

**GNSO**  
**Inter-Registrar Transfer PDP teleconference**  
**22 May, 2008 at 16:00 UTC**

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<http://audio.icann.org/gnso/gnso-ir-transfer-20080522.mp3>

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

**Present:**

Mike O'Connor (CBUC) chair, Tim Ruiz, Paul Diaz, Margie Milam (Registrars) Barbara Steele, Pamela Miller, (Registry constituency) Michael Collins (CBUC) Christian Curtis (NCUC)

**Staff:**

Olof Nordling, Robert Hoggarth, Glen de Saint Géry

**Wiki reference:** <https://st.icann.org/irt-pdp>.

Coordinator: Thank you and at this time I'd like to remind parties that today's call is being recorded. If you have any objections, please disconnect at this time.

If you need assistance throughout your call, please press star 0. Thank you – you may begin.

(Mike): Thanks very much.

Glen Hi Mke. Should I do a roll call?

(Mike): Yeah, let's do that.

Glen We've got Mike O'Connor, Michael Collins, Barbara Steele, Margie Milam, Pamela Miller, Tim Ruiz, Paul Diaz, and Christian Curtis and Olof Nordling and myself from staff.

(Mike): All right, now we've got a great group. I think I'll do it without the queue unless it gets too complicated. But let's try and avoid the queue process if we can.

And as I was saying, I think that what we'll probably want to do is devote the bulk of the time today to trying to get to a final – not a final draft – but a draft that we can take back over the next week to our constituencies and then try and come up with a final version for a public review next week.

To that end, what I thought I would do is use the Wiki page of proposed drafts as the scratch pad and I'll just keep editing that page as we go. And I'll give you a heads up when I update the page. So for those of you who are sitting at computers, why don't you navigate to that page and refresh it right now and then I'll go in and start editing and I'll let you know when it's changed.

If you look at that page right now, just to bring folks who weren't on the call up to speed last week – we worked on Number 9 first – or Number 8 first because the group felt like that one was pretty straight forward and tentatively arrived at a draft. And so what I'd like to do is start with Number 9 – work on the remaining three – 9, 5 and 7. And then at the very end circle back around to 8 to give folks who weren't on the call last time a chance to come out.

And that's pretty much it for the agenda – I think – in terms of – at least where I'm coming from. Do folks want to add anything to that agenda?

All right, I'll take that as approval to go ahead. We got started on Number 9 last week and I think (Barbara) had to drop off – somebody had to drop off the call. So we agreed we'd pick it up again. Olof is done (Yeoman Service) on the Wiki – I want to take a moment to say thanks to both (Gwen) and Olof for all the help on this.

And Olof has got the tentative draft up there in bold – is there anybody who isn't able to see the Wiki – do I need to read these because I'm happy to do it? But if everybody's on the Wiki, I won't. Okay, so everybody's seeing the Wiki.

So with that, I think I'm going to just open up to conversation. I'll take notes; guide the conversation as best I can. And with that, carry on, people. That tentative draft acceptable? If it is, we'll zip right through this one and move on to the last two which I think do have some issues associated with them.

(Barbara): (Mike), this is (Barbara).

(Mike): Hi, (Barbara).

(Barbara): With regard to Number 9, I think it would be helpful – and this is one of the notes that I put on the discussion page but I haven't seen any feedback on yet. But I think it would be very helpful for us to also address the fact that (pay and registrant) doesn't qualify as a change of registrar. And it's mainly because that's the main thing that we see complaints about – those in the form of a formal case being filed for dispute resolution as well as, you know, just complaints from one registrar against another.

And I know that there was some comments surrounding that and I really was hoping that we could be able to get some feedback from the registrar since typically it's, you know, it could be within the registrar's privy to go ahead and add information to their registrar – excuse me – registrant agreements or registration agreements that restrict transfer after a change of registrar information. So I didn't know if anyone had any thoughts on that?

Olof: I think – this is Olof. I think that is the gist of the proposal in the Points of Clarification document. It would be very clear on what transferred means. So by stating that it is well, an inter-registrar transfer or transfer

to the registrar of record and it is well, it would be clear at least that this is not transferred – it's not a matter of transfer between registrant.

(Mike): It sounds like we had two.

(Barbara): I was actually going to say something else as well.

(Mike): Go ahead.

(Barbara): It's (Barbara) again. I guess, you know, from my perspective, I don't know if it makes sense for us to explicitly state that it doesn't include registrant transfers. I mean, I know that it does define transfers here at inter-registrar transfers.

(Paul): Yeah, this is (Paul). I think we ought to leave the text narrowly focus – that's the mandate of this working group. The surrounding issues that might deal – might be permissible or that registrar – let me rephrase that – that registrars use or sight to deny a transfer request. Some of those issues are coming in the forthcoming PD piece. I don't really think we should add language that is really going to be the focus of future things. Plus it's beyond the mandate of this current drafting team.

(Mike): Thanks, (Paul). Anybody else...

(Tim): I agree with (Paul). Yeah, this is (Tim) – I'm sorry.

