Mike): It's going well.

Jeffrey Eckhaus: Good, more and more forums that I'm seeing you on, Mike.

(Mike): Likewise, Jeff.

Jeffrey Eckhaus: Don't we have another call at noon on something else?

(Mike): You mean today also? I don't know. It's only a call.

No, I don't have one with you at noon, at least not Pacific Time. Yeah, that's right. You're - in the APWG group now.

Jeffrey Eckhaus: Yeah.

(Mike): So yeah, noon Eastern. Yeah.

Kristina Rosette: Nobody's actually getting any work done, we're all going to get fired.

Jeffrey Eckhaus: Well shit.

The problem is - who's on this call right now?

The problem is that there's a big business going on now that a lot of folks - I'm sure a bunch of us are working on.

(Mike): Actually, I think we've got now the full group except Alan Greenberg - hasn't showed up, Jon Bing, and somebody from NCUC, oh Danny Younger. But (unintelligible), I think, is on the call, Glen, thank you; myself, Olof Nordling from staff, Sophia Bekele, Patrick Jones from staff, Greg Ruth from the ISPs, Jeff Eckhaus and Paul Diaz from registrars, Kristina Rosette from IPC, Jeff Neuman from the registries.

And I guess - I suggest that the operator start the recording.

Coordinator: Thank you, sir.

Man: Might have to go through that roll call again.

(Mike): Yeah. Sorry about that. I forgot to start the recording on time.

So, let's go ahead and do the roll one more time. I think it's Glen de Saint G ry, Olof Nordling, and Patrick Jones from ICANN staff; Sophia Bekele from NomCom; Greg Ruth from the ISPs; Jeff Eckhaus and Paul Diaz from the registrars; Kristina Rosette from the IPC; Jeff Neuman from the registries; and myself from the business constituency.

And we've all had a little bit of discussion on lists. I sent around some information.

I'd like to save, you know, going through the text of the questions for the end. I really personally would like to see most of that discussion happen on the list so that it's open to everybody. But I did want to talk in some detail with this group about going out - well, we certainly will have room to talk about the questions, but I want to talk about other means of getting information that might be pertinent so that we can start, you know, as the sort of leadership group on this to figure out how we're going to approach the sources and get the info that we think we need.

((Crosstalk))

Jeffrey Eckhaus: Well, I mean - (Mike), this is Jeff. You brought up the - been a lot of discussion on the list in the last day on the press release from the CADNA group.

(Mike): Yeah.

Jeffrey Eckhaus: Can we get the background for their statistics? I mean, I think they cited a few. It'd be great to have that information circulated.

(Mike): Absolutely. I'm pretty certain that we will get that, fill the details from CADNA. His company is also a BC member and he's volunteered to assist me in this group.

I do know that the - a lot of those numbers came from the MarkMonitor, brand jacking reports, but, you know, the answer to your question, Jeff, is absolutely. We'll get the information behind press release.

Jeffrey Eckhaus: Yeah. And if it came from MarkMonitor then maybe we can ask MarkMonitor where they got it, just follow the trail down and how they got that information.

(Mike): Yup. Are you specifically talking about the \$100 million - \$125 million per year figure that they used?

Jeffrey Eckhaus: You know, I'm personally not concerned. I'm actually enjoying watching the discussions back and forth so I wouldn't say I'm concerned about it.

Kristina Rosette: Are you asking about it?

Jeffrey Eckhaus: Yes. But I'm asking about any kind of stats that's assigned and even (JOS) is always posted, a stat on the on the monetary amount that someone's making. I want to know where he gets that stat. You know, any stat - people are good at stats in that they like to mention them, but it would be really helpful for us to find out where they get them from and how they got them.

Kristina Rosette: Right. And for me, I completely agree and certainly with regard to how they got them. I mean they approach as something to be effective while I just use their numbers. Well, you know, that's great but for people who are math-impaired, such as myself, you know, to walk us through the statistical analysis, I think, is helpful.

And in terms of data, I don't know, I mean, to what extent do you all want information from kind of anecdotal information, you know? I guess maybe that's the question that we should talk about.

Jeffrey Eckhaus: I mean one thing that's kind of easy to obtain, it's easy to get data from a registry on the number of deletes within the add grace period.

Kristina Rosette: Right.

Jeffrey Eckhaus: It's pretty factual.

The hard thing to get - and I'm not sure what other staff people want to see from registry, if there are any relevant, if you could think of any, let me know. But - and there's no way - by the way, there's no way for us to really tell which of those are ones that are legitimately doing it because of -- well, I shouldn't use such loaded terms.

There's no way to tell those that are using it because of, you know, mistyped name or credit card fraud or anything like that versus how many are using it for tasting.

What we could do though is provide - maybe I'll just speak of Neustar, but we could certainly provide - and you've seen it from (VeriType) too. We can provide you with deletes for a month back and then what happened at a certain period of time.

Kristina Rosette: And Jeff, Neustar collects all of that data by - on a registrar basis, is that right?

Jeffrey Eckhaus: Yes.

Kristina Rosette: Okay.

Jeffrey Eckhaus: Yes.

Kristina Rosette: All right.

(Mike): You say we can tell other information, what sorts of information after a certain amount of time, letter to the industry (addict), that sort of thing?

Jeffrey Eckhaus: No. I was kind of - that might be possible. But I was talking more about, you know, up until X month of 2006 did the rate - the average rate of the deletes was or the average number of deletes or percentage of deletes was X percent and then all of a sudden, you know, it went up to - you know, I looked at something for example for dot US and, you know, at one point in time it was a low percentage and then all of a

sudden at some month it went up, it shot up by a large amount and one could probably attribute that to registrars starting to do tasting.

