
ICANN Transcription
Review of all Rights Protection Mechanisms (RPMs)
Wednesday, 26 February 2020 at 18:00 UTC

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JULIE BISLAND: All right. Well, good morning, good afternoon, good evening. Welcome to the Review of All Rights Protection Mechanisms, RPMs, and all gTLDs, PDP Working Group Call on Wednesday, the 26th of February, 2020. In the interest of time, there will be no role call. Attendance will be taken by the Zoom room. If you're only on the audio bridge and we haven't already mentioned you, could you please let yourself be known now?

Okay, hearing no other names, I would just like to remind everyone to please state your name before speaking for the transcription and please keep phones and microphones on mute when not speaking to avoid background noise. With this, I will turn it over to Brian Beckham. You can begin, Brian.

BRIAN BECKHAM: Thanks very much, Julie. And welcome, everyone. We had a few action items from the TMCH discussions from the last few calls and a few things on the [inaudible] to get through. So let me ask, let me start by asking were there any comments on the proposed

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agenda or any additions to AOB or any updates to Statements of Interest to kick us off?

Okay. Seeing none, I think that we have probably all the same question for the second agenda item, which is the ICANN 67 status. I understand that there are still a number of things in flux but that staff may have a little update for us. So if I could turn over to Ariel or Julie for that update, that would be, I think, useful for everyone.

JULIE HEDLUND: Hi, Brian. Actually, Mary has been very involved in working out the internal details of the meeting so I'm going to turn over to her.

BRIAN BECKHAM: Perfect.

MARY WONG: Thanks, Julie. Thanks, Brian. Hi, everyone. It's Mary and I apologize. I actually just got off a call about ICANN 67 planning. So as you all know, that this is going to be a virtual meeting, the first of a virtual ICANN public meeting. The first general thing I'll say is that for those of you who have been involved in constituencies and other working groups and other committees, you know that we are likely to be looking at quite a reduced schedule in the sense that there won't be the same number of sessions as at a regular ICANN meeting.

That said, and again, some of you also know this, the logistical and other challenges of supporting a virtual meeting at this stage means that there are some constraints to the support that can be offered, which probably will not overly affect this working group. But one of the things that I did want to highlight for everyone is that the meeting will be run through the original Cancun dates and with the original Cancun hours. So basically, 7th to 12th of March, 9:00 to 5:00 or thereabouts, Cancun time. That's because of contracts and vendors and other types of things like that.

For the weekend sessions, a lot of groups have basically said they will not be having weekend sessions simply because now that people have been traveling – not traveling, rather – there was a need to respect people's family time and leisure time. So a lot of groups are looking at scheduling sessions within the Monday to Thursday timeframe, including other working groups in the GNSO. The good news there is that even within that Cancun time zone, given the reduced number of sessions, it looks like we're going to be able to schedule all the requisite PDP meetings, including for this RPM group within that Monday to Thursday slot. We currently do not have the exact times for the slots for any PDP, including the RPMs PDP. So all I can say there is that we're working on it, but I did want to let everybody know that we are looking at times between 9:00 to 5:00 Cancun time from the Monday to Thursday timeframe and with no conflicts with other main sessions like the public forums or the Board meeting. So Brian, I'll stop there and see if you or anyone has any questions.

BRIAN BECKHAM:

Thanks, Mary. No questions from me. It's useful to at least know that people can plan their weekends and they know the time zone. There was a question from Kathy in the chat about, it says, "Will the GNSO PDPs be avoiding conflicts?" So I guess that's a question about if there are multiple, so let's say the EPDP, would there be potentially an overlap with one of our sessions or another session? I would imagine that's a possibility, but Mary, I don't know if you have any insight into that.

MARY WONG:

I have some partial insight, and thanks for the question, Kathy. I gather it is an important one because folks are either involved in more than one PDP or at least want to follow the proceedings of more than one PDP. What I can say now is that we are actively trying to avoid PDPs clashing with each other and from what I can tell, looking at the schedule coming together, that looks eminently possible and I don't want to say more than that because there's obviously other groups that are organizing their sessions and their joint meetings and Board sessions and so forth. So I will say that we are trying our best and it looks eminently possible that our PDP will likely not clash with other PDPs.

I think one particular factor that I'll mention here because I think this may be of some interest to several members of our working group is that the GAC has indicated that its high priority policy topics for ICANN 67 are the EPDP and Subsequent Procedures, SubPro, and I know that a number of our members participate in one or both of those. So in scheduling particularly the SubPro meetings, one of the factors we're looking at is the GAC schedule and so that could be a limiting factor. But like I said, at this point, it

looks like there are likely to be few, if any, conflicts, at least as between SubPro and RPMs.

BRIAN BECKHAM: Thanks, Mary. And there's another question from Kathy about if the GAC is meeting over the first weekend. Maybe, Mary, if you have an answer to that. But probably because we do have a little bit of work to get through and because this is still in flux, maybe we can draw a line under this ICANN 67 scheduling because we're all sort of in "wait and see" mode for the time being.

MARY WONG: Brian, just a quick note. I know there are some questions in chat. I'll respond in chat to save time if that works.

BRIAN BECKHAM: That sounds like a great idea, Mary. Okay. So that takes us to agenda item number three, which was to review the revisions. I think there were six of them, revisions, they were action items from the run-through, the TMCH document. And I believe, Ariel, were you going to walk us through those?

ARIEL LIANG: Hi, Brian. Yes. I will walk through working groups through the edits that staff made in accordance with the action items.

So on page one, in the introductory language, we added a new paragraph to indicate that the rationale provided by the proponent did not receive support or endorsement by the full working group.

In some cases, some working group members had concerns about the accuracy and validity of some proponents rationale. So that's one additional paragraph we added as the clarifying language.

And after that page, we have a second action item is basically similar to that clarifying language about the rationale for one of the individual proposals that's for a TMCH individual proposal too, so we have added them. One [inaudible] thing in the deliberation section, some other working group members also had concerns with the accuracy of the company rationale for TMCH individual proposal number two. So that's one added sentence.

And after that addition, just bear with me a second. And this is another addition to the working group deliberation for TMCH individual proposal number 6, and that's to capture the e-mail Maxim shared with the group about the registry, some registries operational concerns due to having only one TMCH database provider. So we added this sentence here in the brackets, "e.g. One working group member noted that several registries have experienced downtime issues when accessing the TMCH database." So that's to capture Maxim's input.