(Mike): Yeah, (Tim).

(Tim): I agree with (Paul) and I think, you know, that what we should try to avoid doing is changing or setting policy with what we're doing here that we're clarifying. We don't really have the time or the mandate – I don't believe – to actually effect, you know, new policy or clarifications that would actually change the policy.

It may be a fine wine but I think to the extent possible, we're just trying to clarify what the intent was. That's my understanding.

(Mike): Would everybody agree with Olof's interpretation that by saying what transfers are, we've also in a way stated all the rest of the galaxy of things that they are not? And thus as (Barbara) – is (Barbara)'s issue essentially addressed because the language that's here doesn't include registrant transfers?

(Margie): This is (Margie). I actually agree with (Barbara). I think that language could be more clear and if you inserted the word only means, then I think your point would be well taken that that wouldn't include other items.

(Mike): How would people feel about inserting only somewhere in that sentence? That seems like a good amplification without really changing the intent.

(Pam): This is (Pam) – I would agree with that – putting only in the...

(Mike): So where should we put it? Somebody read that sentence and stick an only in the right place and I'll type it in?

Olof: Could I – this is my suggestion – this is Olof – is to put it between shall and mean. Shall only mean.

(Mike): That sound good to folks?

Woman: That's good.

(Mike): Okay.

Woman: Fine with me.

(Michael): I think that is a good compromise – this is (Michael).

(Mike): Great. I'm – I hit the Save button – it worked. You should be able to refresh your screen and see the new language now. Let me know if that part worked. This is a moment of truth as my theory here.

Woman: That works for me.

(Mike): Good deal – okay. Any other comments, thoughts – (Barbara), that was a great one. Anybody else got refinements that we want to inject into Number 9?

Going once, going twice, sold – okay. So I'm going to call Number 9 done for now. And purely arbitrarily move on to Number 5 since it's next on the page unless somebody's got a strong opinion to the contrary.

And Olof, could you kind of give us and introduction to this and describe what you're envisioning our result will be on this one?

Olof: This is probably the one where we have had the most input. Actually we have the current text – is that – hearing...

(Mike): Yeah, I'm hearing it too. I just muted my phone and it didn't stop – maybe...

Olof: Yeah, well anyway, I continue. Perhaps it stops by itself. We had actually two suggested clarifications in the point for clarification document. And these were mainly aimed at what happens during the ordering of new grace period and expressed in two different ways – in a rather specific way or in a more generic way.

And I used the more specific one as a very tentative for a suggestion. Must be noted where we have text also from the IPC – which is more – a little bit longer and text from the ISTCP. Both of those are in the matrix which are on the – well, the overview I sent out very early on before this...

(Mike): And Olof if I could interject – those texts are also on the Wiki. And so what I've got is two windows open and I'm toggling back and forth. And I would commend others to do that too. It makes it easier to refer those. Go ahead, Olof.

Olof: Yes. So I think that was at least one of the focal points here – what happens during the ordering new grace period. And well, first of all, the ways expressed is to exclude that kind of – well, non-payment, so to speak. That they are not part of fees for a current registration period. It's a circumspect way of saying that non-payment of those shouldn't count as transfer denied reason.

So this is also – and this is worth mentioning – we have had to staff clarification on what the current text actually means which says roundabout the same thing. And I know that there have been discussions on that and that is also on the ICANN analysis site. And I think – well I could show you the – or send you the links to that one if you like. It's on the announcement Web page for ICANN.

(Mike): Maybe, Olof, if we can't get to a conclusion today on this, maybe you could just edit the Wiki with that link.

Olof: Oh, yeah. That I could do right away actually.

(Mike): Terrific. Don't put it on the page of proposed text though because I've got that one.

Olof: Okay – I put it somewhere else.

(Mike): Yeah. Okay, is that sort of it for your introduction?

Olof: Well, I think it's mostly it and there may be other issues as well. I mean, I know that there were discussions about what happens actually and when it's registrar hold or if it happens to be on registrar lock in certain cases.

But I wonder if that is going beyond the clarification – rehashing what was said just a minute ago that we shouldn't go too deep into the, perhaps, the quality aspects of this as that could be addressed by other PDP.

(Mike): Yeah.

(Michael): This is (Michael). I would still prefer not to think that...

Olof: You're breaking up, (Michael).

(Mike): I bet he's on his cell phone.

(Michael): Let me take it off of speakerphone – maybe that will help.

(Mike): Much better.

(Michael): Thank you. I was muted most of the time so it was easier just to listen. I would prefer not to see us expand the scope and just work on clarification on all of these, I think.

(Tim): This is (Tim) – I'd like in the queue too on this one.

(Mike): (Michael), are you done? If not, we'll...

(Michael): I'm done – thank you.

(Mike): Okay, go ahead, (Tim).

(Tim): Well, I'm going to take a little bit more of a radical approach on this one in that, you know, personally I don't think we can do anything to this – to the current text that doesn't effect what at least one or more – probably many more – registrars consider policy. And that's what concerns me about any of these three suggested texts.