(Mike): Right. I'm not sure that that information is all that helpful to show when it started. I think it's useful to some extent but...

((Crosstalk))

Jeffrey Eckhaus: It's useful in the sense that we could probably show that a certain number of percentage of deletes is normal or is - for people that actually use it to delete a mistype or a credit fraud checking type thing, you know. For those that don't want get rid of the add grace period completely, you could show what percentage you believe is attributable to the intended use of the AGP versus what percentage is probably tasting.

(Mike): That's true. It does give room - provide baseline info like that. It also - I think it's maybe more useful for us is it'll - it could help us identify who the specific registrars are that are engaged in this so that we could do outreach for them and make sure we get their input into this process.

Kristina Rosette: This question is probably going to reveal some interest, but to what extent is it possible and relevant to try and figure out as to overall what the breakdown is between accredited registrars and non-accredited registrars?

Jeffrey Eckhaus: I'm not sure I really follow that. What do you mean "non-accredited"?

Kristina Rosette: Well, I'm just wondering, you know, to what extent - and Jeff, I don't know to what extent Neustar, you know, allows, you know, works with -

allows non-accredited registrars to, you know, register the domain names that is the registry (for). But I'm just wondering whether there's any reason to think or even to look at whether or not you've got a bigger problem and - with non-accredited registrars doing it than with accredited registrars.

Jeffrey Eckhaus: Well, the only people that are allowed to register names are accredited registrars. We're not allowed to have non-accredited registrars.

Kristina Rosette: Okay. So the non-accredited registrar is coming in on the retail level then?

Jeffrey Eckhaus: They're retailers, yeah.

Kristina Rosette: Okay, that's what I thought. Okay.

Jeffrey Eckhaus: You'd have to go individually to the registrars that have the reseller model and see if they'll turn over statistics to you on what some of their resellers do.

Kristina Rosette: All right. Okay. I think that's what's always confused me is that people use non-accredited when they really mean reseller. All right.

Jeffrey Eckhaus: Uh-huh.

(Mike): Okay. So Jeff, I'm hearing that you are willing to at least seek that information from Neustar, would you also do the outreach to the rest of the registry constituency and see if they'll provide the same sort of information?

Jeffrey Eckhaus: So the information you're seeking is number of deletes by registrar and where it's been like over time?

(Mike): Yeah.

Jeffrey Eckhaus: And just the data.

Now, I got to do a little bit of research as to see what kind of confidentiality obligation - I can't remember what ICANN posts and what they don't post, I got to look at that. I don't know if they post it by registrar. I thought they did.

Kristina Rosette: I think they do.

Jeffrey Eckhaus: If they do, it shouldn't be an issue.

(Mike): I've definitely seen per registrar numbers on this issue, so...

Jeffrey Eckhaus: So, yeah. I mean - and again, it's not really Neustar that's - I mean, we could do it but again, it's...

(Mike): Right.

Jeffrey Eckhaus: It's just Neustar.

(Mike): I understand.

And just so the group knows, I did follow up - tried to follow up with Chuck Gomes on the VeriSign info, that information or the section of the report that mentions that VeriSign is working with staff. And Chuck

says he wasn't privy to any of those discussions so far but he's going to look into it and try to get back to me.

Patrick Jones: (Mike), this Patrick.

(Mike): Hey Patrick.

Patrick Jones: Hey. Those discussions have occurred with Pat Kane, and Pat right now is in Hong Kong for the ICANN registry/registrar regional gathering with maybe a few others. So, as soon as I get a chance to follow up with Pat, I'll know more.

(Mike): Great. Thanks Patrick.

Okay. Well, I'm hopeful, Jeff, that we can get some of that information from the registries, obviously including VeriSign then that will lead us to some of the key registrars that we want to approach and try to get involved in this or at least see if they'll provide information or not.

The other major players seem to be the registrant tasters themselves, that's going to be a little bit harder one. Other than doing outreach to the constituencies and add plans to the ICANN Web site and all, I'm not sure what more we can do to specifically kind of target the main domain taster registrants out there.

Kristina Rosette: Well, we could...

(Mike): Try to...

Kristina Rosette: Contact Phil what's-his-name from the Internet Commerce Association.

(Mike): Definitely. That's a good idea.

Kristina Rosette: Corwin.

(Mike): Phil Corwin. Okay.

(Jonathan): This is (Jonathan). I don't know that Phil would necessarily know they are. I think he's kind of aligned with removing the practice.

Kristina Rosette: But - right. But I guess he might be a good gangway as well, an information source. In other words, he might be willing to distribute or make his members aware of the request for information and may also know, to the extent that they are kind of contact or primary people within that market segment, who would be good people to reach out to.

(Jonathan): That makes sense.

Patrick Jones: This is Patrick again. And with all respect, I think, you know, (Jonathan) and some of the other registrars probably have a better handle on that community than he does, and this is my own opinion.

(Mike): I suspect you're right about that. Although I'm not sure that they would share that information. I don't know.

Jeff, anybody that you - would you guys be willing to, even if you don't share the names with us, do outreach to those folks and try to ask them to participate?

Jeffrey Eckhaus: This is Jeff here. You know, I'd say it wouldn't - we could put something out there. The chances of responses are pretty slim but...

(Mike): Uh-huh.

