

GNSO
Policies for Contractual Conditions, Existing gTLDs
Policy Development Process (PDP) -Feb06

Rapporteur group A meeting

Tuesday October 17, at 11:00 EDT, 17:00 CEST.

Attendees:

Marilyn Cade CBUC - Group rapporteur
Avri Doria - Nominating committee - Temporary Task Force chair
Jon Nevett - Registrar Constituency joined late
David Maher - Registries C.

Absent:

Tony Homes - ISP apologies
Greg Ruth - ISP
Mike Roberts - CBUC
Ute Decker - IPC - apologies
Danny Younger - NCUC
Bret Fausett - ALAC liaison to GNSO Council

ICANN Staff

Liz Williams
Glen de Saint Gery Secretariat

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<http://gns0-audio.icann.org/PDPFeb06-WGA-20061017.mp3>

Coordinator: Excuse me. (Carolyn Cade) now joins.

((Crosstalk))

Glen Desaintgery: Hello, Marilyn.

Marilyn Cade: Hi.

In spite of the fact my name has been changed, I do remain Marilyn Cade.

Glen Desaintgery: Who changed your name?

Marilyn Cade: Oh the operator.

Glen Desaintgery: I would have thought (unintelligible). Verizon knows us so well by now.

But I suppose they have millions of calls.

Marilyn Cade: If they hope to be successful, they must.

Glen Desaintgery: Yes.

Marilyn Cade: Glen, have you heard from any of the - I know we heard from David, and (Danny) had indicated that he would be on but a bit late.

Coordinator: Excuse me. It's the operator. Mrs. Liz Williams now joins.

Marilyn Cade: Hi, Liz.

Liz Williams: Hi, Marilyn.

Glen Desaintgery: Hi, Liz.

Liz Williams: Hi, Glen.

Glen Desaintgery: It's Glen and Marilyn.

Marilyn, (now), I've heard from nobody except that I know David will be on because he's being called up to.

Marilyn Cade: Okay.

Glen Desaintgery: And if I can get hold of the operator or you can get hold of the operator.

Coordinator: Excuse me. This is the operator.

((Crosstalk))

Glen Desaintgery: Yes.

((Crosstalk))

Coordinator: I've been trying to call (David Maher) for you.

Glen Desaintgery: Yes.

Coordinator: But the numbers (not been through) that we have. I tell you the number we have written down, it's 52-55-818-368-1000.

Glen Desaintgery: That's right. From the eighth part on it's definitely correct.

Coordinator: Yeah.

Glen Desaintgery: He's in Room 33.

Coordinator: Yeah.

Glen Desaintgery: And his city would be in Mexico, so the 51 added on (part).

Man: (Unintelligible).

Glen Desaintgery: I suppose it's correct.

Marilyn, do you know anything?

Marilyn Cade: (But) 51 is the country code to Mexico, right?

Coordinator: 5-1.

Marilyn Cade: Yeah.

Coordinator: We've got 5-2 written down here.

Marilyn Cade: Hold on and let me look.

Coordinator: Okay.

((Crosstalk))

Marilyn Cade: From (Alejandro), let me see. That is probably - oh, Liz, can you just check - if you have (Alejandro's) number, check the country code.

Woman: To Mexico?

Liz Williams: I did check the - yes, I did but...

((Crosstalk))

Woman: Okay.

Marilyn Cade: Correct.

Glen Desaintgery: Is that right, Marilyn?

Marilyn Cade: I can't tell. I can't read my handwriting.

Woman: Hang on.

Glen Desaintgery: Okay.

((Crosstalk))

Woman: 5-2 is the country code for Mexico.

Coordinator: 5-2.

Glen Desaintgery: 5-2, yes.

Now, I'll get up again the...

Marilyn Cade: Here, give me the number. It's (521)?

Coordinator: I've got written down here, 52 then 55-818-368-1000.

Marilyn Cade: Oh there's something wrong there. That's much (too long) the number.

Coordinator: Maybe just without the 55 in between.

Marilyn Cade: Yeah.

((Crosstalk))

Coordinator: I'll try that way.

Marilyn Cade: Okay.

Coordinator: Okay, one moment.

Marilyn Cade: (Unintelligible) too many digits, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14.

Glen Desaintgery: The problem is that the number he sent me did not have any - I'll tell you, the number that he sent me - "Thank you, Glen. Could you have the operator call me at +81-83-68-1000?"

Marilyn Cade: So normally, it would just be the addition of the country code in that case and...

((Crosstalk))

Glen Desaintgery: And the operator - yes, plus - but +81 is in Japan, apparently.

Marilyn Cade: 8-1 is the country code for Japan?

Glen Desaintgery: Well that's what the operator told me when I asked him this morning.

Marilyn Cade: Yes, it is.

Coordinator: Excuse me. Mr. (David Maher) now joins.

Glen Desaintgery: Oh good.

Marilyn Cade: David, we're just (sorting the) telephone number.

So do the code (as for us), what really is your telephone number where you are?

(David Maher): In Mexico, it's the one I sent to Glen.

Glen Desaintgery: Okay. So it's the +81-83-68-1000.

(David Maher): That's right.

Marilyn Cade: (And then you) - but you need the country code, don't you?

(David Maher): Mexico is 8-1.

Woman: (Yeah).

Marilyn Cade: (Unintelligible) there we have it.

((Crosstalk))

Glen Desaintgery: Anyway, it doesn't matter. We've got David on the line. That's the most important.

Marilyn Cade: That's right, that's right.

We are waiting for (Greg) and for - we're not going to have (John) today. And (Danny) said, he would be just a bit late.

And let me see if I have - oh let me put you on hold, I'll try (Greg).

(John Nevitt): Hello.

Man: Hello.

Glen Desaintgery: Hello.

(John Nevitt): Glen?

Glen Desaintgery: Yes.

(John Nevitt): (John Nevitt), (how are you)?

Glen Desaintgery: Hi, (John).

(John), I looked at your requirements for you, so just give me a short while.

(John Nevitt): Oh that's great. I appreciate that.

Glen Desaintgery: Do you - we just want to - so the people on the phone could hear you and you to get people on the phone.

Marilyn Cade: (I'm sorry on that).

Hello.

Glen Desaintgery: Okay. (John's) on the phone, Marilyn?

Marilyn Cade: (John Nevitt)?

Glen Desaintgery: Yes.

Marilyn Cade: (Unintelligible), and I didn't find (Greg). And have you heard from (Uta)?

Glen Desaintgery: No.

Marilyn Cade: Okay. And we have Liz.

I think we should probably - and (Danny) is going to join us, he said, just a bit late.

Man: I'll be here for just a little bit, then I need to go take another call, then I'll have to hop back.

Marilyn Cade: Okay. Let me do the...

Avri Doria: This is Avri. I'm here, too.