And personally , I mean, I feel like this is actually, you know, merits almost a PDP or be a part of some – one of the many transfer PDP that will probably going to be coming. So one alternative may be that we don't suggest alternative texts or clarification and the issues involved in the (dart board) leaving us concerned enough to the number of registrars that should have a consideration on its on. And that simple clarification will really not do it in my opinion.

And that I believe is my understanding of the number of different registrars depending on this. I don't know, (Paul), what you think.

(Mike): (Paul), you want to chime in?

(Paul): I tend to agree mostly with (Tim). I'm just not sure if we don't – if I'm following all the way through – if we don't provide something or we just refrain to say this drafting team agreed with the points of clarification language. I'm sorry, (Tim), I'm just not completely following.

I agree that we shouldn't be crafting policy here. Can we – but we do need to provide something, right – to demonstrate these clarifications.

(Tim): Yes, I'm suggesting that none of the suggested clarifications actually work. And that the current texts should be left until more – until there's more opportunity, more time than what this drafting team has to really address the issue.

I'll give you an example of an issue that's been raised and that is that, you know, there's a conflict with the term of a registration agreement. And at the end of that year, that registration really is no longer in place. And so, you know, some registrars have raised the issue, well, what do

we do? There's really no registration agreement here, the renewal dates between what the registrar has and what the registry has don't even match because the registrar – the registries do a, you know, they do a auto-renew kind of thing.

So there registration date is actually a year ahead of what the registrar might be showing. There's a lot of little issues around this where, you know, does it need to be clarified, does it need to be resolved – yes. But can we address all these little issues appropriately with the time frame that this group has been given – I don't believe so.

That's why we leave the text as it is and just simply, you know, there's more involved here than what we can resolve in the amount of time we've been given.

(Paul): Thank you for the clarification, (Tim). Now I get it and I do follow you because whether with this Number 5 or the next one coming, I really don't think this group with its existing mandate is going to be able to avoid policy prescription. And you know, maybe in the interest of everything, especially since GNSO has already authorized PDPs on all these other issues – more in depth issues.

I agree with you, (Tim). I think that might be the simplest route to take right now for this group. And also means that we're going to be able to have something delivered to the GNSO by their self-imposed deadline.

(Tim): Right – and so – and, you know, as the council discusses those PDPs that are on the table for the other work that we can look and see, you know, where would these fit in and to make sure that if they're not

already covered that perhaps one of those will be expanded somewhat to make sure that we involve these issues.

And that seems to be a much better approach. It'll allow more opportunity for community input from those who are affected and in enough time to have the issues properly addressed. And I don't think either of those are going to occur within this....

(Mike): Anyone else want to chime in? I have a question for (Tim) and (Paul). If we were to really, really narrow this to simply the clarification around the auto-renew period and left all the other issues, (Tim), that you've mentioned – I agree. Those are well outside the scope of what we're up to.

Could we just push in that one clarification and leave the rest for the other PDPs? And I'm not sure – I'm not asking that rhetorically – I'm really asking that because I don't know.

(Tim): Yeah, I think that throwing the ad, you know, if you look at the current text. You know, it talks about previous registration period, the domain for past expiration date, the current registration period has not yet expired, etcetera. And then if you look at the point of clarification, it throws in this term utter renew grace period which there might be some implication of that in the current text. But I don't think it's necessarily clear that that's what was intended or that that's what, you know, the majority of registrars have actually been operating on.

And so when we throw that in there, you know, we're – it's like we're – to me, it's like we're actually been making policy or an assumption

about what is intended. And I don't think there's an agreement here on what was intended there.

Man: I was under the presumption that the prior group essentially came to agreement with bright differences in text proposed by various constituencies on this one. But I wasn't on that call so I'm not sure.

Olof: Well, (Mike), I think I need to correct you there. The prior group was the (chances) working group and they produced the Point of Clarification document suggestion.

(Mike): Correct.

Olof: The current PDP which we are currently in – well, actually came up with – well, the constituencies within the scope of the current PDP, the IPC text and the ISPC text came in as part of the constituency statement. So it's not the prior working group. We're the first drafting group within the scope of this PDP actually. So we should relate to those texts as if they're part of the presence we're in right now.

Man: Yeah, I think, you know, I was in that group – participated in that group, (Mike). And you know, a couple of issues with that – one to me that was protracted out over years. I think we started it in 2005 or 2006 and we didn't conclude it until late last year or something like that.

Man: Wow.

Man: Because getting started – but in reality, you know, it wasn't pursued as, you know, seeking constituency consensus on these different things. So it really wasn't pursued in that vein. And I think in the meantime,

you know, at least within registrars, you know, as, you know, more thought has been given to what was in that working group's report – so a lot of concerns have been raised and a lot of questions about some of the things that I raised – a lot of questions about those issues.