Jeffrey Eckhaus: You know, I know that we don't have - any of our customers are tasters so it wouldn't be to our customers. But it might be worth just putting the word out there and see who responds, you know, if you could offer some sort of - I don't want to say the word "amnesty" because they do didn't anything wrong but, you know, anonymous responses or something like that, people might be more inclined to respond. But it's going to be a tough road to get those people to respond.

Man: You know, I concur with Jeff. I think if there's some form of anonymity to contribution, I think there are people out there who really do want to participant productively in making some progress here.

(Mike): Well I mean the point is to get them involved as best we can. I don't know that we can really, you know, promise anonymity.

Man: Yeah.

(Mike): To the extent their information is actually used in the process.

Kristina Rosette: Well...

(Mike): I mean they can be anonymous to a certain point; but if we're going to use their information in a report or whatever, I think they need to be identified.

Kristina Rosette: Olof, are you on the call?

Olof Nordling: Yes, I am.

Kristina Rosette: Okay. Would you mind touching base with Liz to see - I seem to recall that this issue came up with the prior working group questionnaire and I want to say that we dealt with it by say that the identifying information needed to be provided when completing out the form, when providing information primarily for correlation services and verification that the ultimate data that was released was anonymous. And if that's right and that's something that we could do here that might be worth doing.

Olof Nordling: Was that in conjunction with - I know you utilized what is called a big pulse.

Kristina Rosette: Yeah. Yeah, yeah, yeah, exactly.

Olof Nordling: And that was actually a question from me whether - I'm not familiar with it more than enough to know that has been used and whether that would be an additional avenue to - for getting input.

Kristina Rosette: Well, no, no, no. I'm just talking about generally. The idea was that the input - when people provided their input, they had identified who they were and the purpose of that was really just for validation or verification purposes but that the aggregate information, for example when it's discussed in the working group report, was essentially anonymous. It didn't identify, you know, these 12 brand holders, that blah, blah, blah.

Olof Nordling: Right. No, no, no.

Kristina Rosette: That's what we did and we can do that here, I think we should.

Olof Nordling: Rather common. But I'll touch base with Liz on that, yeah.

(Mike): Okay, so on the registrants themselves and the issue about anonymity or ability to work on that. And otherwise, I think we plan on just trying to get their input through the RFI and ideally have some folks like Jeff and/or others who might be closer to that community, try to specifically reach out to folks they know are engaged in this stuff and ask them to at least complete the RFI.

Man: Just to go back a step, I'm looking at the com report for March...

(Mike): Uh-huh.

Man: And you can pretty much tell which registrars are the ones that are tasting, you know, I mean, you know, Spot Domains is one of them, nameking.com. And these are people with, you know, 8 million or 3 million or 4 million deletes in a month.

(Mike): Yup.

Man: So I mean it's pretty - it's not very difficult to name.com, name.net are probably related nameking.com, Spot Domains, Name Perfection, these are all that have, you know, well over 1.5 million deletes a month in com.

(Mike): Great. So I think we just need to make an effort through the registrars to specifically get some of those tasting registrars to at least respond to

the RFI. And, you know, on all of these groups, I'm wondering if there's additional sources of information that we want to try to get specifically.

Jeffrey Eckhaus: (Mike), this is Jeff Eckhaus here. Just one suggestion is if you guys already have an idea of certain registrars you want to speak to, you might want to have ICANN staff maybe Tim and his office as the, you know, as the registrar liaison.

(Mike): Uh-huh.

Jeffrey Eckhaus: Reach out to those people that you want specifically versus anyone else in these groups since they usually have - since they have relationships with those registrars already.

(Mike): That makes sense to me. (Definitely).

Okay. But the next step there is really to get all of the registry data. Well I guess it's all already public, right? Is it posted on the ICANN site somewhere, Jeff?

Jeffrey Eckhaus: Yeah.

((Crosstalk))

(Mike): I've seen common net but I haven't seen any of your...

Kristina Rosette: Yeah. They're all there. The problem is that VeriSign doesn't break down its gross deletes by category so you just kind of have to assume.

Man: Well like domain - there's a company called (DomainDomean) LLC. You know, in the month of March, they had 11,192,687 gross deletes. You know, you can pretty much extrapolate that, you know, they're going to, you know one of those - their domain taster registrar, right.

(Mike): All right. DomainDoorman? Is that it or is it typo, DomainDoorman?

Man: DomainDoorman, there you go. That's it, yeah.

(Mike): I wonder how you know them.

Man: Yeah. So I mean there's - so they have stats up until March on there and then there's Capital Domains that's got 11.2 million.

Kristina Rosette: Right. And it's capital there, the moniker there.

Man: Belgium Domain...

((Crosstalk))

Man: Yeah. So I mean it's pretty easy by - could tell by looking.

(Mike): Okay.

So I guess the next question is, you know, other than the RFI information that's going to go out the entire community, do we want to either design specific questionnaires for specific constituencies? I don't think necessarily makes a lot of sense especially for the registrars for example because they're kind of all over the place on this issue. Or do we want to try just ask specific questions or get specific sources of

information from, you know, these different sorts of group, in other words, from the domain tasting registrars rather than from all of the registrars?

Jeffrey Eckhaus: Can you repeat that question. I'm sorry. The last one?

(Mike): Yeah, that was...

((Crosstalk))

(Mike): I'm sorry. I was - I rambled a little bit there. I want to know what the group thinks about asking for certain information from just a subset of the registrars - the tasting registrars or whether the same questions would really effectively need to be asked of the entire registrar constituency? In other words, would the tasters feel they're being singled out or is there some way we can work around that?

