

**WHOIS Study Group  
Teleconference  
TRANSCRIPTION**

**Tuesday 20 May 2008 15:00 UTC**

**Note: The following is the output of transcribing from an audio recording of the WHOIS Study Group teleconference on May 20, 2008, at 15:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at::**

<http://audio.icann.org/gnso/gnso-whois-20080520.mp3>

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

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**Present:**

James Bladel, Tim Ruiz - Registrars, Steve Metalitz, Lee Eulgen - (IPC), Steve DelBianco - CBUC, David Maher, Ken Stubbs - (RyC), Wendy Seltzer - ALAC Liaison on the ICANN Board

**Absent excused:**

Jordi Iparraguirre (RyC) Tony Harris - ISP, Stéphane van Gelder - (Registrars)

**Staff**

Liz Gasster, Glen de Saint Géry - GNSO Secretariat,

Coordinator: Sorry. Can we just start the recording.

(Liz): Oh, you're recording, I forgot. Sorry. And that's my fault he just reminded me too.

Coordinator: No that's okay.

(Liz): Yeah, we do need to the recording.

Coordinator: This is (Castro) I'm here just one moment.

(Liz): Yeah, thanks.

Coordinator: And then we'll bring everyone in silently.

(Liz): Great. Sorry about that.

Man: (Glen) I'm going to transfer over to a mobile because I have to do some traveling then I'll put it on mute.

(Liz): Okay (Ken).

Coordinator: Excuse me this is the conference coordinator. As this time this call is being recorded. If we have any objections you may disconnect. You may begin your conference ma'am, thank you.

(Liz): Thank you. Okay, again I think we're going to try to do a pretty short call today. What I'd like to do is really two things unless people have other things they want to add to the list, I would like to go through the document and make sure there are no changes or additions that people would like to see.

And then also just talk a little bit about the message that (Steve Crocker) sent in case there's any comments or thoughts from the group about that which I realize came very late yesterday.

I've been trying to you know, work with (Steve) to get an update for a few weeks, but (unintelligible) the last minute so, at least we got an

update but people may have not had much time to give any thought to it. Does anyone else have anything for the agenda today?

Okay. So I think the goal is to try to again, you know, finish this off this week and get it to the council within the next couple of days. And I did send a draft document compiled document which hopefully everybody received, the draft is dated 17 March, I'm sorry 17 May, wishful thinking, and it reflects the chart having been inserted on (unintelligible) to make a change in the chart but I'll tell you about in just a sec, and then the annex two that has the updated documents that actually I've inserted the link that's missing since I sent this out to you.

So let me just ask if you know, either group Viewpoint 1 or Viewpoint 2, have any proposed changes to the text of including my text at the beginning? Done. We're going to have a really short call.

Okay. One other thing too on the chart itself that I need to update (Eric Brunner-Williams) asked to be dropped from the list, so his entry is not going to appear on annex one and the additional statements that had been flying around among half the participants yesterday that you know, I guess it's not in the shoe as well.

So that's one change I need to make to the tally sheet before I, and I'll send it out one last time just to make sure there are no other issues, but does anyone have anything else besides that change that needs to be made?

(Steve): (Liz) this is (Steve) let me just ask, so this will be sent to the council and then is this on the council agenda for some next step or is this...?

(Liz): Right. So what would happen...

(Steve): ...the council to decide.

(Liz): Yeah. The council, it is going to be on the agenda for the council to decide. What the council normally does is you know, takes sort of at least a two-step approach to considering any issue in a sense that they'll have us present the report at the first meeting following it's submission, that meeting was scheduled for the 29th of May but I know we're trying to change it a week later and Glen maybe you have an update on that just because it (unintelligible) with the board call at the same time, so I don't think that's definite. Do you have an update on that Glen?

(Glen): No.

(Liz): Okay. We're still trying to deal with that challenge that it does conflict with...

Woman: I mean yes, I do know the board call, the council call will probably be one week later but I have got half the responses (unintelligible).

(Liz): Okay. So I think we're (unintelligible), sorry that was my call waiting clicking, I think we're anticipating the meeting around June 5th so that would be the meeting at which, you know, I would describe the (unintelligible) and what went on, the details of it. And then they would have some discussion but then they would have a subsequent, give everyone a chance to review the report and have some subsequent discussions.