Marilyn Cade: Oh great.

Glen Desaintgery: Hi, Avri.

Marilyn Cade: Thanks, Avri.

(To do though) quickly the agenda, what I wanted to do is to just get a quick update, Liz, on some of the work items that she had taken and then discuss the letters -- we had postponed this from the last call -- discuss the letters that were submitted by the Registry to the secretary and continue discussion on the (Term of Reference 5) on traffic data and then we turn to the (Term of Reference 2).

But I think, Liz and I had a brief conversation this morning and, Liz, I'm thinking we're going to have to delay the discussion on 2A since we're not going to have the document from the General Council's office today.

And then I want to conclude with talking about what the remaining work is and whether we need a final call before we do a (formal straw poll) on the proposed recommendations, which are still evolving.

(Danny) had asked for sometime when he dials in to talk about a particular item, and I'm not sure when he'll be arriving. But I will that until later in the agenda.

Does anybody want to modify the agenda or make an opening statement?

Liz Williams: No, I wouldn't mind if you could please if no one else wants to go first.

Marilyn Cade: Okay.

Liz Williams: Can you just clarify for me how long you thought the call was going to go today?

Marilyn Cade: I hope it would go till about 12:30.

Liz Williams: So an hour and a half?

Marilyn Cade: Yeah.

Liz Williams: Okay. I just have to notify children when mother will come home.

Marilyn Cade: Oh yeah.

Liz Williams: (It's been a time), and I'm going to miss the school bus today. So I have to just make a little arrangement what's going on in the background.

Thank you. That's fine. That's all for me.

Marilyn Cade: Okay. Then do you want to - perhaps if we could just get an update on the status on the registry data definition and what I'm calling the picket fence documents from the staff.

Liz Williams: Yup, sure.

The registry data definition is fairly straightforward and I think (Danny) clarified that for us on the call the other day.

I just (sort of) (unintelligible) attention to what I thought we were talking about, which was the broader traffic data thing. I did have a conference call with (Marie Detcova) and, David, I'm pretty sure that you might be able to update us from your perspective about where that request is.

The other thing I wanted to do was drawing on attention to the table, which was in the issues report, which says for (error disk) (CatCom) (unintelligible) (info), (jobs), (movie), museum, everything but (Com2) and (Com3), there is no provision for traffic data.

So just to get that on the table. Anybody can see that quite clearly in the table that (Danny) and I put together when we wrote the initial issues...

((Crosstalk))

Woman: Right. I think we barely - we just barely reviewed that when we've viewed it on the first call. Yeah. Thanks...

((Crosstalk))

Liz Williams: Yeah. So you need to - everyone needs to go back and have a look at the implications for that. The...

Woman: Uh-huh.

Liz Williams: ...the uses of that are fairly consistently applied across each of the existing registry agreement.

So that's two things, one was the registry data definition, which is very clear in the existing contract; two, the treatment of registry data - of traffic data is clear in the existing contract to turn them to the question about the very large comparison document which (Dan) and I have been working on.

I spoke to him about half an hour ago and his children on the way to school about that we are aiming to have that finished as soon as possible. It's very complex and very difficult...

Woman: Yes.

Liz Williams: ...to get it all in a form...

Marilyn Cade: Right.

Liz Williams: And it's comparable and everyone knows that the draft that we had sent around before is (100 document). We have to get that into a more useable form, and there's little point sending it to the group in 100 of pages of documents. So we're going to work on that, and we'll get that to you as soon as we can.

Marilyn Cade: Thanks. I think I should (pause) and start the recording, Glen, I'm sorry I forgot to do that.

Liz Williams: You need me to restate what I said?

Marilyn Cade: I think - let me make sure.

Woman: (Okay).

Marilyn Cade: I have to get the operator.

Liz Williams: I didn't realize a recording wasn't going.

Marilyn Cade: Yeah.

Woman: Star-6.

Marilyn Cade: Star-6.

((Crosstalk))

Woman: Press star-0, star-0, sorry.

Glen Desaintgery: I've got what you said on the backup recording, Liz.

Marilyn Cade: Yeah. And, Glen, I just get thrown back into the...

Glen Desaintgery: Into the conference, yes, that's normal, Marilyn.

Marilyn Cade: So we'll see if they show up in a couple of minutes.

Liz, the large document I was aware of, but I think there was a separate document that council had tasked (Dan) with on the last call, which was what I was calling the picket fence documents.

Liz Williams: Yup. And again, that is something that we have to be very careful that we make sure it's exactly accurate. And as everybody knows, there are different terms of provisions to each of the registry agreements, they're in place. And (Dan) and I have made a commitment to each other to speak again tomorrow to work through how we can get that done as quickly as we can, but it is not going to be available today or tomorrow.

Marilyn Cade: Sorry, I was up with the operator. You said we need to get it accurate and then I lost you.

((Crosstalk))

Liz Williams: Yes. We need to get it accurate. It is a very complex document, and (it fits) - in tabulated form with no extra bits and pieces that are being used as (explanation). We must get it correct. So we're going to take the appropriate time that we need to do that promptly for you.

Marilyn Cade: Okay.

But I just need to get a sense of when we're going to have it. It's needed for both of the task forces and - (sorry), the most of us (repertoire group)...

Liz Williams: Yup.

Marilyn Cade: ...and for the task force call tomorrow, I think. What you're thinking on...

((Crosstalk))

Liz Williams: I don't think it's going to be ready in time for me to distribute it for the task force call at 8 o'clock tomorrow night, not least because it's very difficult for me to speak to Dan on business hours before 5:15, my time, which is 8:15, his time. Then I have an 8 o'clock call - a task force call.

Marilyn Cade: (Right).

Liz Williams: And then tonight I'm called up on call tonight as well. So it's very, very difficult just juggling this whole thing, but we are doing our (unintelligible) just to get it done.

Marilyn Cade: Okay. We'll just stay tuned for...

Liz Williams: Yeah, yeah.

Marilyn Cade: ...for further feedback, maybe an update on the call tomorrow. I think, (Dan) scheduled to be on the call with us tomorrow. Avri and Glen, is that right?

Glen Desaintgery: I haven't gotten any formal confirmation of that yet.

Marilyn Cade: Okay. I know you would ask.

Liz, do we know about that?

Liz Williams: Yup, I did ask him specifically this afternoon. It depends on the preparation for the board call, which is happening almost immediately at the same time as the task force call.

So, (Dan) will be juggling as I do those two different calls, so if he can be on the call, he will be but he can't make any guarantees. It will depend on last (minute thing) for the board.

Marilyn Cade: Okay, thanks.

And then you had also been working more on expert materials, and I haven't been online in the last 30 minutes. But (unintelligible) just give us a quick update on that.

Liz Williams: Yes, I do, I do. I have now captured, and I have the document in front of me here. It is not ready to send to you because most of the links that (Alistair) sent me are broken.