And we also have added a footnote, [inaudible] related to this. Actually, the footnote is related to the previous TMCH proposal number five. It's actually to reflect Claudio's comment to reference Section 3.6 of the current [mark] clearinghouse module of the applicant guidebook. So that's basically to quote that section that provides additional context to that individual proposal. So we captured that here.

And that's pretty much all of the edits we made to this TMCH individual proposal document.

BRIAN BECKHAM:

Thank you, Ariel. And these were things that were discussed during the prior few calls. So these were things that were suggestions of the working group and staff has just reflected those in the documents. Let me just ask if people have had a chance to... These have been, of course, open over the course of the last week. They were closed yesterday so people had a chance to look at the changes that were made. But let me just ask if there are any last comments or concerns about the small edits that have been made. Otherwise, I believe we can move on to the remaining URS proposals that we have in front of us.

Okay, I'm seeing no hands and I'm seeing a comment from Maxim that it's good to go. So thanks everyone for getting us across the finish line on this one.

For the URS, I think we had roughly eight or ten individual proposals to walk through. I think we were going to start, if I'm not mistaken, at number 16. Is that right, Ariel?

ARIEL LIANG:

Actually, I think we probably should start with number 15 because Zak and a few other members provided some edits to the deliberation section for that proposal. So maybe we should talk about number 15. And then I also want to note that when Claudio made another edit and Zak also agreed to that suggestion, so we

have incorporated Claudio's edits in this new redline paragraph. So perhaps we can start with number 15.

BRIAN BECKHAM:

Yeah. Thanks Ariel, for the reminder. And I think Zak and Claudio and there was one other person I'm not recalling who had signaled agreement on the e-mail list for the updated language. But now that we have it on screen, are there any last concerns about this slightly modified language which, if I recall from Zak's edit, merely clarified that there were differences of opinion on this topic within the working group.

I think Zak and Claudio are on the call. I don't want to put you guys on the spot, but let me just ask. I think you guys had agreed over e-mail. There was other agreement over e-mail, no one raising any objections. Does anyone have any last thoughts on the updated language here?

Okay. Seeing none, I think that takes us to, let's see, there was an action item where there was a footnote added to mention that numbers 15 and 14 had been combined if I'm not mistaken. Is that right, Ariel?

ARIEL LIANG:

Yes, Brian. You can see the footnote on the screen right now.

BRIAN BECKHAM:

Okay. Thank you and everyone can see the text there on the screen. Any comments about the text there on the screen? This is,

again, just making a note that proposals number 15 and 14 had been combined.

Okay. Seeing none, I think that finally takes us through to the remaining proposals, which takes us to number 16 which had to do with the proposal for a right of first refusal. So maybe what I can do is read the individual proposal in case there any people on audio only and people can look at the context on their screens.

So the proposal was that the [RF] should allow for additional [inaudible] for right of refusal, registered by name in question once the suspension period ends or the ability of the complainant to obtain additional extensions of the suspension period. Any concerns with the way that's captured on the screen there?

Okay. Any thoughts or concerns on the context for proposal 16? So this is the rationale provided by the proponent.

Okay. Seeing none, yeah. Kathy is putting a question in the chat, asking to move to the community rationale. Kathy, do you mean the context?

KATHY KLEIMAN:

Yeah. Thanks, Brian. Yeah, going down, I think we decided last week that we really weren't going to edit the rationale, the proponent, but that we would look a little closely at the working group deliberation. And in this case, it's both working group deliberation and working group question for public comment. So here we had a special question about the feasibility of implementing the proposal. So I think this is kind of where the

action is at. But it's so short here. There's not much to say.
Thanks, Brian.

BRIAN BECKHAM:

Right. Yeah, that's exactly right. So this is really the ask for the community. So just for the benefit of anyone on the phone only, it says, "Working group question for public comment." It says, "The working group seeks public comment on the feasibility of implementing the proposal." And of course, that's the proposal for a right of first refusal. Are there any concerns or comments on that action, that call to action?

Kathy, is that a new hand? Old hand. Okay. I think that takes us to number 22, which was a proposal for a loser pays model. So it just simply says the URS should incorporate a loser pays model. And you see there on the screen the rationale provided by the proponent and then was there, Ariel, a corresponding section? Yeah, so the working group deliberation and the question for comment. Again, for the benefit of anyone on the phone only, the question for public comment says, "The working group seeks public comment on the specific items that should be paid in their loser pays model and the enforcement mechanism of the proposed model." Any thoughts, questions, comments, concerns on the question for public comment here? So this is really asking people for specific details on how they would have a loser pays model work in practice.

Okay. Seeing... Sorry, Philip Corwin?

PHILIP CORWIN: Yeah. Two comments. One, it may be clear but I'm wondering if, in that question, we might, after model and before the colon, put, I mean, the comma, put "e.g. administrative fee, attorney fees, etc." just so people understand what we're asking. I think it just clarifies things a bit.

BRIAN BECKHAM: Let me ask. I don't have the proposal on a separate screen. Ariel, do you mind scrolling up just to see if there were any of those types of details in the rationale provided by the proponent? So something about a registrar having [inaudible].

PHILIP CORWIN: And while we're on that, in the first sentence, I think the word "right" should be "rights". Otherwise, it looks like we're using "right" in the sense of "correct" as opposed to talking about trademark rights. Those are my only two comments. Thanks.

BRIAN BECKHAM: Okay, so Julie's got the [inaudible] for rights [inaudible]. And again, there's a reference to some implementation details such as a credit card on file in the proponent's rationale. So maybe if we scroll back down to the question for community comment, are there any concerns or is there agreement on Phil's suggestion to add a "for example"? So it says, "For example, administrative fees, attorney's fees". I don't know. So I think that's probably a [inaudible].

ARIEL LIANG: Brian?

BRIAN BECKHAM: Yeah.

ARIEL LIANG: Sorry. I can't raise my hand. I just wanted to note there is an anonymous comment on the side. I think it's to ask for additional questions, is to ask the public about the appropriateness of a loser pays model and then follow that with specific criteria and enforcement mechanisms. So it's slightly different, but I think it's asking for additional elements to be asked in this question.

BRIAN BECKHAM: Okay. Thanks, Ariel. I didn't notice that earlier. Was it higher up in this, in the proposed rationale where there was, the terms "repeat offender" and "high volume cyber squatter" are mentioned?

ARIEL LIANG: It's actually a comment directly on the Google Doc. And if you look at the screen, it's the yellow highlight and it's the comment on the right side.