I think the plan is for that to occur in Paris and you know, to have a discussion on Saturday or Sunday preceding the meeting and you know, there may be a motion at that time, I don't know. But it would not get acted on right away, it would get presented with the time to discuss at least two meetings.

(Steve): Thank you.

(Liz): Any other questions? Okay. Anything else to talk about with the report itself? Okay. Should we turn to, let's turn quickly to (Steve Crocker's) e-mail. Again, this was in response to I think (Danny Younger's) request to understand if there was more insights available or information available that might be useful on (Iris) and given the time constraints.

You know, I stuck with going to the (unintelligible) rather than, you know, a broader book, and so the information that (Steve) provided in e-mail isn't updated in response to that request from me on more information that this group requested on implementation of (Iris) and what would be involved. And it does appear that (Steve) is suggesting that, or the (unintelligible) is suggesting that further study be done on that.

So I bring that to the group's attention because we owed it to you not that it would necessarily change the outcome of this report in any way, but since it is requesting in a sense suggesting a study of its own I wanted to make sure that we have the chance to discuss it and you know, whether it does impact our work in any way.

(Steve): This is (Steve), are you taking a queue or just?

(Liz): I'd be happy to, sure. No one's talking so go right ahead.

(Steve): I've just, I mean I just looked at this a few minutes ago, but I think there's some interesting ideas in here. It's not clear to me what this group is in a position to do about it (unintelligible) we're going to report to the council and then wait for probably six weeks or more I guess from what you said. I think it would be useful to have some, you know, it would be interesting getting people's reactions to this.

And I'm certainly going to share this with our constituents because it can make some interesting points at the end about some of the issues you might be looking for in the future, you know, the evolution of who is. I think that there's some good points to be discussed there, but...

(Liz): And I was interested in

(Steve): I don't think our group is necessarily going to do anything about it.

(Liz): Yeah right. I was interested in what he said about IDNs, I wondered what people thought about the IDN issue specifically to (unintelligible) sort of looking ahead and saying, okay what are the implications to move forward.

(Steve): Yeah. No that's a, that's I mean, beyond that IDNs, excuse me, that (unintelligible) would appear in these other scripts, I don't know what exactly he's referring to there, but I think it's...

(Liz): Other comments or?

(Steve Delbianco): This is (Steve Delbianco)...

(Wendy): (Wendy).

(Liz): Okay, (Steve), (Wendy), who else? Okay (Steve)?

(Steve Delbianco): I'm looking at (Steve Crocker's) recommendations and the first one he has is the council should you know, continue proposed work, resolve legal and issues, and (who is) framework, and they believe the studies that catalog legitimate uses as well as abuses, etc., can help the community establish requirements for the administration of domain registration.

The question is, on the (S Facts) number one recommendation then are they saying that those studies would benefit the implementation even of an (Iris) type of regime, or are they speaking only of studies that value the current regime? I'm confused because I mean the implications could be that the (S Facts) is really endorsing further studies and if so, is it because they think they'll need that to shape the policy around (Iris). Thank you.

(Liz): That's a good question, I mean you know, one thing to think about is whether they are questions we'd want to, we or the council...

Man: (Unintelligible) the other side on the corner (unintelligible).

(Liz): You know might want to request back to the (S Facts).

Woman: So the statement that struck me most strongly in this was while the development of technical standards for the Internet is not an ICANN activity, the ICANN community would benefit from the use of a formal directory service and so I would strongly encourage interested participants on perhaps much of this group and (S Fact) together outside of ICANN to develop directory service protocols, but I take the recognition that it's not ICANN's mandate to develop that directory as an anti-study within ICANN.

(Liz): Other comments? (Tim).

(Tim): This is (Tim).

(Liz): Anyone else before we go to (Tim)?

(Tim): This is (Tim).

(Liz): Yes, (Tim) go ahead.

(Tim): You know, a comment I made before and I, even through all of the years of discussions and it's brought up again in the recommendation one of the (S Facts) where it talks about given that uses and abuses, and you know, and I still don't think there's any agreement within the community or even outside the community as to what's a legitimate use and what's an abuse.

And so things that you know, in going forward with any of this you know, whatever we do, that should probably, you know, if we pursue anything further, defining what is legitimate and what's an abuse is probably like the number one most important thing to resolve so that



we know what the heck we're studying, or that we know we're, you know, what we're trying to solve or what policies to pursue.