So I'm going to have to go back and revise when I was doing the proofing. I clicked on all of the links to make sure they all work, and they don't.

So I've - just to give you a run-through of what I've added.

Marilyn Cade: Okay.

Liz Williams: I've given you a new introduction that said it's an updated version. I've given you new links to relevant material including the board agenda

and the responses from the registries about more information for the proposed registry agreements...

Marilyn Cade: Uh-huh.

Liz Williams: ...and the board secretary notes (John) about the public comments with respect to the materials that the registries have responded to, and I'm assuming that we're going to go through that correspondent because it important in terms of...

Marilyn Cade: Right.

Liz Williams: ...PDP later on.

I've done a set of base materials in one place for everybody. I put the tables in one place, and I put the links to (Dan's) very big document, which is still in draft form there.

And I've added in all of the materials that anyone had sent me about any of the particular terms of reference and they've - that's all been included.

So I'm doing a final proof tonight just to make sure all the links work because there's no point sending you things if the links are broken and some of them are, so I'm just going through that.

And then there is one final thing, which I've done with respect to registry (unintelligible) the consensus policy. And I produced a new table about the business policy development processes and the five issues that are relevant for the "picket fence."

And then I've created a new table which talks about the issue categories. Those things relate, too. So it's a hard - it's very much more detailed in tabulated form, which is much easier for everyone to read.

Marilyn Cade: Sure. Now, Liz, (sorry), just a point of clarification for all of us, the last thing you talked about sounded to me like the documents that (Dan) was asked to do to do the comparison for us of the picket fence against the existing registry agreement, is that what we're talking about?

Liz Williams: No, that's a separate thing. I'm just making a simplified table that...

((Crosstalk))

Liz Williams: ...on the left-hand side.

Marilyn Cade: Okay.

Liz Williams: The left-hand side it says, "What is relevant to the consensus policy development process and its applicability to registry agreements?"

And on the right-hand side, I've just done a very simple table of the issue categories. For example, Issue Number 1 is issues which uniform a coordinated resolution is reasonably necessary to facilitate (in draft ability), and everyone knows then the five follow-on things related to that.

Then on the issue side of it, we have ABC principles for allocation of registered names, provisions on warehousing, reservation of registered names, maintenance of access - maintenance of an access for accurate and up-to-date information (setting) demand and registrations, et cetera.

So that everybody has those two things very, very clearly side by side, so they can see where the terms of reference fit with those two things.

Marilyn Cade: Okay. That sounds - and thanks. That's - and then you had mentioned that - so you said some of the links that (Alistair) provided you on spectrum allocations are broken?

Liz Williams: Yeah. It's - I think it's partly to do with the (unintelligible) in New Zealand does not know how to do HTML or something, but I won't that say that (in front)...

((Crosstalk))

Marilyn Cade: I'm sure you wouldn't have said that, (Avri).

Liz Williams: I wouldn't have said that if (Alistair) (unintelligible) so I'm just double-checking that and then I'm going to get extra links or different links from him.

Marilyn Cade: Okay.

Liz Williams: I've included the (John Nevitt) - (Jeffrey Eckhaus) paper that David questioned the other day would be appropriate on declarations of who's doing what. And (I think) one more thing - no, that's it.

Marilyn Cade: Okay. Anyone has further questions for Liz about the expert material or the update on when things are going to be available?

Sounds like we may have crashing together of resources and information, Avri. Just after the task force call, right, Liz, it's something like some of this is going to be arriving over the next few days?

Liz Williams: Yeah, that right. So in terms of timing for the task force call on what Avri might be able to update the group on, she - Avri, if you're there, you and I can have a call, a conversation later on either today or early tomorrow, so I can help you out with that, because I understood that you wanted to prepare a report - a brief report to the council for (Thursday).

Avri Doria: Yeah, I'm here, either after this or we could talk tomorrow since we're in the same time zone.

Liz Williams: Yeah, cool, let's do it tomorrow if you're still in Sweden.

Woman: Okay.

Avri Doria: Yeah. I'm in Sweden until the end of the month.

Liz Williams: Okay. Do (unintelligible)...

((Crosstalk))

Liz Williams: ...is (John) on the call?

(John Nevitt): Yeah, I'm still here.

Marilyn Cade: What I'd like to do now is turn to a discussion about the sponsors from the registries to ICANN board. And I have more responses that I saw on the Web site and that is a response from affiliates from .BIZ, from (.PIR) and then from .ASIA.

Does that (comprise) of what everyone else is expecting?

Sounds like it.

So, does any - (Dan), I don't need to put you on the spot, I'm (wanting) to just walk through this and discuss them briefly.

Did you want to make any particular statement on behalf of the constituency?

(Dan): I just (unintelligible) constituency.

Marilyn Cade: Yeah.

(Dan): Well nothing beyond what I've already sent out in an email that I - basically that I believed that a great deal of the work that is currently going on is out of scope, (that is) - there's no legal basis and I'm participating only without reservation.

Marilyn Cade: Okay. Thanks for that clarification.

Did you want to make any introductory remarks in relation to the letters that were submitted on behalf of the registry constituency?

(Dan): Oh they speak for themselves.

Marilyn Cade: Okay. I did just want to ask you if you did want to speak on that.

Let me start with affiliates and just doing this in alphabetical order and open this to any comments from anyone that wants to make a comment?

If not...

Woman: Marilyn, just before you go on with that, can you just do a roll call to identify who's on the call, please, because I think you did that prior to the conversation - the recording starting?

Marilyn Cade: Sure.

Woman: Thanks.

Marilyn Cade: (John Nevitt), David Maher, Liz, (Danny) sent his apologies and said he would be joining slightly late, Avri. And do we have either (Uta) or (Greg) on call?

And we do not have (Brent Fawcett) either.

And I don't hear (Mike Roberts), who is the second (BC) member.

Okay? Thanks, Liz.

But let me start with - I don't really want to call this a summary of the affiliates' letter because I'm sure it's something that will need to be discussed in more detail possibly at the task force level.

The affiliates' letter does make a statement on Page 1 regarding PDP Feb '06 that the existing Section 3.1.B of the proposed registry agreement between ICANN and affiliates requires that affiliates fully compliant with and implement any consistent policy validly adapted pursuant to ICANN's bylaws and such to the terms and conditions of the proposed info registry agreement.

It then goes on to note that the terms and conditions regarding consensus policy are consistent with those set forth in the .NET registry agreement and the proposed .COM agreement as approved by the board, and suggest there's no reason to delay the consideration of the registry agreement and reiterate its commitment to abide by (unintelligible) drive consensus policy per the stated terms on the proposed agreement.

My understanding of the proposed agreement, however, is that it is - the statements could be read by a layperson as seeing a broad (enchant) to comply with consensus policy.