This actually has me concerned that we don't rush through this and that we give it a, you know, appropriate amount of time and attention that I think it deserves. I think they came to resolve – I don't think it'll be like it's some protracted PDP to do it. But I think more time needs to be given to it than what we've got here,

(Mike): Yeah, and if this is really the first time through, I tend to throw my lot with you guys on this. I assumed it had been a discussion and that auto-renew stuff had essentially emerged from that discussion and we were simply the mechanics crafting the sentence.

But if in fact we're making the policy, I agree – I think that's outside the scope of what we've got the ability to handle. How do other people feel about that?

Olof: I'm just thinking about that – this is Olof – about the link to the (iconic drive through) for your information on the first page of the Wiki.

(Mike): Oh, thanks – thanks a lot, Olof. I'm hearing a silence. Is that silence agreement? Assuming it is then...

(Margie): Oh, no – this is (Margie).

(Mike): Okay, go ahead.

(Margie): I apologize for not attending the meeting last week. I just kind of wanted to get an understanding of what charter is. Because I looked on the Wiki, what it states. It sounds like what we're supposed to do is come up with drafts by the end of May so there'll be public comment. And then there'd be time for final consideration brought by the council.

So I don't see how drafting changes and course the charter is creating new policy because in effect, all we're doing is just saying this is going where we reach consensus, assuming that there could be a consensus on some of this issues. It goes out to public comment and then later on the GSNO decides whether it's, you know, approved or not.

So I'm not really following, (Tim), you know, co-chair. It sounds like, you know, if we adopt what he's saying then we really have no purpose in even meeting. I'm not really sure what the purpose of this transfer would accomplish.

(Tim): This is (Tim) – can I explain a little bit more?

(Mike): Go ahead.

(Tim): You know, if we do that, what we're putting ourselves into, you know, this PDP time line where there's got to be some result and you know, a vote within a certain number of days, etcetera, etcetera. And that's what I don't want to do given the short amount of time that we're going to have to really try to hammer t his out.

And you know, to give you an example right now, I mean, (Margie), if you know, the registrar's constituencies is in the middle of an (ex-con) election. So it's even difficult to figure out, you know, when will we

have time to actually appropriately get the kind of discussion going within the registrars to even be able to know, you know, what is the registrars consensus due here in regards to this.

So the council here – I don't feel comfortable, you know, just knowing the concerns that had been raised and saying, well, you know, there's some acceptable assumption here to make about what was intended. I don't think that's clear from the registrar's perspective and also comfortable about trying to make that kind of call.

Whereas, if this was – and so I don't see why, you know, just because this group is given a charter, you know, to say well, we've got to do something do or die – think that's a mistake and a dangerous assumption to make given the impact the policy has on registrars and registries and others. And that, you know, there's nothing wrong that I can see with coming – going back and saying, you know, look, this is more complicated than what it appears. You know, there should be more descriptive in having a lot of time give to it and to just suggest that this be included perhaps with the other PDPs.

In fact, I think parts of this and the next one both are and so it would be not difficult to expand those a little bit, to include these so that when those PDPs take place, you know, then appropriate input from everyone can be made and it can be addressed in a more thorough manner than what we're going to be able to do here.

And I just don't see us coming up with something that's – and I don't want to get – start down this road where we've got to make – the council's got to make some call at the end of it regardless. And that's what I see happening.

(Michael): This is (Michael). I'd like to be next.

(Mike): Go ahead.

(Michael): What I see is that this is an important issue and that – and it does need to be addressed that registrants need to have a consistent policy one way or another. They need to know, you know, ahead of time – not after the fact whether a transfer that they initiate during the auto-renew grace period will succeed or not. Because if it doesn't succeed – that said a point and time where if the transfer doesn't succeed, you know, they can lose this registration due to an expiration.

And so I think it's critical that we solve this problem. However, having said that, I think that this is an important issue and, you know, there may not be an agreement on how, you know, how this is worded and how this policy should be applied. And if we as a working group can't come to an agreement on it, we probably should do as (Tim) suggests, I think. I'm finished.

(Mike): Any other comments?

Olof: Yeah, Olof – if I may comment. While the whole idea would – setting up a drafting group to try to produce text was of course under the assumption that would be something that could comparatively easy be done. And I think while there is no pride lost if we would just – we could conclude that while this – we have no agreement on within the drafting group.

So hence, it calls for another approach. Whether that's conducted within the current PDP which is intended for clarification, all transferred or married into one of the sets of transfer policy's PDP that are foreseen is something perhaps could be left for the council's discussion. And we may wish to include a line on that in some kind of final report.

Man: Yeah, you know, I mean, that's my point, Olof. And I think, you know, if the council should decide, well, we're going to leave it with this group or we're going to extend the time they have so that we can really address this then, you know, that'd be another option. But what I hate to see happen is that we just force the issue to come up with something by such a deadline just so that we do.

But it's not thorough, it's not the right thing. And you know, I see no luck or pride in asking for the amount of time we think necessary to really address it or that it's addressed in another thorough way.

(Margie): Yeah, this is (Margie). (Tim)'s right in the sense that it takes a long time to get registrar constituent's input and we are in the middle of an election. And this is a particular issue that, you know, of concern to a number of registrars. So we would certainly want to get, you know, the ability to get input before there's some recommendation.