BRIAN BECKHAM: Right. Maybe I'm misremembering. I thought when I did a quick skim of the document earlier today, there was, in some of the text, there was mention of these terms. I don't know if it was possibly in another proposal.

In any event, what do people think about the suggestion to ask the public about the appropriateness of a loser pays model? To me, that seems to go hand in hand with the proposal for a model. Of course, it seems logical to ask people's opinion whether they think it's a good idea in the first place and how you would define certain terms around repeat offenders and high volume cyber squatting. Are there any thoughts by way of agreement or concern with adding the notion of asking the public for comment on the appropriateness of the model and assistance in defining some of the relevant terms.

Phil, I don't know if that's an old hand. I see... I can call on Maxim and then see if Phil's is a new hand.

MAXIM ALZOBA:

I think it's appropriate to ask in the first place if it's a good idea at all because it was like somewhat questioned in the [inaudible] group so I think asking about is it a good idea and then how much and what it should be might be a good idea. Thanks.

BRIAN BECKHAM:

Okay. Thanks Maxim, and I see a comment from David McAuley in the chat endorsing that suggestion as well as a comment from Zak stating the same. So unless there are any objections to including this, we will, we have it updated there on screen. It says the appropriateness of a loser pays model. Do we still need, Ariel, to note somehow the question of asking people to help us define repeat offender and high volume cyber squatting? And I think that's happening on the screen. Maxim, is that a new hand?

MAXIM ALZOBA: Yes, it's a new hand. We had discussions about the how much is much and I thought there were also ideas of limits, like if several years passed and this party didn't do anything bad, most probably they are not bad at all at that moment. Thanks. Oh, it shouldn't be just two or three hits but maybe two or three hits over a few years. Thanks.

BRIAN BECKHAM: Okay. Thanks Maxim. So that could, just looking at the text on screen where it says, "Number two, the definition of the specific criteria, for example, repeat offender," we could add something such as, I'm just thinking out loud, "over a defined time period" or something to that effect.

Maybe I would put the quote after offender. Sorry to weigh in this as staff are typing. So it says now the working group seeks public comment on one, the appropriateness of a loser pays model. Two, the definition of specific criteria, for example, repeat offender over a defined time period or high volume cyber squatting. Three, the specific items that should be paid in a loser pays model, for example, administrative fees, attorney's fees. And four, the enforcement mechanism of the proposed model.

So noting the prior agreement in the chat and on the phone, let me see if there aren't any final comments on this. That seems all fairly straight-forward additions asking people to help unpack how they would see a loser pays model work if they are, indeed, in

support of that. Any last comments or questions on the new text on the screen there?

Okay. I think that takes us to number 26 which was a proposal to link for the providers to provide links to decisions rendered by each of their panelists. So it says “revised paragraph seven of the URS policy to reflect the following additional provisions” and it would say, “7.4, each provider shall publish their roster of examiners who are retained to preside over URS cases specifically and identify how often each one has been appointed with a link to their respective decisions.”

And then unlike the other questions that we’ve done, there’s no specific request for community comment. There is simply the rationale of the proponent and a note which captures some of the working group deliberation including some feedback from working group members. Any questions or comments on this proposal about providing links to decisions rendered by individual panelists?

Okay. Seeing none, that takes us to number 27, which was a request that providers would post CVs of their panelists. So the proposal would revise URS Rule 6 to reflect the following in provision. It would say “6A, each provider shall maintain and publish a publicly available list of examiners and their qualifications by way of publishing current curriculum vitae updated on a regular basis.” And then there’s a context which explains why that’s been proposed to keep the information that’s publicly available on panelists up to date and some comments on the working group deliberations. But again, no specific further detail in terms of a request for community comment given that the

proposal itself is pretty straight-forward. Any questions or comments on the proposal for providers to post CVs of the panelists?

Okay. Seeing none, moving right along to number 28. So the proposal has to do with a conflicts of interest policy and it says that the Rule 6C would be updated to say, "Each provider shall ensure complaints with the panelists conflict of interest policy." It says, "The conflict of interest policy should be developed by the working group and applied to all providers." So that's something, and as stated in the explanation, there's no specific global known conflict of interest policy and then it mentions that some other forms such as the IDA guidelines are in conflict of interest in international arbitration may be useful for foundation there.

Ariel, if you can just scroll down just to see if there was any specific... Okay, so here, we did have a specific question for public comment. It says, "The working group seeks public comment on the suggested elements of the proposed conflict of interest policy should it be developed by the working group and applied to all providers, as well as existing conflict of interest policies that can serve as examples." Any questions or comments on the specific language of the proposal or this specific question for public comment?

Okay. Number 29, this was a proposal that all URS decisions should be published in a standardized machine readable XML format to compliment existing formats of decisions. And of course, you see there on screen, the rationale and the working group deliberations. Ariel, if you don't mind just scrolling down to see if there was... So the working group question for public comment

says, “The working group seeks public comment on the cost benefit evaluation of implementing the proposal.” And so that refers to the working group deliberation where a URS provider expressed some concerns about this proposal and what it would mean for them as a provider. Any questions or comments on the text of the proposal itself or the question for public comment?

Okay. That takes us to number 31. I believe this was a proposal by David McAuley. It says, “For the sole purpose of assuring that this subject is included in the initial report for the solicitation of public comment, I am proposing that the working group put out for public comment the issue of whether the URS should become an ICANN consensus policy.” And note that this one is a little bit different in that it uses, it says “I” so it’s sort of the proponent is actually speaking to the public there, if you will. Any questions or comments on this proposal which asks whether the URS should become a consensus policy applicable to all TLDs?

Okay. Susan Payne.

SUSAN PAYNE: Sorry. I might have put my hand up too soon. I was meaning to put it up for the deliberation part.

BRIAN BECKHAM: Okay, that’s fine. Go ahead, Susan. We can look at the deliberation part.

SUSAN PAYNE: Okay. It was just that I agree that there was wide support in the working group to publish this. But I think this is one where we ought to flag also that this was a specific charter question we were asked to consider in our RPMs charter. So I don't think there's any question this should go out for public comment since as a group, we haven't discussed it and we are supposed to have done.

BRIAN BECKHAM: Yeah, that's a good reminder, Susan. And I'm seeing a comment from Paul McGrady in the chat agreeing with that. Certainly, I think we could, without upsetting anything here, make note that this does stem from the original questions that were provided to us. Kathy?