And my interpretation, but it is only a layperson's interpretation, is that actually it's a narrow commitment to abide by consensus policy and I think deserves further examination in particular probably with advise from the legal council's office on that understanding.

The letter then goes on to address renewal and pricing issues. And under renewals suggest that the ICANN board has given renewal

provisions similar to those proposed in the info registry agreement to seven registries. Two of those registries -- .NET and .COM -- would be considered open or unrestricted registries, while five of those are sponsored .jobs, .travel, .movie, (.cast), and .help.

That differentiation is not noted in the renewal letter. I'm just noting it for the record in our discussion. It does also go on to note that the registry is concerned that if they're denied renewal provisions granted to the operators of the above registries that they would be being singled out and - but that is - the (effect) can't be justified.

So they maintain that - they state that there's a sufficient legal basis to guarantee proposed renewal clause in the new contract. And also describe that there are compelling economic arguments related to making long-term infrastructure investment.

On pricing issues, the Registry notes that it doesn't think that there should be any concern to the ICANN community about the ability to provide tiered pricing per se. And that they provided tiered pricing or differential pricing whatever it would be called in the past to small registrars. And that other ICANN accredited registries have used tiered pricing under the existing agreements.

So, one very interesting note in their letter is that the letter states that affiliate does not have market power that would make it economically attractive to abuse the right to impose uniformly applied tiered pricing to the detriment of the registrar or registrants.

And it does also go on to note that it never had an intention to implement a price - such a pricing model and doesn't believe that the changes to the proposed agreement are required.

So, however, noting that in the spirit of cooperation, affiliates have submitted language, which they are proposing and are willing to include in their agreement which describes that they will not impose variable pricing model on renewals of (active info) domain-name registrations and then lays out certain considerations. They go on to state again that affiliates have a registry operator without market power.

Any other comments anyone wants to make about my summary of the affiliates letter?

We turn to .BIZ. .BIZ starts out by talking about differential pricing on a domain-by-domain basis and notes that that is never been the intent of NeuStar to introduce variable pricing on a domain-by-domain basis, and that they understand the concern of the community.

Therefore, they too have proposed language, which says that they will not impose variable pricing on any active registered names.

They go on to note as (their) affiliates that there are restrictions to this and describe what those restrictions are. They do note that by including this above clause that that should resolve any concern about differential pricing on a domain-by-domain basis.

The second topic is differential pricing on ads and (renewals). And here they described conversations with the ICANN staff on various

times where the ICANN staff has described their commitment to the introduction of market-based price controls for top level domain.

And staff has acknowledged that ICANN is not a global price regulator and that ICANN is not qualified or adequately staffed to perform such a role.

The Registry is - goes on to note that ICANN's market-based approach is appropriate for any TLD such as .BIZ that doesn't have dark (but) dominant market share, and therefore the corresponding ability to control wholesale pricing across the industry. .BIZ has less than 2% market share and operates in a marketplace for a single entity has combined (85)% market share.

They go on to describe consequences to the registry if they were to charge uncompetitive wholesale rates, noting that registrars would refuse to sell or would choose to promote competing TLD.

They go on also to note that the .BIZ agreement requires six months notice prior to increase, and registrars require to advise customers and that registrants would then have the ability to (redo) and lock in on existing registration for up to ten years if such a price increase were introduced.

The third topic is presumptive renewal. And NeuStar describes that they started working in April of 2005 with ICANN to renegotiate the original .BIZ agreement to bring it in line with more recent agreements that include the presumptive renewal and to ensure equitable treatment by ICANN. (Right)?

They state that an example of the commitment is NeuStar's agreement to pay significantly higher ICANN fees on a per domain basis will be paid by .COM that presumptive renewal will give NeuStar predictability and a reasonable level of business certainty, and able to make additional long-term investments and registry infrastructure and marketing similar statements made by fellow Registry affiliates.

They then restate, again, that without the agreement that they will be at a competitive disadvantage to the dominant registry operator that has 85% market share, and described that ICANN has given presumptive renewal to the dominant registry operator in 2001 and to .NET in 2005 but hasn't extended it to .BIZ and to other gTLDs.

And notes that it could be argued that ICANN is in violation of its bylaws and in breach of the (eco-bill) treatment terms and the existing .BIZ agreement.

Their fourth topic is the policy development process, and they described in some detail the process that the council went through to establish PDP and note that they believe -- I just want to get this quote right -- that they believe that the items proposed in the February 2006 PDP and (unintelligible) within the scope of ICANN's policy development process. They're properly within the scope of the definition of consensus policy.

They go on to say even it is in the scope that the PDP '06 shows no sign of nearing completion and should not be a basis to delay the approval of a .BIZ agreement.

I spoke to Liz earlier and noted that I'm looking at a timeline published by the staff that actually shows that the work will be completed in a timely manner and suggested that it's important that we update the Registry on the timeline in an official manner.

Liz Williams: Marilyn, just a point of clarification there. The most important element is that the (repertoire groups) and the task force complete the works that they have set for themselves to enable the preliminary task force - the task force report to be written in time.

And just a point of clarification for everybody, I did send a correction to the timeline which included - which I sent out on - just bear with me one second, I'll tell you exactly what date. I sent out a correction on the 13th of October...

Marilyn Cade: Right, right.

Liz Williams: ...which includes an additional 20-day public comment period from the 21st of November.

Marilyn Cade: Uh-huh.

Liz Williams: And then we produced the final report after that. If the public comment period - if the work is completed in time for the task force to complete its work as set up by that timeline and the public comment period starts on time, it is not possible for that work to be completed by the São Paulo meeting because the public comment period runs over the period of the São Paulo meetings.

Marilyn Cade: And your point is what?

Liz Williams: If we have a public comment period, which is required, and then you'll see that in the correction that I sent out to the timeline.

If we do the public comment period beginning on the 21st of November, 20 days from then it's of course well into December. And that is beyond the meeting in São Paulo.

Marilyn Cade: If it is, however, and I'll just address the council level discussion on this for the record briefly before we go on, the discussion shared with us - the comment shared with us by one of the board members who was observing, and the discussion on the council, I think, centered around providing substantive output even if the entire work of the task force wasn't concluded.

Liz Williams: It's not possible for me to complete a final report until after the public comment period is finished.

Marilyn Cade: I understand that.

Liz Williams: Yeah. Okay fine. So just as long as we're clear on that.

And yeah, just (unintelligible) because the others weren't involved in that discussion. I just wanted to be clear that everyone understood that.

Marilyn Cade: I think that's probably a discussion that Avri will want to have on the task force call tomorrow.

Liz Williams: Yeah, indeed, exactly.

Marilyn Cade: Then in summary, this Registry goes on to note that the .BIZ agreement (and the result of) extensive (unintelligible) negotiations between the ICANN staff and NeuStar, and they are asking for an ICANN board vote on October 18, which is - and it's tomorrow, I believe.