So I think, if the approach is to say we need more time to be able to solicit those, you know, statements and input – I don't have a problem with that approach.

(Paul): Yeah, this is (Paul) – I was also going to say that it may be beneficial to the broader community to see that this works in group – in this

drafting team which was, you know, designed, as Olof said, to try to move things quicker and want to recognize that there are additional complexities, there are deeper issues here that we don't want to rush through it and that we had basically taken our role very seriously by saying we can't do something so quickly.

If we communicate that message back to the council, then the council can decide whether expand on mandate or merge this group in with those forthcoming PDPs. I think it serves everybody's interest because to (Michael)'s point, a consistent policy that provides for everyone is the ultimate goal here.

And I wouldn't want to be part of a group that rushes through something and then when the additional questions come up on some of these other issues that will be addressed in the future PDPs, they kind of look back at that group and say, well, why did they rush through that? Why did they, you know, either what were they thinking or did they just kind of blow through it because they had this very, very tight deadline that they wanted to hit.

(Christian): This is (Christian) – I'm sorry, I had to leave the call briefly because the fire alarm went off in my building. But could I ask what item we're on now?

(Mike): Hi, (Christian) and welcome back. We're on Number 5.

(Christian): Okay.

(Mike): And...

Man: We just need – I'm sorry, I didn't mean to interrupt because I had that issue earlier myself. I know – go ahead.

(Mike): Feel free to ask that question any time, anybody. Let's take a quick sense of the group on this. I'm picking up sort of overwhelming support for the notion of deferring this discussion for subsequent PDP efforts or an extended version of this PDP – one of the other. But at any rate, deferring this one and not trying to shoehorn it into the two-week – actually one-week remaining deadline.

Is there anyone who would like to make the case or carrying on? And if not, then I'd like to quickly try and recap the reasons why we'd like to defer and I'll update the Web page with that and we'll carry on – how about that?

Anybody want to make a case for pushing forward on this one in today's call?

I'm not picking up a lot of enthusiasm so here – I started taking some notes and I think I can use some help flushing them out. I started really with when (Paul) was talking. So I stuck in the notion that there are deeper issues and more complexity here that perhaps this could become part of a broader – of the broader PDP effort that's following behind this one. And that we really have no desire to rush through this issue simply to hit an arbitrary time line.

Are there other sort of statements we want to make to sort of back up our decision to defer this?

(Michael): (Michael).

(Mike): Go ahead.

(Michael): I kind of understand our mandate to be clarification and I just the word clarification to me kind of insinuates that the meaning should be relatively clear though there might have been an opportunity to creatively interpret the rules and we were just trying to close loopholes in a sense.

And that kind of thinking shouldn't require really policy making. That it should be easier than policy making. And if we come to an issue that we don't agree is really clarification but is actually more policy making. It's really not in our mandate possibly.

Olof: I would – this is Olof here and I think that was sort of the working assumption when the (docking) group was created. That – well, if we can't have an consensus here, it's more than mere drafting that we need to do. Meaning if we have differences of view and we know of differences of view in the respected constituencies.

Well, then we are actually dealing with more than the clarification. So I think that is a conclusion we can draw concerning Issue 5 – or the number is 5.

(Mike): (Tim), could you – one of the one things that you said that spoke to me was the previous registration – the registration period...

(Tim): Right. They seem – to a lot of registrars, they relate the term of the registration agreement. And yet, you know, what is an attempt at some of the redrafting is to be referring to the ad grace period. And you

know, it isn't clear – it never has been that clear – what – how the grace period, you know, comes into play there.

I mean, is that – that term is not used in the policy. And the terms that are used all seem to relate to the registration agreement. And the assumption has been by all and I think rightly so that the registration agreement runs from creation date to one year after.

So you know, if there's going to be a change in the way we look at that or the way we deal with that, you know, in a lot of registrar's minds that's a policy issue and you know, not just a redrafting of what's said there based on, you know, what the assumption of the intent was at the time.

And, you know, one thing to keep in mind here is that, you know, there are dozens of not potentially hundreds of registrars who have become accredited, you know, long after all these discussions took place in the initial PDP discussions for this transfer policy. So what they're going by is what's written in the policy. They're not, you know, they're not expected and they're not required to go back and dig through all the previous conversations to try to figure out what was meant.

They're going by what this policy says. And so while I agree that in some cases and maybe a couple we've already dealt with were, you know, just kind of created interpretations. In other cases – and I think this one and possibly even to some extent the next one, you know, what is actually – I don't think it's a matter of creative interpretation.

I think it's a matter of a lot of registrars just honestly dealing with the situation based on what the policy says. And I'm just concerned that

we're going to cause a lot of issues for registrars – for registrants. You know, redefine, you know, the term of registration agreement. For example, just by redrafting this policy not really having full community input about it.

Olof: Just quickly you mentioned the ad grace period. And of course we have done so much to maintaining these days that I think that possibly you meant the ordering new grace period.