KATHY KLEIMAN: Yeah. The only problem is we haven't really studied it as a working group the way we have with other charter questions. So I'm kind of loathe to phrase it, [inaudible] it in the charter question mantle because we're just not there yet. This is an individual proposal by David McAuley and we're endorsing it for publication as such. Maybe another time we'll be looking at it as the way we looked at other charter questions, but this is an individual proposal. Thanks.

BRIAN BECKHAM: Okay. Thanks, Kathy. I don't know if anyone would have quick access to the actual questions that were given to us in the beginning. I wonder if that might help us answer that question that

Kathy is asking as to whether it's appropriate to reference that this was put in front of us from the beginning.

ARIEL LIANG: Actually, one staff is drafting the initial report. We did look at some of these overarching questions and then perhaps we can just show that list on the screen if that's [easier].

BRIAN BECKHAM: Yeah, that would be very helpful.

ARIEL LIANG: And also, I want to note that there are actually two lists. One is from the, actually the charter and that's the bullet points you are looking at right now, these four. And then we also have another group of overarching questions and I will show you. It's slightly different but there are [two]. Perhaps it's best to look at both.

BRIAN BECKHAM: Right. So the first, this is taking us back into history a little bit. These were questions that we were asking in an overarching manner. This, of course, doesn't specifically refer to the URS or consensus policies. Maybe if you could take us over to the annex.

SUSAN PAYNE: Brian, could I interject?

BRIAN BECKHAM: Please. Go ahead, Susan.

SUSAN PAYNE: Yeah. So it looks like it's listed as, I think it's number four. Should the new gTLD program RPM, such as the URS, like the UDRP consensus policies applicable to all gTLDs? So maybe the answer is to just reference that in the language we were looking at on the individual proposal. Maybe we could just cross-reference to it.

BRIAN BECKHAM: Yeah. Thanks, Susan. That does seem to make sense. I think it's, as Kathy was alluding to, we effectively, we haven't really wrestled with this question so it's still live so to speak. Phil?

PHILIP CORWIN: Yeah. I actually just wanted to support Susan. I think when we discussed David's proposal it was noted that there was this number four which asked us to look at whether any of the new RPMs should become consensus policy and when you think about that, most of them were only applicable to new TLDs, not legacy. The URS is an exception. So it ought to be mentioned in the background and cross-referenced in my opinion, personal [inaudible].

BRIAN BECKHAM: Yeah, and just thinking out loud, let me ask Susan, Paul, Phil, Kathy, anyone interested, what if, for example, we would put a footnote here at the end of the deliberation where it says changes

and we could simply quote the question number four from the annex there. Would that work, Kathy?

KATHY KLEIMAN: Thanks, Brian. Yeah, I think we might want to reference that the working group does not address this issue squarely, probably not the word squarely, but the working group has not addressed this issue yet from our charter.

BRIAN BECKHAM: Yeah. No, personally, I think that makes sense because that's an accurate reflection of the state of play here. It's something that's still very much a live question.

KATHY KLEIMAN: Thanks.

BRIAN BECKHAM: Let me ask. Not to put anyone in particular on the spot, but Susan, since you've been helping us with the question, whether you had any particular reaction to that. In the meantime, I have Greg Shatan.

GREG SHATAN: Thanks. And recalling what we just saw on the screen with regard to the charter questions, and question number four just above it, it says that the group is expected to consider these overarching questions following its analysis of public comment received on its

initial report. The working group is expected to include its responses to these questions, if any, in the final report.

So the expectation, at least from the charter, was that we were not going to address them prior to the initial report, but rather, consider the question afterwards. So rather than somehow... Initially, I was thinking this was some sort of epic fail that we had missed some basic question that we should have fully dealt with in the initial, in time for the initial report. But that appears not to be the case. So I don't view this as it should be treated somehow as an anomaly. Rather, I think that it should be mentioned that the working group, as we mention this question four, also mention that the working group will be considering this question following its analysis of the public comment received on this report. Thanks.

BRIAN BECKHAM:

Yeah. Okay, thanks Greg. And I see just a couple of comments in the chat. Phil agreeing with the footnote, and Kathy mentioning that the working group has not yet addressed this overarching question as suggested language. So maybe if we go back to the URS document and we had agreed to add a footnote which would refer back to number four, and then of course, we can just mention that maybe we can draw from that preamble language that Greg referred us to, to say that this is a topic that the working group would tackle following the close of comments on the initial report. How does that strike everyone? Kathy?

KATHY KLEIMAN: Yeah. Just a [note] that we're extracting from overarching questions. We're extracting one and then referring to multiple ones. So again, just after the dash, the working group is expected to consider this overarching question among others. I mean, but there's only one referenced above. So I'd make it singular down in the second paragraph. Thanks.

BRIAN BECKHAM: Okay. Thank you, Kathy. Greg, I think that's a new hand.

GREG SHATAN: Yes, a new hand. It occurs to me that if we have this instruction here with regard to all of these overarching questions, we should ask ourselves whether this initial report is sufficient to allow us to carry out the assignment in this question, and not just with regard to URS as a consensus policy, but with regard to any of them. It seems that if we're relying, if we've had to end up in a sense relying on an individual proposal to raise this point at all, that maybe somehow we have not gone back and made sure that we are satisfying our charter. And do we have, in essence, questions or something teed up in our initial report that will allow us to analyze public comments, to get public comments that can be analyzed and after the initial report to answer all five of these questions. That seems to be the working method that was assumed here and if we have so little on the URS's consensus which is not an important question, I just don't know how we've handled this overall. Thanks.

BRIAN BECKHAM: Yeah. Thanks, Greg. And that takes us right back to the beginning where, of course, you'll remember that we did struggle with the question of should we go through the questions that were put in front of us, given that unlike in some other PDPs, they weren't actually sort of polished by Council but they were just given us verbatim from a call for questions from the public. And so in some cases, it wasn't clear what was being asked or in other cases, there was overlap with other questions. I would imagine that all of those initial questions would be included somewhere in an annex so that puts that in front of people so that certainly there's no risk that they're overlooked in terms of an opportunity for people to comment on. But let me ask. Phil, I think you had a comment and then Greg, your reaction maybe.

PHILIP CORWIN: Yeah. I was thinking along the same lines as Greg and want to support his statement and I would suggest that if it's not already there, that somewhere in the introductory portion of the initial report before the listing of the individual, of the recommendations, the questions for the community, the individual proposals, etc. that we put right up front in the introduction of the report, basically just quote from this section starting with the following questions and then listing the five questions and with the message that members of the community were commenting, should be free to comment on these questions in and of themselves and also that we'd like them to think about these overarching issues when they're addressing specific recommendations or other things that the community is being asked to provide feedback on.