.PIR, I will just give an effort at a brief summary of what it covers in this letter.

There's a bit of a history from the Registry on the process and backgrounds. They described a bit about how they were organized and that they have agreed to - with ICANN to a renewal process was somewhat different from the Registry agreement for .ORG currently in force.

And therefore, they're concurrently making public statement to the Internet community containing a - the kind of information that would have been included in the renewal proposal that's called for by the current agreement.

And, David, just to digress, I'm assuming that's being posted separately?

David Maher: Yes, it's on our Web site.

Marilyn Cade: On your Web site, okay.

And that might be a useful reference document as well, Liz, if we might just note that.

The letter goes on to say that to highlight some of the information in the PIR reports about the growth of domain name registrations from 2.5 million to 5 million the support for projects for mostly development of the Internet, the (way) policy positions are developed on behalf of the .ORG community and commitments to performance enhancements and extend service list through implementing EPP, IDMs, and plans for (DNS back).

They go on to discuss their review of the public comments and note that the two most contentious are the request for pricing limitations and - sorry, the principal (contentions must be) request for pricing limitations, renewal terms and request to delay.

On the second issue, renewal term, PIR notes that it believes that the provisions for renewal in the current proposal are consistent with ICANN's mission and security and stability and that presumptive - a carefully limited presumptive renewal would enable PIR to continue to invest.

On the specific questions related to the secretary's notice under the comments regarding the delay of the registry agreement until PDP '06 - Feb '06 is completed, PIR notes that they concur with the general counsel that the public comments requesting a delay are based on a misunderstanding of the applicable legal principles and are misguided.

I think, actually, I probably am reading that wrong. It probably should - sorry about that David.

It probably should read PIR concurs with your views as general counsel. And PIR believes that the public comments requesting a delay in renewal process are based on a misunderstanding of applicable legal principles and are misguided.

They go on to raise a concern that it would be a breach of faith for ICANN to delay the approval of the renewal agreements than have been negotiated in good faith by the parties.

And they also state their support for the registry constituency statement that the PDP is not - is unauthorized and out of scope and without legal foundation. And that the conclusions of the PDP on a subject matter that is exclusively within the responsibility of the Board of Directors of ICANN.

The final point they raised is about limitations for price increases during renewal and that the issue of differential pricing is a non-issue that PIR believes it implicitly continues the requirement of a single price for each domain name registrant to all registrar...

Woman: (Right).

Man: Right.

Marilyn Cade: ...except for promotional discounts and marketing programs. And that they don't intend to adopt differential pricing as determined and understood in the comments and questions.

If the board needs a more explicit statement, PIR is willing to accept a clear statement.

And then finally on pricing for Registry services Section 7.3, PIR discusses their views about volume discounts, charging the same price that having volume discounts marketing support and incentive programs that maybe made available.

So they are also proposing that all renewed gTLD should have the same provision, that there be consistency across all gTLD.

I would - David, just ask a point of clarification on that last point and that would be using all renewed gTLDs, meaning the existing gTLDs or was this a statement that would be broad enough to reach into future (rounds) as well, or was that not addressed?

David Maher: I think that was not addressed.

Marilyn Cade: Okay, okay.

I thought that might be the case, but I wasn't sure.

Any other comments from anyone?

Liz, does that - I know you had thought it would be useful for us to have a short view of the responses.

Liz Williams: Yeah, but we missed .ASIA. So, have you got that in front of you?

Marilyn Cade: I actually don't have that in front of me.

Liz Williams: Okay.

First of all, I'm not going to go through it if people have them in front of them. I'm not going to read things that people have sitting in their hands.

Marilyn Cade: I can pull it up.

Liz Williams: No, I have it right here, if you wish, so...

Marilyn Cade: Okay. Do you want to do that for us?

Liz Williams: Yup. They have given a very similar response to the other three-page documents that the others have submitted.

First part of the documentation says that .ASIA registry operator contract should be considered to comparable contracts for other sponsored TLDs including maybe travel (unintelligible) (and jobs).

And it's - the proposed .ASIA contract is similar including pricing authority and terms of contract to those others in that 2004 round and (too much) as the language is identical.

(Unintelligible) paragraph on the first page says that the .Asia registry is committed to implementing ICANN consensus policies adopted pursuant to the bylaws and consistent with the terms of their proposed registry agreement.

They've dealt with separately their two issues that were highlighted by the secretary separately and (thus) they see that the - they don't see

any reason why they cannot operate in a reasonable way based on the proposed contract.

Their responses to public comment, they go through and address those things. They do not make specific reference to the PDP Feb '06, and they make some general comments at the end to say that they have been sensitive to their representing community and to what kinds of consensus policies are being developed by the ICANN community.

Marilyn Cade: And I did pull it up. I'm just looking at it.

I also note that - they note that the topics raised in the .Asia public forum were about sponsorship reviews, (some right), provision clarification and privacy policy.

Liz Williams: Yeah.

Marilyn Cade: Not about the same - generally, not about the same topics that have been raised in the public comments on the...

Liz Williams: On the other registry agreement, yup.

Marilyn Cade: Yeah.

Liz Williams: Yeah.

Marilyn Cade: And the...

Liz Williams: Exactly.

Marilyn Cade: But they do comment about differential pricing, and then describe more work on their work related to trademarks and prior rights claims, (some right) and et cetera.

Okay. Thank you, Liz.

Liz Williams: Someone turn their mobile off (unintelligible), we can't hear what's going on.

Marilyn Cade: I am. I'm just reaching to turn it off.

Liz Williams: Thank you. I didn't know it was yours.

Marilyn Cade: Oh, you know, it's - that distinctive ring, but it's gone now.

Okay.

((Crosstalk))

Liz Williams: Is (John) still on the call or has anyone else joined? I haven't heard any beeps.

(John) is not there. Okay.

Woman: (Unintelligible).

Liz Williams: No, thanks.

Marilyn Cade: And I don't hear (John).

Liz Williams: No.

Woman: And (Uta) just let me know by email that she wants to be on the call (and sent her the policies).

Marilyn Cade: Okay.

Then what I'm going to do is just walk through the document as it presently is. And just - because David had missed the earlier call, and just walk through this and look at the (Straw) recommendations that are there and see if we can improve those at all.

And then talk very briefly, Liz, with you for a minute about your - the comments you made about the definition we should be using on traffic data.

And then I think what we'll try to do is talk about what remains to be done for the work of the (repertoire group) so that we'll have an idea on what we'll going to report on tomorrow in the task force.

So I'm going to switch the order a little bit and ask that we start on the document - the draft document, just under the draft recommendations that are there.

And just make sure that we have a clear understanding of whether we have the appropriate options presented on 1.A.1. Yes, there should be a presumptive right of renewal.