Man: Well, I would just say you have to have all the registrars because some of these questions and some of the effects or changes that people are even considering are going to affect all registrars and those - I mean, some of your - the questions that are in the list of questions would have impact on all registrars so I think we would all want to respond and to have our voices heard on, you know, how these changes or potential changes would affect our businesses.

(Mike): Yeah. And no question, the RFI's going to go out to everybody to the entire world. I'm just thinking that there's other specific information we might want from the tasting registrars, for example, if they're willing to share it or at least ask them for it that maybe we don't need from all of the other registrars.

And what I'm thinking about there is perhaps they can identify the number of tasting registrations that were due to credit card charge backs or that were due to typographical errors by their users, that sort of thing.

Kristina Rosette: I think that's unlikely. I'm just speculating. I mean, you know, I know that I...

(Mike): This is unlikely too but I'm wondering if it's worth asking the questions anyway

Kristina Rosette: And maybe to just do it in a very open-ended way. In other words, please provide any other information that you think needs to be taken into account when evaluating what if any policy should be made and then you kind of leave it open for people to tell you a whole range of things that we may not be thinking of that they think is relevant. And if they chose not to - I mean you've opened the door and if they choose not to walk through it, then you know, there's not much you can do.

(Mike): Okay. I mean we have sort of a broad question like that at the end of the draft right now.

Do folks think it would be - I know it was suggested even by Kurt Pritz that we come up with a list of questions for the various constituencies. I'm not sure that makes a lot of sense again because -- well, it may make sense specifically for the registrars. Even though they're all over the place on this issue, still to ask them all the same questions seems like it would be wise. I think that's the feedback we just got from Jeff.

And then - but then we need to focus on what those specific questions would be for each constituency.

So the best way to probably do that is to go through the general questions and as we're doing that call - think through whether there are specific questions based on any of the general ones that maybe should go to specific constituencies. Does that make sense to everybody?

Kristina Rosette: Sure.

(Mike): Okay. And I think that's - I think that's the way to go and to move in since we've already - spent half the call here talking generally about stuff and haven't gotten about, you know, what I consider key sources of information.

Let's talk about the general RFI for a bit.

I haven't seen any real discussion about the specific questions on the list yet so maybe just open it up for anybody to give general comments of where they think we're at this before we get into specific question-by-question discussions.

Jeffrey Eckhaus: I think - actually I think - this is Jeff - I think you did a good job of keeping it pretty objective so I think that was good. Probably needs a couple of more days to look at it, but it seems objective.

(Mike): Now let's try it.

Jeffrey Eckhaus: That's a tough thing to do so I commend you on that.

(Mike): Thanks.

Alan Greenberg: Yeah. It's Alan Greenberg here. Sorry. I was on the phone until now.

(Mike): Good. Hey Alan.

So, okay. Sounds then that everybody is, I guess, generally satisfied with the direction of RFI draft as it is right now.

How about this, how about if I propose - does everybody have any additional questions or topics that they think should be covered in this RFI?

Kristina Rosette: (Mike), I can't put my hands on that. What was the date that you sent around? I know I've read it but I can't seem to find it.

(Mike): The 23rd of July.

Kristina Rosette: Okay.

(Mike): It came from the...

Jeffrey Eckhaus: I got it 2:25 pm Eastern Time.

Kristina Rosette: All right. Thank you.

Jeffrey Eckhaus: It was on the - it was in the topic of agenda.

Kristina Rosette: Okay...

((Crosstalk))

(Mike): Okay. So, obviously, you know, people may not have had a chance to fully digest this yet and thought about what additional topics. We can certainly leave that open for discussion on the list.

But I'd like to resolve that we try to finish this up and have the questions basically done by - well, yeah, I would love to do it by the end of the week, if people think that's reasonable, so that on the next call, we can focus on the mechanics again of getting it out and on other sources of information. And I'm hopeful that we might get the economists from ICANN staff or ICANN consultant economists on the next call.

Jeffrey Eckhaus: (Mike), it's Jeff Eckhaus. Can I put just one addition, I guess, to the questions here and...

(Mike): Yeah.

Jeffrey Eckhaus: I think it would be on numbers two and three where you're asking - where it says please explain how each benefit, please explain how each is harmed. If you could just add - I don't know if we can, but to quantify this because you always see it - start hearing people say oh, these people were hurt or these people - it's like, you know, it's who are these people, how many are there, is this, you know, is this real because we start getting into these, you know, things - I guess points about saying, you know, I'm not picking on anybody here but saying, you know all of these registrants are hurt or all of these brand donors are hurt.

And people can give specific examples or really specific numbers versus just generalization because I think we get into a bad thing where we're just targeting certain groups and certain people and just on generalizations. And if we had hard numbers then it could - or at least close to hard numbers then it could make, I guess, people's statements more impactful.

(Mike): Jeff, I agree with what you just said there. It is open ended and sort of, you know, an opportunity for people to do free text. So I think there's no way around that. I think that's actually useful in some cases, of course depending on the (note).

Jeffrey Eckhaus: I agree. I'm just saying people can quality then to please add that number in versus if there...

(Mike): Yeah.

((Crosstalk))

Jeffrey Eckhaus: ...it hurts a lot of people.

(Mike): Yup. So I would propose to maybe say instead of please explain how each benefit - leaving at that say please explain how each benefit and provide specific examples and statistics if possible.

Jeffrey Eckhaus: If available. Yes, exactly, exactly. To the extent possible, quantify and provide examples.

(Mike): Okay.

Man: That's a good verbiage. It'll help remove a lot of the cognitive distortion that's happening here, right, and get us more progress.

Kristina Rosette: Do we...