I think that's probably the best way to encourage the type of feedback that will be helpful to us in addressing these overarching questions when we get to the final report. Thank you.

BRIAN BECKHAM: Right. Thank you, Phil. Greg, and then Julie.

GREG SHATAN: Thanks. I support Phil's suggestion. I don't think just having the questions in the annex will be sufficient and I think there's kind of an underlying question which is whether the report as we have prepared it will get us responses that will in turn give us information to allow us to answer these questions. So it's not merely a question of whether the commenters know that these questions were asked of us but that we have in turn at least asked some questions or put out some things in our report that we have basically laid the ground work so that we have, we'll get useful responses back. Merely parroting the question out is probably, I guess it's the lowest or least adequate way to do it that would still be adequate, but really, we should have and hopefully we have, although it seems at least in this case of the URS, we have not considered as we prepared the report that we need to ask questions that take care of this. Now maybe as I see part of what Kathy wrote, maybe it's too late. Maybe we should have done this along the way. We should have asked ourselves the same thing we're asking the commenters. But let's just hope that when we get the comments back and we have to answer these questions, we didn't do an inadequate job of getting responses back based on

the type of information and report that we put forth. We'll see.
Thanks.

BRIAN BECKHAM: Okay. Thanks, Greg. I think certainly we have a couple of years and I think we certainly can't be accused of not having looked at the questions that were put in front of us. But maybe Julie can help us through this.

JULIE HEDLUND: Hi. Thanks. I'm actually going to... I'm going to defer to Ariel. She can't raise her hand so I raised mine for her. [inaudible]

ARIEL LIANG: Thanks, Julie. So what staff could suggest is there's a next steps section in the initial report and I actually put this draft in front of you for a preview and we can list, we already listed these five overarching questions and then we can provide some language to specifically ask the public to comment on this and provide input. And in addition to that, in the public comments forum, when we [fill] out the forum, we can create a specific section just to let people provide input to these overarching charter questions. And also in the executive summary, provide some sort of callback or cross-referencing and just make sure people are aware the working group wants input for these questions too. So would this be an acceptable approach to highlight these questions and ask for input?

BRIAN BECKHAM: Yeah. Thanks, Ariel, for putting that out. That certainly makes sense to me. It seems that there's no risk that it's, these questions aren't going to be in front of people. Greg, is that a new hand? Greg, if you're speaking, you may be on mute.

GREG SHATAN: Sorry. I think that's an old hand but I hope I haven't lost what I was trying to write in the chat.

BRIAN BECKHAM: Okay. I'm not seeing if you've written something in the chat, Greg, but I see a note from Justine agreeing with Greg and [Ariel] that would draw attention to the existence of these overarching questions upfront if they want them to be in people's minds. So certainly, we can do that.

Let me just try to see if we can't wrap up. We sort of landed here by starting to talk about making a reference in a footnote to David McAuley's proposal to the fact that we had been asked from the beginning to consider whether the URS should be a consensus policy but that we hadn't actually addressed it. So this was a live question still and so then we ended up looking at what we should do with the actual questions. And so Julie says, "To summarize, we will reference the questions in the executive summary pointing to the next steps where we will specifically ask for public comment on them." That certainly makes sense to me. So let me see if we can't pull this together.

Is there any questions or concerns with referencing overarching question four in a footnote at the end of this individual proposal?

And then secondly, is there any concern about noting – excuse me – that the working group is expected to address this overarching question following its review of public comments?

Okay. So it sounds like we're all just sort of being extra careful here and retracing our steps. So I think we have agreement to include the reference to overarching question four as a footnote and to make clear that this is a live topic and that we will be considering this following public comment. And then just to pick up on what Greg's put in the chat, that the reason for that of course is that we hope to elicit comments that will help us answer those questions as we move towards producing a final report.

Okay. I just want to make sure this makes sense for everyone. I think we'll probably see this one more time once staff has had a chance to fully incorporate the discussions here, but it sounds like we're all agreeing that we make reference to this and then we'll see what comments come in and we'll take it from there. Any last thoughts on this question here?

Okay. I think that takes us to number 33. So this was a question about provider contracts, URS provider contracts. And so the proposal says that all current and future URS providers should be brought under formal fixed term contract with ICANN instead of the current arrangements which is an MoU for URS providers and it says those contracts should not have any presumptive renewal clauses. Then seeing no questions or comments on that, let me ask Ariel, if you don't mind scrolling down, if there was any specific, so the question for public comment, the specific question says the working group seeks public comment on additional elements, if any, you need to be included. So maybe that should

say “need”, “that need” or “needed to be included” to enhance ICANN’s MoUs with URS providers and enforce their compliance. I see Phil Corwin has his hand up. Phil?

PHILIP CORWIN:

Yes, thanks. I was just going to suggest in regard to the point before, at the bottom of the prior page, if we could go back there, that if we reference the MoU, I would suggest that we either, that we put a footnote after MoU and either link to the document at the ICANN website or link to a place in the appendix where the text of the MoU is reproduced. All of the providers are under the same MoU. If we’re asking the community to comment on whether it’s sufficient or whether more is needed, we ought to make it easy for them to look at what it says right now. Thank you.

BRIAN BECKHAM:

Yeah. Thanks, Phil. That sounds like a perfectly sensible suggestion so people know what they’re being asked to comment on. I don’t know that people are familiar with the language of the MoU by memory, so good to refer them to that. Any other thoughts or comments on this proposal regarding provider contracts? Or any specific concerns with the text on screen, the specific question for public comment?

Okay. I think that takes us to number 34, which had to do with language of URS proceedings. And so the proposal was to incorporate the full rule number 11 of the UDRP rules regarding language of proceedings. If it’s okay with the group, I won’t read that. That’s the language from the UDRP. But I see Susan has her

hand up. Let me, before we proceed, see if that goes to the prior question or if that's here on the language. Susan?

SUSAN PAYNE: It goes to this one. And I'm not, obviously not challenging the text as such. But I think where it says the URS – sorry, don't scroll up – where it says the URS shall be amended to incorporate in the [inaudible] rule number and [inaudible] UDRP rules and I happened to be looking at the UDRP rules for a completely different purpose. And A and B are indeed the UDRP rules but then the bit afterwards, it says preliminary submissions, I couldn't see in the UDRP rules. And so I think it may just be a sort of paragraph issue. That paragraph at the end that is listed there is part of the individual proposal but isn't part of the UDRP rules and I think this is Zak's proposal. If he thinks that I'm misrepresenting then I'm willing to be corrected, but I was looking at the rules and I couldn't see that last paragraph in the rules. Although it makes lots of sense.