And then there would need to be an elaboration of what the terms are for the presumptive right of renewal, which still have to be developed;

or 1.A.2, there should be presumptive renewal, but limited to only sponsored gTLDs...

((Crosstalk))

Marilyn Cade: ...and what the terms are; or there should not be a presumptive right of renewal. All registry agreements should be subject to re-bid at a regular interval.

Liz Williams: Well (I'm glad to talk for) clarifying question when you got a break in your...

Marilyn Cade: (I've stopped).

Liz Williams: Oh thank you.

I'm kind of - I've got the document in front of me, and I'm just wanting to be clear on two things.

Firstly, that the (Repertory) Group A is going to fill out the (Straw) recommendations by email. They're going to discuss that by email because we've got you and David on the call, and we don't have anyone else.

So I don't quite know what kind of progress you were intending to get through today. As the (repertory) leader, were you going to do this by email or were you expecting people to do it by discussion?

Marilyn Cade: When I was - well I would hope we do it by discussion, but since we don't have participation, we obviously aren't going to do it by discussion.

((Crosstalk))

Marilyn Cade: What I want to do today with the folks who are here is just make sure we have clarity on the language so we can do it by email.

Liz Williams: Right, okay. Thank you.

Marilyn Cade: Does anyone think that there needs to be a fourth option or think that we can collapse this in anyway?

Hearing no recommendations, I've got to go 1.B.

Conditions 1.B.1, the conditions for registry agreement right of renewal should be standardized. These standards are - and that should be - yet to be developed or the conditions for registry agreements right of renewal should not be standardized but can vary - can differ based on the category of gTLD; e.g. certain characteristics of a classic type of gTLD; or 1.B.3, registry agreements can be negotiated on an individual basis, which is largely the current status.

Does anyone think there needs to be a fourth option there?

Okay.

On C, 2.A.1, consensus policy limitations are appropriate; or 2.A.2, all consensus policy should always apply to all gTLD registries; or 2.A.3, consensus policy should always be applied to all gTLD registries.

However, on an individual basis during the contract negotiation, a registry could present a situational analysis and justification which should be posted for public comments before acceptance and inclusion in the contract, for an exception or a modification from a particular consensus policy due to the unique circumstances of how a particular policy would affect that registry.

And I just gave as an example that although that name is not (a function to) TLD, (I think that should) - related to Whois is an illustrative example of a consensus policy that the board then gave variation to a registry on due to the impact of that particular policy.

A fourth option would be consensus policy should not exist on the advice of the GNSO. It should be limited to advisory status.

Any edits or additions?

To go back to 2.A.1, I showed a possible elaboration on 2.A.1. Consensus policy limitations are appropriate, and there are two options. The picket fence approach with the description from the staff analysis is suitable and should be maintained; or 2.A.1.2, the picket fence should be modified.

Comments?

2.B and here I - we just wanted to be sure that we were clear that in this particular case, (the term) sponsored gTLD operator means the holder of string contract with ICANN and not the back-end operator.

We didn't discuss whether - anything about the definition of existing sponsored names, but did note that that topic is a topic in PDP '05 related to new gTLD strings.

So the options are 2.B.1, certain policy-making responsibility should be delegated to sponsored gTLD operators, and we do on a list of what those are, charter and scope of sponsored community, eligibility to be in the sponsorship category, eligibility to - sorry, I have eligibility twice there - eligibility for a particular name, the concept of a conflict-dispute process as service to the sponsored community consistent with ICANN's policy of on dispute resolution. And I'm open to others, but that was what we have come up with so far.

And 2.B.2 as an option, certain policy-making responsibility should be delegated to the sponsored gTLD operators and should be uniform across all sponsored TLDs; or certain policy responsibility should be delegated to the sponsored gTLD operator, but variations can be made based on the characteristics of the sponsored community; or no policy-making responsibility should be delegated to the sponsored TLD operators.

Liz, what would you say the status quo is right now? It's probably three, you know, 2.B.3, isn't it? It's largely consistent but not exactly.

I'm just looking at this chart, and I think actually it may be that it's the same general kind of policy-making responsibilities that, (I guess), delegate, and that's more or less what .ASIA indicated.

Liz Williams: Yup.

Marilyn Cade: Okay.

Liz Williams: But only in that area because that's specifically talking about delegation of sponsorship authority.

Marilyn Cade: Right.

Liz Williams: Policy-making authority.

Marilyn Cade: Yeah. You have taken a question to ask (Dan) if there is consistency across the sponsored - in terms of what's delegated to them. Would you just put that back on your list of things to ask?

Liz Williams: Yeah. I don't remember that, but I will look it up.

Marilyn Cade: Okay, thanks.

Under D, we had asked for what the definition and examples of registry data were that were going to be put forward by the registry constituency.

Now, are we misunderstanding - is the task force itself misunderstanding that it's going to get some...?

You said you'd have a chance to talk to (Marie).

Hello?

Man: You're dropping out on my call.

Marilyn Cade: I am? Oh I'm sorry.

I just - I don't know if Liz is still there.

Doesn't sound like it.

Glen?

Glen Desaintgery: I'm still (here). It sounded that Liz has dropped off.

Marilyn Cade: Yeah.

Avri, are you still on?

Avri Doria: Yeah. (Still here).

Glen Desaintgery: And (John)?

Marilyn Cade: No, (John) had dropped off...

((Crosstalk))

Glen Desaintgery: Yes.

Marilyn Cade: Yeah.

Avri, I thought we were expecting some kinds - some examples of registry data from the registry constituency for the task force that we were going to use for this (repertoire group)?

And I know Liz was going to have conversation with (Marie). Have - are you privy to that?

((Crosstalk))

Liz Williams: ...sorry, I cut my cell off.

Marilyn Cade: Right.

Liz Williams: (Have you) in the middle of a question?

Marilyn Cade: Oh, you said you did have a conversation with (Marie) and then you made a statement about the traffic - sorry - the registry data that I wanted you to just clarify.

Liz Williams: Oh yes. It was only the - (Danny) had pointed out the existing registry data definition, which is already in the contracts. So that was fairly straightforward.

The issue was about the kinds of information that you wanted to inform the task force, which needed to be provided in addition to that. And that's the conversation that I've had with (Marie), and the action item that she had was today's registry constituency and I think it was today,

it wasn't yesterday. Perhaps it was yesterday's meeting kind of when I spoke to her.

Sorry, I'll look it up. But she was going to come back to me with that. Wait.

Yeah. I spoke to her on Monday on 1:00, and I think that the constituency call was later in the day on Monday.

David Maher: (Oh, oh)...

((Crosstalk))

Liz Williams: Is that wrong, David? Sorry.

David Maher: Tomorrow.

Liz Williams: Oh I beg your pardon. That's why I haven't heard from her. I beg your pardon.