So that's probably the biggest policy question in my mind if anything is going to be pursued here in regards to who it is is defining what's legitimate and what's abusive.

(Liz): Okay. Other comments? What sort of process-wise do you think we should do with the Crocker (S Fact) e-mail, I'm sort of acknowledging I guess that it's kind of not the purview of this group at this point to do anything with it.

You know, unless you wanted to for some reason include it in the report, I mean I could just forward it to the council and say that this is, in addition this is information that the, and I think I probably should do this, but I'll just get your reaction, this is information that was provided by the (S Facts) that you know, also may be of interest in terms of further activities on who is and leave it at that kind of separate from everything else we're doing.

Is that an appropriate way to treat it, you know, there may be others in the council that you know, want to be informed about it or there may be you know, it's helpful desire to get more information. Anybody object to that?

(Steve): This is (Steve).

(Liz): Go ahead (Steve).

(Steve): I don't object but I would say that, I mean if there's time and if (Crocker) would be responsive I would ask (Steve) with respect to his recommendations number one, whether he's suggesting that those further studies that he lists he believed to be helpful with the replacing of (who is) and not just for the current (who is). In other words, I would just ask him to clarify the question I raised earlier.

Steve Metalitz: This is Steve Metalitz, I was going to get in the queue.

(Liz): Sure. Go ahead (Steve).

Steve Metalitz: Yeah I mean, we've already raised a couple of questions about this and you know, you raised (Liz) that what is he referring to about IDNs and (Tim) raised an issue and (Steve) raised an issue, I mean it may worthwhile just to have a conversation with (Steve).

Again, I don't know if this group has the charter to do that, but I would certainly think of just having a call with him might be useful to shed light on some of these questions, but that...

(Liz): Okay.

(David Maher): (David Maher) joining.

(Liz): Hi (David). Would it make sense, I mean we could go ahead and deliver the report. A couple things we could do, we could just deliver the report on time, you know, mission accomplished and then request a further call with (Steve) essentially keeping this group alive for that period of time to take a look at it. The other possibility is I think who is you know, will be a topic of conversation (unintelligible) in Paris, I could

use that forum to request an in person discussion and see if that's something (Aubrey) and the council would like to do, you know, on that topic which might also be good because it would provide information to other council members too as another way of handling it.

I just don't want to let the opportunity go by if there's, you know, useful input there for further discussion to have.

Woman: May I suggest letting the opportunity go by and letting the group die.

(Liz): Right.

Woman: Sorry. Sounds like a bad country song, I don't know.

Man: (Unintelligible).

(Liz): What do you think, (Wendy), others?

Man: Well I think either of those things would work.

(Liz): (Unintelligible) down the schedule more than anything.

Man: (Unintelligible). Yeah, the schedule (unintelligible).

(Liz): Okay. Well why don't I pursue that in addition or make it known that you know, we think that's an appropriate thing to do whether it's done separately and that we can put that in the cover letter to council with the report.

Okay. Anything else we need to discuss today? All right. I'm going to send a revised report, just the quote final report, out later today you know, we're going to try to send it to the council I think in Thursday, I don't see any reason to wait, we can even send it before if no one has comments.

I just want to make sure there's nothing I've missed, you all can take one more look at it after I've made the final corrections you'll see, and you know, look for it later today, try to e-mail me within 24 hours of any changes and we'll finalize by Thursday.

(Wendy): Actually one quick note.

(Liz): Sure.

(Wendy): From (Wendy). Maybe just make clearer the sort of everybody in the group with participating as an individual and no one has gotten or saw sign off promising (unintelligible) here, especially in the chart at the end where maybe indicate constituencies listed for identification purposes only because I know I am not speaking for (unintelligible) and (unintelligible) as the other participants.

Man: Good idea.

(Liz): Yeah. I guess the one thing I want to make sure of is for those that did check with constituencies and they're speaking on behalf of the constituencies, which I think is the case with the registries and the NCUC.

Man: (Unintelligible).

Woman: Good to capture that too.

(Liz): Okay. That's okay (David)?

(David): Yeah, that's fine.

(Liz): Okay. Everyone's participating as an individual. Does it make sense to just note that on the chart, on the bottom of the chart or should I also note it in the text, you know, in that italicized text in the beginning to viewpoint?