ZAK MUSCOVITCH: Sorry. Go ahead, Brian.

BRIAN BECKHAM: No. Go ahead, Zak.

ZAK MUSCOVITCH: Points well taken, Susan. I personally don't remember if this proposal is mine or not but I see your point about the paragraphs.

It looks like staff has indented the A and B which provides, which is improvement. I think that that third paragraph beginning with preliminary submissions may have been a partial extract from the original proposal if I recall correctly. But if not, it leaves a little something to be desired in terms of explaining it to the reader that the preliminary submissions is part of a proposal. In other words, it's not an existing system to make preliminary submissions that's being proposed. But I mean, I don't want to mess with it too much, so.

BRIAN BECKHAM:

Yeah. Thanks, Zak and Susan and Ariel for capturing Zak's thought on screen there. I think Zak, if you can see that, that seems to work to kind of bring the reader back. If we wanted to be extra careful, we could even put quote marks before A and then after the word "proceeding" just to make it extra clear that this indented text is [according] to the UDRP rules. And then with the addition there, that it seems pretty clear that we're bringing the reader back to the proposal and away from the quoted UDRP text.

So hopefully that works for everyone. Ariel, is there any specific question for public comment on this one? No, it looks like just some notes on the working group deliberation. Okay, so just seeing some comments in the chat from David McAuley and Susan affirming agreement with this update, so thanks, Susan, for helping us make that a little bit more user friendly.

The last URS individual proposal left to look at is number 36 and this had to do with streamlining the different appeals possibilities. So it says "Eliminate the existing post default de novo review. And

instead, replace the current URS appeal filing period to 60 days with the possibility of obtaining an additional 30 days to file the URS appeal as a matter of right upon request within the initial 60 day filing period.” Any thoughts on the language whether this accurately captures the individual proposal? Kathy?

KATHY KLEIMAN: Yeah. I was actually going to comment on the context if I might. But are you looking for comments on the... inside the box?

BRIAN BECKHAM: Please go ahead. If you have comments on the text, on the context.

KATHY KLEIMAN: Yeah. I think if... Actually, if... Yeah, if you could go up a bit. Good. I think we should provide links as with other areas. I think we should provide footnotes with links to the actual URS procedure so that people can look it up and read it in its entirety particularly for this section. I think that would be very useful and consistent with how we've handled this in other areas. Thanks.

BRIAN BECKHAM: Yeah. Thanks, Kathy. I think that probably the URS would be cited somewhere in here but let me just ask because there are a number of citations to particular URS paragraphs. Did you have any thoughts on where we might do that, where we might add a footnote with a link to the URS itself?

KATHY KLEIMAN: Oh, good question. Maybe even as early as under the URS procedure, right where staff is right now and provide a footnote there. Thanks.

BRIAN BECKHAM: Yeah. I think we're thinking along the same lines as Ariel.

KATHY KLEIMAN: That's great.

BRIAN BECKHAM: Great. So certainly, no harm in making sure that people have a link to get to the document that we're referring to. I see a question from Cynthia King in the chat. It says, "Can we swap replace with reset?" And instead replace the current URS... I don't recall who was the proponent of this. I think there may have been multiple proponents of this, but does anyone have any thoughts on replacing the word "replace" with the word "reset" there?

KATHY KLEIMAN: I'm not sure. Reset has all sorts of technical meanings. I think we could go into a long discussion about that. I'm afraid I would recommend we stay with the existing word. Thanks.

BRIAN BECKHAM: Okay. Thanks, Kathy. David?

DAVID MCAULEY: Thanks, Brian. I just wanted to address your question about where this originally came from. I was a proponent of something like this and then separately, there was a group of participants who made a similar proposal. And so number 36, I think, is an amalgamation of two different things. And so the language I think in the context is more following the latter group, the other folks. But I was pretty much along these lines. And I think I was going to initially say that with respect to Cynthia's comment, reset sounded fine to me but if Kathy's correct, that that word has legally technical implications, then maybe I'll reconsider that. But the point was to say when you look at Rule 6, or whatever, Section 6 and Rule 12 together, someone who defaults has the potential for three de novo hearings whereas somebody who replies on time, responds, has the potential for two de novo hearings. And it just seemed out of whack and extraordinarily long. For someone who defaulted, it could be up to a year. So that's what we were getting at. And it did, it is a replacement in a sense, but whatever that verb ends up being, I really don't have an opinion on. Thank you.

BRIAN BECKHAM: Yeah. Thanks, David, and I think I don't want to put words in Kathy's mouth but I think that the concern about using "reset" is that especially when you have the proposal itself refers to time limits, then that might confuse people. I see Cynthia has her hand up. One option could be to use the word change. Replace works for me, but let me ask Cynthia if you could help us here.

CYNTHIA KING:

Hi. Just to clarify what I'm saying, what this says is that we will eliminate the current review period and instead, replace the current URS appeal filing period to 60 days. Replace usually says we're going to take this text or this item, we're going to lift it out and instead insert a different thing. But that doesn't appear to be what this is doing. It's not specifically saying we're going to take X and remove it and replace it with Y. It's more we're going to take this idea and instead we're going to do this. So to me, the idea of replace was kind of, we're not lifting something out and setting something else in. We're changing it but without an exact replacement. So to me, it would be more clear if we changed it but Kathy, if Kathy feels strongly about it, I'm not married to that at all. So thank you.

BRIAN BECKHAM:

Yeah. No, thanks, Cynthia. That is a helpful explanation. I think what you're alluding to is that maybe the word "change" would also work there. But since we didn't really want to wordsmith the individual proposals if they do work, it sounds like we can keep the word "replace" there and then there's a comment from Justine about possibly addressing this in the context section. I think probably that has come out, that does emerge in the context. It's sort of a more fulsome description of what David mentioned, the fact that you had a few different ways to appeal procedure and it was really just a proposal to consolidate these somehow. So unless, I think unless there are any suggestions, then the context probably adequately already describes the proposal in some detail. We can keep the word "replace" although we can debate

whether different words could work there. But are there any final thoughts or comments on this, on the particular language here?