(Tim): Yes, yes. Absolutely.

(Mike): Okay. Any other thoughts on the reasons for deferring? I think what I'm going to do is I'm going to go ahead and save the page right now so that you can see the bullets that I wrote. And they are there now – at least on mine. Go ahead and refresh your respective pages. Take a look at that list.

It's definitely in notes format – you're going to get a writing challenge in a minute. But I'm really interested in seeing whether we've captured the essence of this discussion at this point and not Wordsmith exact phrases. I think we can use the Wordsmithing to Olof.

Olof: Yeah, I – keep it exactly like this here. I think I make some meeting notes and try to condense that in those – okay?

(Mike): Terrific.

Olof: Okay.

(Mike): What are other people's reactions to that list? Is that sufficient?

I'm detecting no cries of pain so I think what we'll do is we'll leave this point in this state. We'll recommend that we refer this one. I suppose what we could do is we could make a recommendation to the...

Man: Council.

(Mike): Council – yeah. And say what – recommend that it be – become part of the broader PDP effort? Maybe move that bullet down into that as a recommendation? What do people think about that?

Olof: Is it so that there is a choice for what the council either – to, well, handle this within this PDP and with a broader working group approach. Or to encapsulate it into one of the other transfer policy sets to be PDP'd in the future.

(Mike): Okay.

Olof: Is that – I mean, I think that's the choice that they could have. Or do we wish to recommend that (unintelligible) into one of the other sets? It's more of a question?

Man: It depends – I suppose if you had a group it would matter. But I – just my own opinion is that having the choice would be good because I don't want to be seen as, you know, just trying to put something off or delay. So if it's more advantageous for this group to just continue but to be given a, you know, a broader mandate and more time, then fine. You know, because I want to get to a resolution but it's just a matter of having the, you know, an opportunity for the right amount of input and the right amount of time it takes to do it.

I'd be for having the choice and the council decide which is the best approach.

(Mike): I've captured this is an recommendation that says – hang on a minute, I'll just push it out to the side and you can see it. It should be there now. Again, a little Wordsmithing in terms of personal pronouns. The council could expand the mandate and that is probably a better way to say this. But I think that captures the choice notion. I like that as well.

Anybody else want to comment on that? All right – go ahead.

Man: That looks good and I was going to say that I think the choice is also important because it will underscore for council that this group was taking the issues very seriously. That it's not just an effort to push it off and you know, kind of shirk a responsibility. We're taking it seriously and you know, look at either look to expand our mandate, give us time or fold it in with one of the others.

(Mike): Yeah, but not drop it which I think is...

Man: But not drop it – right.

Man: Right, right.

(Mike): Okay.

Man: I would agree that we should add something to that extent. That we do not think that it should be ignored or put away. It is an important issue we just can't solve it. And I recommend that we just mandate.

(Mike): Do not recommend issue – that we didn't have time to adequately address it. Okay, I just saved it again. It'll be there for you. Okay, are we done with that one?

So let's carry on into Number 7. And again, Olof, if I could call on you to give us sort of an introductory overview?

Olof: Yes – and this is – well, I believe it's much more focused. I would say that – well, the current reading of the text – well, the main name was already in locked state as provided as the registrar provides a readily acceptable and reasonable means for the registered name holder to remove the lock stated.

And I think there's been comments from most of the constituency about where the focus point is really – what is a readily acceptable and reasonable means to remove the lock stated? And we had a text suggestion which is pretty lengthy from the ITC and we have suggestion for clarification provided by this point of clarification document from the (transits) working group.

That basically says that it should be SEC to remove the lock status as it is to change any other contact information or name server information. So that's the gist of the clarification. And so a tentative proposal I put up on the Wiki was just to combine the two. Have the current text plus the clarification provided by the POC. Well I think that will do as a starter.

(Mike): Terrific – thanks, Olof. Thoughts, comments from the group?

Man: Well I would say only one thing about the suggested text – this is (Michael). I would hope that that would never encourage registrars to make it more difficult to change other information such as in house server's information instead of making it easier to remove the lock aspect. I'm not sure that this comparison presents some other kind of abuse – I don't think that most registrars would be looking for that kind of behavior but I suppose it opens a door for that.

(Mike): Okay – other – somebody else was on at the same time. Go ahead, whoever.

(Tim): This is (Tim). Yeah, you know, I think what – that's a good point and I think that was maybe part of what was thought about here was that different registrars had different security levels on how to do things and so it was trying to kind of allow some flexibility in that regard. But beyond that, I think one of the concerns that I know we have and I know other registrars have expressed is that, you know, some of this has taken steps to develop option services for registrants who are more concerned about security, who want to take broader security measures.

And in those situation, you know, the, you know, changing your name servers for example, you know, might be an easier thing to do than undoing a lock. You know, it might have been opted into a service where they have to perhaps goes as far as calling the support number and giving the PIN code or something of that nature in order to remove a lock off a domain name. And you know, in order to prevent, you know, if an accountant gets asked and still can't be transferred away or hijacked without being able to take the further steps.