Marilyn Cade: Okay. Generally, then what we're going to get are some examples of registry data that's what we're going to get?

Liz Williams: Yup.

Marilyn Cade: Okay. I just wanted to be sure.

Liz Williams: We were discussing that with the constituency (though).

Marilyn Cade: Yeah.

Liz Williams: And I just (makes up) the day.

Marilyn Cade: Right. So the definition that we're using is the definition that's in the existing agreement...

Liz Williams: Yeah.

Marilyn Cade: Meaning the .COM agreement, the .INFO agreement.

Liz Williams: Yup. And everybody needs to, again, refer back to that table, so (unintelligible) reference (unintelligible) (five issues of) registry data and one needs to look, again, at Annex 3 to the issues report, which sets out that there was no provision for traffic data in each of the agreements except Version 2 and 3 of the .COM agreement.

Marilyn Cade: Right.

Now, Liz, and we can take this question up again tomorrow, but I don't interpret because the contract is silent that it's permitted. And I'll give an example that there was certainly no prohibition against Site Finder.

So you didn't find in a contract, anywhere, that something was prohibited. But at the end of the day, Site Finder was prohibited. So just because the contract is silent in contract law, that doesn't mean that it's permitted.

So I didn't know what, you know, and I had - what am I email (Dan), my question because I had raised that once before. And, (Dan), I didn't actually conclude anything on that discussion.

But normally, as I've been taught over and over by the contract lawyers when I run a healthcare business that there are - silence doesn't necessarily mean permission.

So I took this to mean - and particularly because we have two agreements where traffic data is called out as permitted, but - and in one it's permitted but restricted.

Were you suggesting that you thought because there was no provision that that meant if - that it was open season, or did you have a thought on that?

Liz Williams: No, I just thought that the - it was as it was.

Marilyn Cade: Yeah.

Liz Williams: And (Danny) read out the definition. It's very clear.

Marilyn Cade: Good.

Liz Williams: As it is clear that even though - that's it in the contract.

Marilyn Cade: Right, okay.

Okay. So - and then what I think we probably are to do here is I will draft out some options similar to the options that are in the previous terms of reference and post those to the group and ask people for online dialogue and move us, if we can, to Item 6.

And on Item 6, what I wanted to do is briefly discuss the conclusion of the work and you kind of left a (sense) to that a bit earlier, but I mean just - so, I'll do draft for (5D) and 5A under (Term of Reference 5). And then we'll ask people for comments on the list.

And, Avri, I don't know whether I can make a decision on whether this (repertoire group) needs another call until we hear from (Dan) on the picket fence

Avri Doria: It's not only that, Marilyn. I would suggest that the - there are sufficient numbers of gaps in the drafts as it stands that it's necessary for the group to get together and discuss your draft, after they've had email correspondence.

So you were already scheduled the 24th of October date. Is that what you intended to do? Between today and the 24th, you were hoping to get a version of this document to a point where on the 24th you wanted to have that final go-through with the group.

Marilyn Cade: The final go-through with the group, yes. But I was suggesting that it might be necessary to have a shorter call specific to the discussion of the picket fence document and (2A).

And I think I don't know that until I see whether that discussion takes place at the task force level.

Liz Williams: I think if we come back to the beginning of the conversation, you're not going to have that document in time for the task force call, I don't think, because it is premature to do that.

And I'm sure everybody realizes how complex this is dealing with 11 red - or not 11, more than that, multiple --one, two, three, four -- whatever it is, multiple registry agreement.

Marilyn Cade: (Thirteen).

Liz Williams: You know how many there are, you know how many terms of reference there are, you know the conditions for the limitations of consensus policy development and everyone knows the limitations on - the constraints around the issues that relate to that. So that it's quite a lot of cross-referencing and (unintelligible) (thing) to make sure we do it correctly.

Marilyn Cade: Yeah. No, no, I'm not arguing about that.

Liz Williams: Yeah, I know. I know.

Marilyn Cade: I'm pointing out that in order for the (repertoire group) to do its work, it needs some - and the task force to do its work, it needs some of these tools. I know they're taking time to develop.

But I'm noting that if Avri is not able to schedule a full task force discussion on that topic. And, you know, we wouldn't want to be in a position where it looked like we weren't fully resourcing this effort.

So if she can't do that meeting, then yes, I have plan to have a meeting on the 24th of October. It may mean that the (repertoire group), and right now I don't see another task force meeting until the 2nd of November.

Liz Williams: That's right.

Marilyn Cade: That - so, you know, I'll just note that speaking as the (Repertoire) that if (some) (unintelligible) documents have not been able to be provided to the full task force by the 18th, then the task force may have to have a meeting the week of the 24th in order to deal with the (substantive) documents that are delayed.

Liz Williams: Yeah, exactly.

Could I suggest then there's a couple of steps that need to happen? Number one, is that you - as you've suggested you send out your draft document and you get as many people as possible to include their mocked up changes to the document in time for a discussion on the 24th...

Marilyn Cade: Uh-huh.

Liz Williams: ...that you - at that meeting that you released an agenda like you have now are - just to go through that document and that's all and that the - at the task force level. There was a meeting planned for in 18 October midway review and then the 2nd of November.

Now, we have to be very careful here to (ticktack) with (John). And he's not on the call for me to see how his group are going behind the scenes. I haven't seen any of the traffic that says that they have collected anymore material or done anything different on their terms of reference.

But I'd have a better sense of where the two (repertoire groups) come together after tomorrow - no, (when is he on)?

Marilyn Cade: Nineteenth.

Liz Williams: The 19th, so...

Marilyn Cade: Okay.

Liz Williams: ...(at 21:30). So I'd suggest that we hold off making commitments to what that group do because it all has to come together in one hit at some point. And I think that it's too premature until after the 19th to see what progress (John) has made with his group.

Marilyn Cade: Actually, I hear you, but I think the issue here is going to be what's going to be done at the full task force level such as the discussion of the picket fence document, et cetera, because if that doesn't happen at the full task force level, then we're going to have to schedule two separate calls.

Liz Williams: Yup, yup, yup. I see where you're going with it.

What I suggest then...

Avri Doria: Well it doesn't appear that that's going to happen at the task force level at this point. I mean, it means you have...

((Crosstalk))

Avri Doria: ...but now that it's not made it and obviously isn't going to have it.

Marilyn Cade: Avri, it may be necessary to have a call specifically for that maybe between the two (repertoire groups). Then if you don't want to - if you didn't want to call a full task force the week of the 24th, then maybe (John) and I could just put the two (repertoire groups) together.

Avri Doria: But there's no reason why there couldn't be a joint (repertoire group), (really).

Liz Williams: That's exactly right, because (John's) schedule is currently - 19 October, he's done, which is a Thursday, and he hasn't scheduled anything else. But I think he will have to judging by the progress that was made on Friday night.