And just to recall the text that was just highlighted there, again, that along with the prior three paragraphs helps explain this in some detail. Kathy?

KATHY KLEIMAN: Yeah. I was wondering if we could page down a little farther to the rationale or to the discussion of the working group deliberation. Okay. Okay, not too much there.

Did we have any... Did we discuss any statistics or any information during the working group deliberation of how often, if at all, whether any of these appeal mechanisms had been used? Does anybody [inaudible]?

BRIAN BECKHAM: I think... Yeah. We, I, from memory, we did. I would be hard-pressed to give you an exact figure. I don't know if that was part of Rebecca's research or other people may have looked into that. I think there were very, very few cases that were appealed, but we did, I do recall look at that at some point over the course of our deliberations.

KATHY KLEIMAN: Okay.

BRIAN BECKHAM: Renee Fossen, who is actually a URS provider said very few. Kathy, is that a new hand?

ARIEL LIANG: I...

BRIAN BECKHAM: Go ahead, Ariel.

ARIEL LIANG: Sorry. I can't raise my hand so I have to interject. I'm just posting the individual proposal 10. That was one of the two proposals that was kind of a prelude to this merged proposal and I was looking at the evidence for this proposal and this provides some numbers here. It's under Q5 so perhaps that's the [statistics] that Kathy was asking about.

BRIAN BECKHAM: Yeah, thanks, Ariel. So that shows us that 3.5% of cases sought a de novo review. So let me go back and ask Kathy. With that background, I think we were looking at the final sentence on the working group deliberations. Did you, Kathy, have any thoughts on whether there was a need to maybe reference this somehow or it was just a question of curiosity?

KATHY KLEIMAN: No. More than that because I remember, like you, I remember we discussed something about this. So let me ask the working group,

would it make sense to drop a footnote with some of this information in there, that there have been 29 cases in which the defaulting respondent sought de novo review of the default determination? That's interesting. And it may be [good]...

BRIAN BECKHAM: Yeah. Thanks, Kathy. I think picking up on what we've done with a few of the other proposals here, we could, for instance, add a footnote to reference this Q5 which is the evidence and support of the proposal. But I see Julie's hand up. I don't know if Julie that's for you or Ariel, but please go ahead.

JULIE HEDLUND: So Ariel and I were just confirming. So there was a discussion of the data in its reference in the URS documents sub-team. But this context is the very brief context that you see here is related to this particular individual proposal and is a summary of the working group's discussion of the individual proposal in which there was not a discussion of the data. So there's sort of two things here. The context is supposed to reflect the working group's discussion of this individual proposal but may not reflect the working group's deliberations in other, that are reflected elsewhere in the initial report. I'm afraid that's not terribly clear.

BRIAN BECKHAM: Yeah. No, thanks Julie. I think just to kind of add to that, I think what David said in the chat was that his original idea for the proposal was less driven by looking at specific data, but looking at the rules themselves which seemed to have some unnecessary

overlap. So I wonder if Kathy, with that explanation, I wonder. One idea could be that we include a footnote that refers to this, but then that we make it clear that this was data that wasn't necessarily the driver behind the proposal itself. I don't know if that would risk confusing people or if that would be useful, to be honest.

KATHY KLEIMAN:

Or say that it was data that wasn't independently checked or confirmed by the working group, but that was part of the proposal. I think that would be useful because it provides background for the community on what we're looking at or the extent or [inaudible] the problem and then also provides information on how reliable the data is, that it wasn't independently checked by us. So I think that makes sense and will provide some interesting input and background. Thanks.

BRIAN BECKHAM:

Okay. Thanks, Kathy. And thanks, Ariel, for the clarification in the chat that number 36, which is the one we've been discussing, supersedes numbers 9 and 10 in the data on screen that's the Q5 with the case data was referring to number 10, which the working group decided not to publish in the initial proposal. So Paul McGrady asks us what the revised text would look like. I don't know, Julie, if that's a new hand or an old hand, but just thinking out loud, to answer Paul's question, let me call on Julie first. Julie?

JULIE HEDLUND: Yeah. So sorry for the confusion. So just to call out again what Ariel notes, 36 is a new proposal. It supersedes 9 and 10. So when we were showing a proposal on the screen that referenced the data, that was actually proposal 10. That data is not referenced in proposal 36, so that's why it isn't in the context for proposal 36 and that's also why it wasn't discussed with relation to 36, which Susan recalls as well.

So in essence, it doesn't really make sense to reference the data with respect to proposal 36 since it's not actually part of proposal 36 and I know that David is also confirming the recollection is that my proposal is based not on evidence, but on review of the rules which seem to be ipso facto, out of whack, on looking at the provisions. So it's unclear to staff that there needs to be any edits at this point in the context for this proposal. But we'll leave that up to the working group.

BRIAN BECKHAM: Okay. Thanks, Julie. So yeah, I think that was... Kathy put a question in the chat which was on my mind, which was, was this the result of a merger? And Julie's answering, no, not a merger but superseded. So I think the idea was that if this was on the basis of a merger, that would tend to put more towards including this by way of reference or footnote. But since it's superseded, then that puts a little bit of a question mark over whether it's appropriate to cite this as a foundation when, in fact, the proposal seems to have taken on a slightly different form.

Let me ask, Kathy, since you brought this up, what you think about given that it's basically overtaken as opposed to combined,

whether it would be okay to leave this aside or whether you feel we should try to somehow include this. Kathy?

KATHY KLEIMAN:

Great. Thanks, Brian. It's hard to see when we can't read the first page of what we're looking at. And also to do it on one foot. So perhaps this is something we should review for next time and have everyone look at what proposal are we looking at here that's on the screen. This is hard. Okay, so proposal number 10 and then we're considering... I don't have the other number, proposal number 34 I think. I think we should just take a look at it and not decide right now. See what makes sense, what would help inform, what we all think would help inform people reading the initial report, not just what we were thinking at the time, but we had all this information with us and we were looking. It sounds like we were looking at all these proposals at the same time, so we would have had all this information in front of us. Sorry Brian. I think we should think about it and talk about it during the week online.

BRIAN BECKHAM:

Yeah. Thanks, Kathy. Let me, I'm sensing a little resistance to including this from others, but let me just ask if there would be a factual way we could capture this to maybe in a footnote say proposal number 36 supersedes earlier proposals number nine and ten, and then provide a link to those proposals number nine and ten.