So what I think what registrars don't want to lose with this rewrite is the flexibility to be able to have those opt in services where it may make undoing a lock more difficult than some of the other changes that a registrar might want to do to their domain name. So that's the only – and I'm not quite sure how to incorporate that into this to make sure that that's, you know, an allowable – some allowable flexibility there for registrars.

But that, you know, accepting the case where, you know, the registrant may opt into, you know, a service or a server that might make things more difficult.

Olof: Maybe – this is Olof. Maybe we should have a look actually at the IBC proposal because that doesn't that kind of comparison. It's a bit more lengthy – I could read it out to you. There are four provisions – actually keeping the text as it is. But adding readily acceptable and reasonable shall mean any mechanism which is – that's the first condition – accessible from registrar's online interface.

Second condition – can be activated electronically through that interface. Third condition – does not have a time out period or window for transfer. And fourth condition, for which the registrar has posed a clear and concise instructions for operations in the language of the registrar's agreement with its registrants.

Well, you can read it of course in the comparison table. But the question is, would that be a better phrasing or better approach than making this kind of comparison which the point of clarification document asks.

(Michael): This is (Michael). I think that it addresses my concern but I don't think it addresses (Tim)'s.

Woman: May I comment?

(Tim): Hey this is (Tim).

(Mike): No wait a minute – we've got – (Tim), let me – somebody else jumped in the queue just before you.

(Margie): (Margie).

(Mike): Hi, (Margie) – go ahead.

(Margie): Sorry – I think the problem with the ITC proposal is that it's imposing a lot of obligations on registrars that may not actually be in practice. So for example, there's no obligation that we even have an online interface. And certainly, you know, our registrar agreement is quite lengthy and may not be the appropriate place to put that kind of language in there.

So I do have problems conceptually with adopting the ITC approach. As (Tim) mentioned, there are situations where you, you know, high security maybe something that a registrant wants. And I'll give you an example from the corporate perspective because that's our customer base.

You know, we're the registrar for a lot of major corporations and they just will not, you know, accept the fact that you could change in a say, in a Yahoo.com purely by someone logging in into an interface and,

you know, and putting a request to unlock it. It just doesn't – that would cause tremendous security implication throughout, you know, the corporations that have significant e-commerce.

So I think this is imposing too much and I agree that the language needs to be clarified. But this goes beyond what the language in the contract, you know, currently requires or registrar practice.

(Mike): (Tim), you want to go ahead now?

(Tim): (Margie) made a number of the points I was going to make about some of those things that the ITC had laid out there. I think, you know, in a lot of ways of those for (go daddy) wouldn't be an issue. But we know that that's not the case for all registrars. You know, there's quite a few business models out there.

That would be one concern. And the other would be that again, you know, just being cautious about, you know, how far we'd go here before we're rationally changing policy – at least in my perspective without having really appropriate opportunity to get input from our constituencies. I was a little concerned with that too.

But so, you know, if there's a way we can clarify simply that makes it clear that, you know, because I think the assumption has been with 7 that, you know, if a registrant were to opt into something different that wouldn't be against policy. So how can we, you know, make that clear without having to be too specific about what's allowed here and then possibly hamstringing, you know, registrars with requirements that don't really work.

Of course, you know, we can't really go back and spend a lot of time here, you know, getting registrar input. Or even, you know, registrant input – I think, you know, the NCUC and the, you know, perhaps even the AOAC would certainly have some – and put on some of this stuff.

(Mike): Is this one falling into essentially the same category as the previous one that says we could expand the mandate but this group we could blend it in with a broader PDP but we don't want to drop this issue – is that essentially where we're at on this one as well?

Man: You know, maybe and actually this is – there is being specific about the last (unintelligible) one of the PDPs that's been recommended and then the other transfer of what's going on.

(Mike): Right.

Man: But it's already in there. Assuming that some of what we come up with here is going to end up being revisited again in the next – and that PDP is addressed .

(Mike): Well – and one of the nice things about that broader PDP line we just did then we are going to be able to step back perhaps and take a broader view of the issue of security in general. And sort of blend the issue that you raised, (Tim), one time on one of those calls of trade offs between security and convenience which is not resolvable. It's a dilemma and it's a choice registrants and customers ought to be able to make and that the policy ought to be able to – or acknowledge that choice and allow that choice. And that's certainly beyond the scope of what we can do in a week on this call.

So I would tend to put into that same category that we just did the last one. Again, a great issue – don't want to lose it but broader implications than simply clarification. Is that a pretty...

Man: Yes.

(Mike): Is there anyone who wants to sort of push back on that at this point?

Olof: I think you put it very well, (Mike). I (unintelligible) dilemma between security and convenience. And that should be the obvious choice of the customer.

(Mike): I just wrote a couple concerns and the same recommendation and saved the page under Number 7. So you should have text there to look at. And it's a little sketchy – sorry – but if this is a reasonable summary then I think we're done.

I emphatically agree with the thought that anything beyond very minor clarifications is pretty much beyond the scope of the – of this group. At least in the time frame that we've been given and I feel pretty good about this.