Olof Nordling: This is Olof here. Could I just comment on that because you might have the - I sent out a little envelop, well, a brief introduction to the question for posting purposes.

And it can be highlighted more than I did in that one. I think I used the phrase both qualitative and quantitative answers are invited, but it can be highlighted to especially emphasize the quantitative aspects.

And I would appreciate comments to that one as well if you have got the time.

((Crosstalk))

(Mike): Go ahead, Kristina.

Kristina Rosette: I'm sorry. Do we want to get an - you know, say advanced. These are all kind of brand on a related question because that's what I represent. But do we have a way - I mean, I'm just coming up right now in my head with a number of very brand-specific questions that I think we may want to get answers to. For example, you know, how many names tasting your brand have you, you know, become aware of in the past year or similarly, you know, one of the issues in the trademark community is that because the five-day period is so short, it's virtually impossible to prepare a file either a UDRP complaint on in the US, you know, and (unintelligible).

So do we want to get kind of general information from them as to how long it takes to prepare and file those? Do we want information from the NAF and WIPO as to how long it takes them from the time that you send in your UDR complaint - UDRP complaint to when they actually process it to the point where the freeze notification goes out to the registrar. I mean is that useful information? I mean I would think so but, you know, my thought.

Alan Greenberg: Kristina, it's Alan. I think that's useful information but I'm not sure it belongs in the questionnaire.

Kristina Rosette: Right.

Alan Greenberg: Those are targeted questions perhaps we should be...

Kristina Rosette: Okay.

Alan Greenberg: We or staff should be gathering information on.

Kristina Rosette: All right.

(Mike): I do agree with Alan on that.

Kristina Rosette: Okay.

(Mike): I think it would be useful information, particularly the last piece you mentioned about the time it takes WIPO to process certain things in NAF for that matter as well. I think it does - it will go to show that

essentially the remedies available to deal with this and the legal remedies available are pretty illusory.

Man: Certainly the things of how many times has your brand been, you know, whatever in the last year is the kind of thing you can answer under how were you harmed...

Woman: Right.

Man: ...examples of quantitative.

Kristina Rosette: All right. Well, why don't I do this, I'll kind of move it along with it - the IT constituency about kind of a list of questions that from our perspective would be - we think might be helpful to ask brand donors and once that's finalized, I'll post it to Liz so everybody can, you know, comment, maybe refine, et cetera.

(Mike): Yeah. I think that's a really good idea. In fact I think it's a good idea maybe for all of the constituencies to think about what specific questions and information they would like to add in to the process for their members.

Man: Well or what's more it may be appropriate for each of the constituencies to comment on the questionnaire and sort of suggest types of answers, not the specifics but the types of information which would be useful from each constituency. I mean, the questionnaire is rather open-ended.

(Mike): That's right. Should we just leave it up to the constituency to do that when they circulate the RFIs?

Man: I would think so. I don't - I mean I don't think doing that is bloating the deck so to speak. I think it's - or stacking the deck. I think that's a valid way to make sure people think of the kinds of things that we need - the kinds of data we need.

(Mike): So the RFI it should be, you know, on ICANN Web site, right, as opposed to just sending it out individually to constituencies?

Kristina Rosette: Uh-huh.

Man: Correct.

(Mike): Not just the ccNSO, the ICANN one, then I mean you could talk to other - I don't know - you'd hope that like there are two magazines now that are developed just for domain names, I've seen them, it's how you could call those up and ask them if they would post something or print something.

Jeff, you might know other good sources to make sure that word gets out on this RFI, whether people will respond or not.

Jeffrey Eckhaus: I think that there would be people keen to respond on this.

(Mike): You would think because I really think that there should be an issue that basically says, look, you know, this could - you know, you need to respond because a policy could affect the practice and, you know, could impact your business.

Jeffrey Eckhaus: Yeah. The challenge is the general public - there's a lot of informational curve, even just within this group on this, you know, between (tiding), tasting, all these other definitions, there's a lot of emotive press releases and things. So, folks are very interested to do feedback but sometimes their opinion or, you know, where they're coming from is really sculpted by some carefully crafted press releases or what information is disseminated to them.

Perhaps if there was some sort of a fact sheet or something based upon what we know that somebody could see there and then comment on, might be more productive for this.

Patrick Jones: This is Patrick again. And one thing we need to keep in mind is while this RFI is going on, there's nothing to prevent a registry or a couple of registries from proposing a new service through the new registry services process.

You know, that's sort of floating in the background out there and hasn't really been discussed, but it's definitely something that could happen. I'm not aware of anything right now but it's something to keep in mind.

Man: I think, you know, at least many of us on the call understand that that could happen, Patrick. I don't think it's, you know, anything that we should really necessarily need to consider as part of this group though. We're trying to get fact-finding.

Do you agree with that?

Patrick Jones: My point is that we could do this RFI and spend a lot of time talking and in the meantime, something could get proposed that, I don't want

to say resolves everything, but addresses these issues that we're talking about right now.

(Mike): Patrick, unless you know of something that we don't...

((Crosstalk))

Patrick Jones: I don't.

Man: ...VeriSign's going have to propose something on this, is that VeriSign won't and so the preponderance of the issues will remain regardless of whether a registry like PIR or Neustar or Afiliat proposes something through the registry services. I have a feeling it will still be - the majority will still be - will still exist.

Patrick Jones: Okay.

Man: We won't know the results of any, you know, of any of those proposed solutions for quite some time and I think six months probably, minimum at this point, assuming they put in a request, you know, tomorrow. And I also think that this work...