(Tim): I thought, (Liz) this is (Tim), not to make things too complicated but you know I do want to make it clear that we did, we did present the statement that (David) helped to craft for those who said no, to the registrar's listing and in general I mean we got support for it, there was actually no dissent but it's not like an official thing, we didn't have a vote.

So I don't want to make it sound like you know, this was, I mean I kind of just ran off on my own on this either...

(Liz): Well I could say that...

Steve Metalitz: This is Steve Metalitz, can I get in the queue?

(Liz): Yeah, go ahead (Steve).

Steve Metalitz: Yeah, I'm confused because I thought that for example on the registry constituency which you have listed there drew from the statement that was presented as a physician of the registry constituents.

(Liz): I think what we have is, if I can paraphrase is we have a sort of variety of ways in which this was scheduled by all of you. Some of you did consult officially with your constituency and produced a constituency statement and some of you contributed as individuals, perhaps communicating regularly to keep your constituency informed but it wasn't an official sign off in whatever terms those are. So somehow we want to capture that scenario.

Man: No the document that I sent says explicitly that a statement of the representatives of the constituency, not the constituency positions.

(Steve Delbianco): This is (Steve Delbianco), I can get the queue as well.

(Liz): Sure (Steve), go ahead.

(Steve Delbianco): Steve Metalitz I think you were first.

(Liz): Oh okay, sorry.

Steve Metalitz: Oh no, I'm done.

(Liz): Okay.

(Steve Delbianco): I wanted to say that in viewpoint number two Steve Metalitz and I both worked on that and wouldn't object at all to having it indicated in the same way that (David) and (Wendy) indicated it on viewpoint

number one in the sense that it's representative of the constituencies, and by representative I mean to say that I represent the interests of the (BC) although I did not try to obtain a formal vote on the particular words and phrases we put into the document.

(Liz): Okay. Why don't I do this, why don't I try to come up with a statement that captures what happened here. Everyone did operate, participate as an individual with representing the interests of their constituents and communicating with their constituencies as they deemed appropriate.

Steve Metalitz: Well yeah, this is Steve Metalitz, that you know, I think you have to express that there were a variety of approaches here. I'm just looking at this document that (David Maher) submitted on April 21st and it says the (FTLD) registries constituency submits this statement and then it says everything else if (RYC) believes this (RYC) ranks the order...

(David Maher): Yeah, well that one was a statement of the constituency, that's different than the one that's been (unintelligible).

(Liz): Actually inserted in the document.

(David Maher): Yeah.

Steve Metalitz: Oh yeah, I understand that but I mean, I was thinking in terms of, I thought we were talking about in annex one how...

(Liz): Well we're talking about, I think we could go in three places and we can talk about where it goes and also what the (unintelligible) is. Potentially we could footnote or note or highlight the participation you know, above or below the tally chart in annex one. We also, if we

wanted to highlight even more the nature of the participation could add phrases or sentences in that italicized text I put before each of the statements in viewpoint one and two. I'm open to whatever you all suggest.

It's also okay with me if each of you wanted, each group wanted to phrase this themselves.

You know, if there are differences in what was done in the case of the no studies versus the post studies, but you know, I'm willing to try to come up with sort of single statement that could be put in all three places or just in the annex one that tries to capture the point that everyone operated, participated as an individual with the interest of their constituencies in mind communicating with the constituency as you deemed appropriate.

Man: I'm comfortable with just what you just said.

(Liz): Okay. Anybody object to what I just said? I mean I'll put it in writing and we'll have one more chance to look at it today.

Man: Sounds good.

(Liz): And, sorry?

Man: It sounds good.

(Liz): Okay good, thanks. And then the only last decision to make is does it just go in annex one or would people like it highlighted before the text in each of the two section two and section three?



(Steve Delbianco): (Steve Delbianco), I'd prefer the latter on (unintelligible).

(Liz): Okay. Anyone object to putting it on all three places, same statement?  
Okay. Let me take a whirl at that and feel free to edit as you like and  
let's, anything else before we close? So I just want to thank everybody  
for your participation and...

Woman: Thank you (Liz).

(Liz): Yeah. My pleasure.

Man: Okay, thanks.

Man: Thanks (Liz).

(Liz): Okay.

Man: Take care.

(Liz): Talk to you soon. Thanks. Bye.

END