Olof: Your very first solid point – I have difficulty following that.

(Mike): Oh, yeah – I was writing notes while (Michael) was speaking. Let's see – we want to – let me try that again. We want to avoid a situation where registrars increase security and contact and DNS changes.

Man: Difficulty better than security.

(Mike): Use difficulty – on tact with a T – DNS changes in order to prevent transfers. At least try – that’s up on the page now. That help, Olof?

Olof: Yeah, I heard it and I know – now I get it. The very first point – I think it was (Paul) that brought it up or something.

(Mike): Yeah.

Olof: Yeah, okay – got it.

(Paul): Yeah, I think that’s a very good fix, (Mike) – it’s (Paul).

(Mike): Okay – terrific. Well...

Olof: What do we do now? I mean, do we suggest a final report from the drafting group and agree up that on the next call?

(Mike): Yeah, do you want to take a shot at drafting that, Olof?

Olof: Pleasure.

(Mike): Wonderful.

Olof: I won’t be able to do it today. But with a bit of luck tomorrow afternoon my time. But most definitely before next call we have.

(Mike): Well, we still have a public comment period on the steps that we passed out. So we can’t delay too long. Now what we could do is refer the public commenters to this page on the Wiki and proceed from there. But we do need to...

- Olof: We do need form for the public comment period as well. We have to flag that on...
- (Mike): I'm sorry, I'm sorry – I misspoke. I meant the – we need to go back out to our constituencies before next week.
- Olof: Right.
- (Mike): Correct? That's what I meant to say – I'm sorry.
- Olof: Okay. Well for that purpose they'd rather go to the proposed text page. I think that's the best reference because that's where we stand.
- (Mike): Okay. Does that suit other folks – is that all right if we simply send out an email to you referring to this page and say please check with your constituencies and we'll wrap it up next week?
- (Barbara): This is (Barbara). I think that works fine for me on the registry's constituency.
- (Mike): Okay.
- (Pam): And this is (Pam). I will not be on the call next week just FYI.
- (Mike): Oh, too bad.
- (Pam): I'll be on vacation.
- (Mike): Oh, well congratulations on that. Okay, other thoughts?

- (Tim): Yeah, this is (Tim). I may not be on that call either. I've got a – we've got a council call in the morning, right?
- Man: Yes.
- (Tim): 7 a.m. – and I've got to schedule a flight that day to, so it'll be after that but that'll be 9 so I probably won't be on this call either at 11 next week.
- (Mike): Let's figure out a way for folks like (Tim) and (Barbara) who aren't going to be on the call to...
- (Barbara): Actually – this is (Barbara) – I will be on the call – (Tim) will not be able to be on the call.
- (Mike): I'm sorry – aging brain.
- Olof: (Pam) and (Tim).
- (Mike): Can we figure out some way that you and others can still provide feedback even though you won't be able to make the call? Would you be able to maybe either push via email or via the Wiki those thoughts back to either me or the group?
- (Tim): Yeah – this is (Tim). That's fine with me and I think, you know, if (Paul) and or (Margie), you know, can make the call, you know, they'll be informed too I'm sure what constituency comments and all that are – that's fine with me. I don't want to hold up progress here.

(Mike): No, I think that, you know, I value your input – the two of you – and don't want to miss it.

(Tim): Great.

Olof: So let me suggest that I have a go at drafting a report which on the Wiki – perhaps also with the push effect of sending it to the – our mailing list.

(Mike): Yeah, or at least the link to the mailing list and then we can go read it on the Wiki.

Olof: Yeah, well we save some ink that way – yeah.

(Mike): Yeah, ink is good – especially when they're made out of bits. The other thing is that on the final report, I really want to invoke Wiki rules which is once it's up there, if you see something wrong with it don't be shy about fixing it. We can always see the progress or the text through the changes page. But you know, if you as an individual see things that you feel just need to be improved, go ahead and do that.

It's not going to cause great consternation. Okay, I will update our little schedule – Olof wound up with most of the action items. And we'll have a call next week. In the interim, we'll check in with our various constituencies and I just remembered a promise I made at the top of the call – let me check in with folks.

For those of you who weren't in on the call last week, do you want to take a look at the proposed text for denial reason Number 8 which is the one that we went through last week? It's the very first one on that

page. Is everybody comfortable with that? We'll make a recommendation to push that along to council.

(Christian): This is (Christian). I'm pretty comfortable with the new language.

(Mike): Great – okay – any others? Speak now or write eloquently in the interim. Okay, I think that's it unless there's other business. I'll call for that – anything else that people want to bring up at this point? And if not, we'll wrap this call up and see you in a week.

Again, thanks Olof and (Glen). Great job folks – I think you did a great...

Olof: Thank you, (Mike) for...

Woman: Thanks, (Mike).

(Mike): Okay.

Woman: Thanks, (Mike).

Man: Thank you.

Man: Thank you.

(Mike): See you in a week. Bye-bye.

Woman: Bye.

END