((Crosstalk))

Man: Will go towards, you know, looking at creating rules for new TLDs as well, so...

Man: I concur with - I think the merit of what Patrick is saying is that, you know, during this time, while this is being developed, that you might actually have some extremely important quantitative information should

a registry service come out and be approved and be applied in practice to see what exactly does happen in these changes because a lot of what we're talking about here, I believe, is a change to, you know, some very well baked-in business rules and things, you know, that'll have a broad impact across the network.

Kristina Rosette: Can we get - just following up on your point. Can we get - do you think (David) would be amenable to releasing the PIR number because I know that he got up there in San Juan and said, you know, since we implemented our, you know, re-stocking fee, we've seen a dramatic drop in it.

Man: Well, he said they disappeared.

Kristina Rosette: Right.

Man: He said there were only two registrars that are doing it and they stopped. But remember, at this point, there are far more fertile fields to work in.

Kristina Rosette: Yeah.

Man: If PIR was raising a small barrier.

Kristina Rosette: Right.

Man: We don't know to what extent the process would be changed, and everyone raised the same barrier.

Kristina Rosette: Right.

Man: I mean because they were just, you know, small pieces so to speak.

Kristina Rosette: Right.

Man: And, you know, why do something annoying when there's much more lucrative things to do. So their example, I don't think, really proves a lot in terms of general process.

Man: And I think the work of this group is to get broader input as to the scope of the problem and potential remedies than any individual registries might come up with themselves and propose to the funnel.

Man: I completely agree with you and, you know, the hope here would be that any meaningful information or any practical data that might come from a registry service that gets implemented should be taken into account and as part of all this project.

((Crosstalk))

Man: What's more we could take credit for part of it because we've been stirring up the water.

Man: Well, I mean, I think, (Jonathan), there's no question that that information will be desired and hopefully can be inputted into the process in a timely way. Like I said, I think that before that information is really meaningful, it seems to me at least five or six months out. And meanwhile, we need to continue our work and the council will probably address the issue within that timeframe.

Bottom line, I don't think that the data that will come from any possible registry funnel request is likely to be useful to the work of this specific group. It may be useful to a working group that is (in paneled) by the council later this fall.

Kristina Rosette: This is Kristina. I have a question. I have thought that in one of our previous calls or maybe I read it somewhere that someone had mentioned that one or more of the ccTLDs had prohibited tasting, am I remembering this correctly?

((Crosstalk))

Man: ...in the UK.

Kristina Rosette: Is it worth trying to reach out to the ccNSO to see to what extent, you know, there are TLD - ccTLDs that at one point permitted it but later prohibited it and what data they may have, I mean, is that...

Man: I would agree with that. I think that would be extremely important in this process.

Man: I don't think there are many others because I don't think many others allowed it to begin with.

Kristina Rosette: Now, that's also helpful for now.

Man: Yeah, actually, I would really like to know what is the situation in the country codes as the AGP, how many of them will allow it or what different models they've employed.

Jeffrey Eckhaus: You might want to - this is Jeff. You might want to speak to the people at the German registries because they do an initial and then monthly. People - I know that - I've heard, you know, that there's - that's one of the ways that - I don't think they've done it for tasting but people are able to check names for their value because they're able to do it on a monthly basis for those names. So, you might want to speak to people of that, you know, thinking about that.

Man: Uh-huh.

Man: I mean certainly across many of the ccTLDs the rules become quite organic and don't contrast as apple-and-apple comparisons to what's going on in the ccTLD space but there is...

Kristina Rosette: Right.

Man: Likely some really meaningful data points out there.

(Mike): I'm not sure what's the best way to approach the CCs is.

Olof, do you have any view on that or Patrick?

Olof Nordling: Well, I would say that, of course, a couple of CCs have been mentioned like Nominet and DENIC. And I would concur with that, they do have some experiences. And for the rest, well, we do have the ccNSO and why not some of the RFI put their distribution among their members and perhaps, well, a little more narrow cost, if we decide to do it.

So, pinpointing what - if they have a particular contribution to make in this regard if they experience this which may indeed be of interest for any economic analysis given that - well, if they have experience on what's happening in various - with various pricing models that they have, well then, you can start making some kind of economic analysis and calculate as well elasticity and such.

So I think it's worthwhile and well, it probably would be best to direct it straight to those that can be identified to start with and ask them to support - give support on information as well as, in more general sense, to the ccNSO for the membership.

(Mike): Okay. That makes sense to me.

Does anyone have suggestions other than Nominet and DENIC for - that might have specific information?

Man: Well, honestly, it's probably wisest to get some - put that out there to the ccNSO because I think within their own walls are going to be the opportunity for somebody to step up and say "I have something similar, I've seen this type of activity, I'd like to comment."

Man: Yeah. I think we want to ask for comments and input not necessarily hey, fill out this questionnaire though. I don't - I think that's not going to be a productive thing.

Man: Nominet may have statistics on what would happen to that based on if they implemented their domain tasting policy change. And Olof and I could follow up with Nominet and DENIC.

(Mike): All right, that'd be great.

And I'm just curious if anyone else in the group have any other specific CC registries that have adopted tasting policies or dealt with it in any way that might be useful to get info about?

Jeffrey Eckhaus: Well, the challenge there is the business logic across, you know 250 plus domains is all different.

(Mike): Uh-huh.

Jeffrey Eckhaus: So the only real meaningful way to attract that - you know, obviously we've been able to illustrate a couple of cases -- DENIC and Nominet - - that might be able to provide some meaningful input. But I still stand by the fact that, you know, putting that out there to the ccNSO is probably the only meaningful way to obtain a few more. I don't know that this group necessarily could say...