Marilyn Cade: So - but you would prefer we do a joint (repertoire) meeting to discuss the picket fence document as opposed to dealing with it at the task force level?

Liz Williams: Well if I go back and look at the proposed agenda for 18th of October and I just had it open a minute ago and then I shut it, (unintelligible) I'll just open it again.

Woman: At the moment what we had was basically for (intermediate groups), I had wanted to add the discussion of that in the document (as if) that doesn't seem forthcoming, plus we don't even know if we (unintelligible) (more point).

I don't know that it makes a whole lot of difference whether its task force meeting except for the formality of calling it for a joint (repertoire) meeting.

Marilyn Cade: Oh well, I'm sorry. It makes a difference to me. It means you're in the chair.

Man: Uh-huh.

Avri Doria: Oh, (we can)...

((Crosstalk))

Woman: It does make a difference procedurally, Avri, so whichever...

((Crosstalk))

Avri Doria: ...we do prefer the joint (repertoire)?

Marilyn Cade: No, I prefer you to be in the chair.

Liz Williams: From a process point of view that's really important, Avri, and I think that as the agenda (stands) for the 18th of October, Marilyn, I think you've got some stuff to report. (I think) (unintelligible) is to report on the progress of (TR1), 2, and 5.

Marilyn Cade: Yeah.

Liz Williams: (John) is to report of 3, 4, and 6. We need to confirm the timeline given the - all the other things that are happening. We need to consider what do the group - what Avri is going to report to the (unintelligible) (Council) meeting on the 19th.

Woman: Right.

Liz Williams: So whichever happens, the 18th of October meeting must go ahead.

Woman: Oh we weren't thinking of canceling.

Liz Williams: Oh good, good, good, good. Okay thank you. I was just having a (flat) about that.

So it's very important that both of the groups come together and the whole task force come together on the 18th to discuss where everybody is up to.

Marilyn Cade: But, Avri, my preference would be if we can't have the - where - we can't have the documents and (Dan) until the (late) - the week of the 24th, my preference would be to have a task force meeting to deal with any documents and to have you in the chair on that.

You know, I think there's a number of reasons for that including - then although I'm acting as a (repertoire) on half of the topics, I still have to get up to speed - I mean I'm observing, but I have to be fully up to speed for my constituency on all of them when I'm part of the task force.

So it's just a lot of additional work for me if I have to put together the - a joint (repertoire) meeting on documents that really have to be considered, you know, at the task force level as well as by the (repertoire).

So my preference would be on these documents to have a joint - to have a task force meeting...

((Crosstalk))

Avri Doria: Yeah.

Marilyn Cade: ...if that's feasible.

Avri Doria: I guess we have opposing preferences on it, so why don't we leave it for now and we'll figure it out. They seem what happened to the (unintelligible).

At this point, you know, this report is coming, what, a while back now. And then at one point, it was supposed to be ready for tomorrow. Now, there's no idea when it's going to be ready or when (Dan) is going to be available.

And so I love to try and schedule it at this point in time and how we're going to go about doing it. (So) I have no concept of when this document is going to show up or when (Dan) is going to be available to talk to us.

And basically, one of the things that concerns me is I understand the full task force. We really need to announce it a week, you know, in advance; whereas with the (repertoire group), basically you guys can (decide) on a more impromptu work schedule.

So, I prefer to wait and see what happens and find out when we're actually going to have this report and when we're going to have (Dan) be available.

Marilyn Cade: So tell me about the task force has to do something a week in advance.

Avri Doria: I was told that we had to be able to announce our meetings about a week in advance.

Marilyn Cade: The council has to announce an agenda item that they're going to take action on seven days in advance.

Glen, I'm not aware that - and even the...

((Crosstalk))

Glen Desaintgery: ...what Liz was saying?

Marilyn Cade: And well - (and any)...

((Crosstalk))

Avri Doria: My - just to be very, very clear. My preference is, given the load of conference calls that are taking place for the (repertoire groups), for the task force, for the new TLDs work and for the Whois work, it is desirable if we give people some (note that it is)...

Marilyn Cade: Sure.

Avri Doria: ...not acceptable from my side that we just do a...

Marilyn Cade: Sure.

Avri Doria: ...loosey-goosey planning thing because I can't do it.

Marilyn Cade: Right.

Avri Doria: I simply can't cover those things, and I can't (prepare promptly).

Marilyn Cade: Sure. But one way to deal with that and sometimes the council has had to call emergency meetings as well for discussion purposes, one way to deal with that might be to schedule the meeting for the week of the 24th based on (Dan's) availability so people mark it on their calendar, and then it could be cancelled if necessary.

That's just an idea, Avri. But I just - I wasn't aware...

((Crosstalk))

Avri Doria: ...at this point, I prefer to still keep it in a (rapid form), but we can talk about it more.

Marilyn Cade: Okay.

Avri Doria: I'm not signing up for an extra full task force meeting yet.

Marilyn Cade: So what is the task force going to do then once we get to November 2? We have a task force meeting on November 2. What did you see - how did you see the task force then considering - given that the work has

been split in parallel, how did you see the task force putting the work back together and identifying anything that's missing? Is that what the 2nd for?

Avri, (I'm sorry), is that what we're going to do on the 2nd?

Liz Williams: Sorry, I don't know where Avri's gone. But the 2nd of November, the task force meeting is planning to discuss the draft recommendations, that what is listed on the amended timeline. So, you would hope that...

Woman: (Okay).

Liz Williams: ...the task force come together to discuss those.

Sorry, Avri, but I can hear you now.

Marilyn Cade: Okay. And then if...

((Crosstalk))

Woman: Yeah, (I just hear)...

Marilyn Cade: And then what's the plan for identifying anything that's missing, would we do that on that meeting as well?

Liz Williams: That has to be done at that meeting because if you have missing things, we've only got until the 7th...

Marilyn Cade: Uh-huh.

Liz Williams: ...for me to release a draft task force report to the task force members.

Marilyn Cade: Uh-huh. Okay.

Liz Williams: So if you're missing things, then I have to be able to say we are missing things because of (XYZ) reason or the group didn't consider it or they prioritize something else...

Marilyn Cade: Uh-huh, right.

Liz Williams: ...et cetera, et cetera, (unintelligible) (have those).

Marilyn Cade: Okay. Okay, thank you.

I think we have a plan for what we're going to do, Liz. Thank you for the suggestions on the approach for moving the work. That was very helpful.

Anybody have any closing comments? If not, I'll see all of you on the task force call.

Liz Williams: Thanks. See you later guys. Bye.

Marilyn Cade: Thanks, Avri.

Woman: Bye.

Marilyn Cade: Bye.

Woman: Bye, (Marilyn).

Woman: Bye, (Dave).

Woman: Bye.

END