(Mike): Okay. I hear you, Jeff. I mean, certainly, I intend - I would like us to do that. I think we all agree, we would go through the ccNSO. I'm just curious if anyone had any other specific ideas that we could reach out to specifically as well.

Jeffrey Eckhaus: Well, I think the business logic for some activities identical with TD and CC so it would again be approaching VeriSign.

Afilias operates registry for a few ccTLDs with their TRS and there's one or two other aggregator points that might have multiple TLDs that match closely to gTLD business rules.

(Mike): I vaguely remember that someone mentioned Australia as either having a similar policy or haven't changed it but I don't - I really don't know if I'm imagining it or it was real. It should be easy enough to check.

Jeffrey Eckhaus: Yeah. So, it'd probably be worthwhile to reach out to Alda.

(Mike): Okay.

Jeffrey Eckhaus: The challenge we run into is if you just talk to large players in the ccTLD world, you may miss out on some real important helpful information.

Just as Patrick introduced that, you know, there's registries that may be working in parallel to address this, there might be some registries although smaller that have done something really effective that might be really important to the work we're doing here.

((Crosstalk))

Olof Nordling: We do direct anything to the ccNSO, remembering that the chair is from Alda, we might hope that he'll respond.

(Mike): I hope so.

Okay. I guess - I suggest we should start thinking about what the action items are for this week and planning on the agenda for next week rather than getting in the specifics of the question, I think, or the questions. I think we'll leave that open for another few days at least,

what do people think? Do people think it's reasonable to ask everyone on the list to have their comments on the needed questions by Friday?

The reason I asked that is in the hopes that Olof, Patrick and the staff can come back to us by our next call ideally a day or so in advance of our next call with, you know, a draft of exactly how the questionnaire would look.

Man: My life is easier if you set the target at end of Sunday or something like that, but I'm going to go with whatever the group says.

(Mike): I think that would be okay, actually. I'm assuming that staff would probably want to work on over the weekend anyway, but that probably is a big assumption.

((Crosstalk))

Olof Nordling: I'm really grateful for your assumption. This is Olof.

Man: Bearing in mind that there's a quite a few staff that are probably traveling from Hong Kong.

(Mike): Well, Olof, can you tell us if that was realistic, if we cut off comments on the questions by say Sunday night or Sunday - yeah, you know, Sunday night, could you turn it around in a day or day and a half?

Olof Nordling: Well, yes at least for your final verdict on next Wednesday's call.

(Mike): Okay. That sounds like a plan.

Sophia Bekele: (Mike), can I ask a question? Sophia here.

(Mike): Sure, of course, Sophia.

Sophia Bekele: I'm just wondering, you know, just to expedite the responses that you would get from us by Friday, I suppose if we agree on that, are we speaking to the question or do we have like a framework where we can respond to a particular action item that you would expect us to respond to?

(Mike): Well, essentially - I hope this answers the question. I think the draft RFI's been put out there now for only a couple of days.

Sophia Bekele: Right.

(Mike): Certainly, the notion is to have adequate time for people to digest it, comment on it, and suggest changes to it. I'm hopeful that, you know, one week's time is enough that we all agree on that. If not, speak up. And the specific action item is to provide any comments, additional questions about this draft.

Sophia Bekele: Okay. So, we're speaking to the draft document.

Olof Nordling: If I may add my two cents here that please have a look at the introduction, which I'll send out as well in separate mail. And also - because that would, of course, be merged together. So, any comments you might have - how to improve that would be most welcome for the same deadline.

Sophia Bekele: Okay.

(Mike): Yeah. What I'll do after the call, Olof, is merge - I'll just simply cut and paste the draft questions with the change we've made, suggested by Jeff earlier about, you know, asking for specific examples and stats. I'll just cut and paste that into your document on the (internal) and I'll send it around to everybody asking for comments by end of Sunday.

Sophia Bekele: I think that's probably what I was looking for, (Mike). That's excellent. So, we're not all over the place making comments, we can...

(Mike): Right.

Sophia Bekele: ...particular frameworks. That's good. Thanks.

(Mike): Okay.

And then Olof, you're committed then to putting out a premiere draft, I guess, that takes into account any comments you receive by Sunday?

Olof Nordling: Yeah, by...

(Mike): ...on Monday.

Olof Nordling: Tuesday my time, which would, well, at least give you a full day.

(Mike): Uh-huh.

Olof Nordling: Or 24 hours. Well, 24 hours before the next call, let's say...

(Mike): Right.

Olof Nordling: Like that. Right.

(Mike): And then that'll give us all a chance to discuss it obviously on the next call. Hopefully, it won't take up, you know, the majority of the call.

Kristina Rosette: Can I ask a mechanical question please? To the extent that we have - after consulting with our constituencies, we have suggested wording changes to the question, how would you prefer that we present those? In other words, our completely new documents and track changes, you know, what is going to work best for everyone?

Olof Nordling: From my perspective, track changes please.

Kristina Rosette: Okay. That's fine.

(Mike): All right. Hopefully, everybody can use Word.

All right. And then, other topics for the next call. Still haven't heard back from Kurt about the economist availability. That'd be ideal if we can get him on the phone and kick off that process.

Patrick Jones: (Mike)?

(Mike): Yes?

Patrick Jones: Just a quick note, Kurt's been out of the country. He'll be back next - probably next week so he's just been unavailable and will - Olof and I will check with him on the status of having the economist consultant participate.

(Mike): Great. Thanks Patrick. No problem. We all know Kurt's obviously a busy guy. Hope we try and take some vacation as well.

Okay. Other topics for the call next week is, I guess, to continue the outreach to key sources. I think we've heard - Patrick, you said that you'll look at the registry data that we have, is that right?

Patrick Jones: Can you repeat that again?

(Mike): I'm sorry. It was Jeff that I think volunteered to simulate the registry data that's available and then from there, we can look at the tasting registrars and I think the suggestion was to go through Tim Cole and his team to try to get some of those folks to specifically respond to the RFI. I want to make sure we're all synched up on what the plan is to continue this work.

Man: I think you'd also ask if it'd be possible to get some community input.

((Crosstalk))

Man: Getting the word out that there'll be a questionnaire or get...

(Mike): Right.

Man: The request for information.

(Mike): Absolutely. And hopefully, we'll have the RFI finished up by next week and get it out by the end of next week. I know Olof was going to talk

with the ICANN outreach team about that and obviously the intent is to get it out there as broadly as possible.

Man: I might have missed this at the beginning of the call. VeriSign was supposed to be producing at the detailed delete breakdown quarterly which meant the first report should have come in at the end of March. I haven't seen it posted. Does anyone know the status?

Man: Yeah, it has been posted.

Kristina Rosette: It's not.

Man: I thought it wasn't, but it was, no?

Man: Well, it's not in the monthly report then, it shouldn't be, but I can't find a similar section for quarterly reports, so I don't know where to look.

Alan Greenberg: Now, I may be confused then as well.

Kristina Rosette: No, Alan. It was my understanding as well and apparently that data is going to be provided - we should see it first and what comes out in August. You and I can talk offline.

I had the same misunderstanding. I had understood as well that what we will be seeing now is that specific breakdown but it won't be until next quarter, I think.

Alan Greenberg: All right. I'm not sure I understand that, but okay.

Man: Yeah, I'm not sure I do either. I think we already have numbers broken down by registrar.

Kristina Rosette: Right, but that's total delete.

((Crosstalk))

Kristina Rosette: That does not add grace delete.

Man: Got you, okay.

Man: They're supposed to be producing those quarterly and, I assume, then held for one month as the old - the monthly or three months rather as they held the monthly reports which would have said they should have been released end of June.

Man: Okay. But have they been releasing that information quarterly in the past?

Man: This is the first year.

Kristina Rosette: Yeah.

Man: This will be the first report with that information.

Man: It should be possible to get from staff just telling us what the status of that is without having to guess.

(Mike): Yeah. I know Patrick Jones is going to talk with Patrick Kane already, so Patrick, if you could give us any light on that that would be helpful.

Okay. Unless anyone has anything else...

((Crosstalk))

Man: I didn't have an answer for that.

Man: Patrick...

((Crosstalk))

Man: Yeah, okay. I'm on (unintelligible).

(Mike): Okay. I think we should end the call. And I will send out the draft docs, leave that open through Sunday. We'll have a new draft next week. Continue this other discussion about key sources and hopefully get the economists on.

Anybody else have any other topics, suggestions, comments?

Kristina Rosette: This is Kristina. Unless you all think it would be more effective to come from staff, I'm happy to reach out to the UDRP provider to find out what their average processing like registrar freeze notification time is.

Man: I'm happy to have you do that. I imagine the staff is too.

Olof Nordling: I'm very grateful for that.

Kristina Rosette: Okay. Why don't we do this: I will reach out and if I hit a brick wall, I will call staff to break through it.

Man: You know, as part of that research, can you also get statistics on how many (stays) have happened with, you know, by registrar?

Kristina Rosette: What do you mean (stays)?

Man: Well, there's something where in the UDRP process that, you know, if the two parties come to a friendly agreement that the UDRP, you know, somewhat evaporates that that process stalls and completes and the two parties just figured out something on their own.

Kristina Rosette: Uh-huh.

Man: There's a growing trend of friendly contact where it's not sort of an initial visceral, you know, UDRP or (CPA) where, you know, many of the tasting registrars or the registrants have an open door to report where there is some sort of suggested trademark abuse or things like that to help alleviate the problem.

Man: In other words, people just back down.

((Crosstalk))

Man: ...wrong term.

Kristina Rosette: In other words, the proceeding is terminated without a formal visit.

Man: Exactly.

Kristina Rosette: All right. To the extent that they can provide that to me, absolutely.

Man: Okay.

Kristina Rosette: But I'm not going to volunteer to compile them myself at this point.

Man: It would be really interesting also if they had numbers on, you know, per registrar numbers on, you know, how many UDRPs...

Man: If that were the case, it probably help by year.

Man: True.

Kristina Rosette: Well, I'll ask, you know. If they have them, they have them, if they don't, they don't and if they have them then they won't give them to me, but maybe they'll give them to Olof or Patrick, that's a different thing.

Man: Kristina, you may want to coordinate with Tim Cole on this.

Kristina Rosette: Okay.

Man: And the staff, he is the UDRP provider contact.

Kristina Rosette: Okay.

Man: And he's in consultation with WIPO and NAF and (AG) and DRC.

Kristina Rosette: Okay. Well, I was actually thinking that I would - you know, one of the benefit of me doing it is that, you know, I finally did the ideal thing for WIPO so, you know? All right.

Man: All right, everybody.

Man: Thank you very much and hopefully we'll have some more traffic on the list about the RFI.

Thanks.

((Crosstalk))

Kristina Rosette: All right, thanks. Bye-bye.

Man: Thanks, (Mike).

Man: Bye-bye.

Man: Thanks, bye.

END