JULIE HEDLUND: So actually, we already have a footnote. You can see it there. Okay. So the only concern about linking to proposals nine and ten is that as soon as a proposal is actually referenced in the initial report, meaning that it's someplace where people can go and look at that proposal, then people could by right, comment on that proposal. So that suggests, in essence, that the working group now wants to include publication of nine and ten. But that was not the intent. The intent was that 36 would replace 9 and 10 and the rationale for 36 basically merges into it, the rationale from 9 and 10. So they are, essentially, reflected here. The difference is that 36 is not based on the data. The data is not referenced in the way that it was in 9 and 10 so it's not a complete sub-summation. They're linked as David is noting. But if we bring up 9 and 10 by reference, then essentially, by reference, we're inviting comment on 9 and 10 which was not the intent of the working group is our understanding.

BRIAN BECKHAM: I do apologize. I didn't hear Julie's intervention, but Kathy, I understand has some dialogue in the chat as well. Kathy, did you have a reaction?

KATHY KLEIMAN: Yeah, this is getting very confusing in that if the rationales are subsumed or included, I don't see any problem including some of the data and not sending people across three or four links to find it. It's just, there's some useful data. Let's just put it in the footnote. Thanks.

BRIAN BECKHAM:

So let me just ask, and apologies because I lost the audio there for a minute. The footnote that's down screen, it does refer to proposals number 9 and 10 and it says that those can be found in Annex C. I'm assuming, Ariel, that's the footnote to the last sentence on the screen about the working group deliberations, in which case, Kathy, wouldn't that... Yeah, okay. So exactly, that's the footnote there. So I guess the question, Kathy, is we are referring to proposals number 9 and 10 and then we're directing people where to go to those. They can... I'm just, again, thinking about to see if we can't bring this to a close, if looking at the footnote text there, you could say after the second reference to proposal number 9 and 10, you could say in parentheses, which included supporting data and rationale or something to that effect.

But Kathy, just to answer your question, it looks like there's at least some reference there to numbers 9 and 10, and those are provided in the Annex. So it seems maybe it's just a question of if we make it clear for people that there's data in those proposals. Would that get us across the finish line, maybe? Otherwise, we...

KATHY KLEIMAN:

No. Let's just help out the world that's trying to read the initial proposal. But again, this is silly because we're cross-referencing a lot so thank you, Brian. Cross-referencing a lot. But the question is whether we should put in front of the work some information that we know about the actual use of these appeal mechanisms and just put it in a footnote as we've done with other areas. But sorry, there's lots of construction in the background so I'm going to go

back on mute so that you don't get it. Yeah. I just think we can help the world here and our readers. Thanks.

BRIAN BECKHAM:

Okay. Let me do this because I know we're running up to the end of the time we've allotted for the call. Let me see if it wouldn't work if Kathy, you would have any chance in the coming days to see if there wasn't a way that you could propose adding something to that footnote there that the group had looked at over e-mail. Otherwise, there seems to be already a reference there and there's some resistance to getting too much into the [inaudible] in terms of putting the full text, for example, of that data set in the document here. And so I don't want to hold up progress on finishing this document [with] that.

So I think probably the text that's there, maybe it's worth another look at the [offline] to see if that doesn't answer your question, but let me, with the last few minutes we have, turn over to staff for a quick look at the project change request that we submitted to the GNSO Council and the revised work plan, and just a reminder that given that we've been working on this topic for sometime now, we've been getting some signals from Council, some concern that with respect to our deadline. So we've been firmly asked to conclude this by this fall and we've represented for you all, as the working group, as Chairs, that we would be able to meet that deadline. So we are going to do our level best to meet that representation we've made to Council and you see on the screen there that project change request form itself. So maybe I can turn over to Julie and/or Ariel and I see Phil's got a request to speak later too.

JULIE HEDLUND:

Yeah, thank you. I'm just going to go very quickly. Just to note, so this is the... This was the final project change request that we submitted to the Council. The Council is considering it. They have asked Council members to provide comments on it. There's also one from SubPro. They're on the same timeline. They're asking Council members to provide comments by tomorrow at which point the Council leadership will then provide a response back to this working group and then also to SubPro. And essentially, the changes that we extended the timeline by I think some, 5.5 months so that there is more time to consider the public comments and also because this is a much more realistic timeline. We will be... Staff will be developing with the Co-Chairs a very detailed work plan for how to achieve this timeline. So that's something we'll be working on once the public comment, the initial report goes out for public comment.

But I just want to move down to the proposed action just very quickly and I think this is something that Phil will address as well. And just as noted, so the, per this project change request, the working group Co-Chairs are committing to work together. Practically, this may mean allowing decisions to be made by two of the three as opposed to all three Co-Chairs with the common goal to complete Phase 1 on time, understanding that there may be consequences for the work, e.g. suspension of the PDP if this is not done and two, are willing to be firm with the working group and do whatever needs to be done in order to deliver the final report in a timely manner, and three, will develop a detailed plan to produce the initial report, review comments, and produce a final

report and clearly communicate this process to working group members.

So I'm just going to stop there and hopefully give the last time over to Phil.

BRIAN BECKHAM: Thanks, Julie. Phil?

PHILIP CORWIN: Yeah. Thank you, Julie. One comment, one question to staff. The comment to the working group is that the Co-Chairs have asked staff to prepare an updated timeline and work plan for our group which works backwards from mid-September rather than the drop-dead date of October, mid-October. That's so Council has made it clear this is the last extension which is fine with this Co-Chair. It's been a long time since we started about four years ago. But that's so we're going to develop that work plan. So if we don't make mid-September, we've got four back-up weeks to complete the final report. We were concerned that if we worked backwards from mid-October, there's no safety zone if things take a little longer.

Now my question is we are committed to publish the initial report on March 18th. That's not very far away. We're going to have a meeting next Wednesday because no one is required to travel to Cancun for the ICANN meeting which is now virtual from another call I was on. Some people are still going to Cancun for various reasons including nonrefundable tickets. But we're going to have a 90-minute call next week. The following week is a virtual meeting. If we get the full time we were supposed to have in Cancun, we

were scheduled for five and a half hours there so next week plus five and a half hours is seven hours. We may have slightly less than five and a half hours. So my question to staff is with a max, and staff has told us we can't meet on the 18th to finish any work on the draft. We have to finish up the week of the virtual meeting to publish the draft because of work that staff has to do.

So we've got at most seven hours left before publication. How much work do we have left on the text of the initial report? Can we do it in that time?

JULIE HEDLUND:

Thank you, Phil. Yes. In fact, by having the meeting next week, that actually gains us time we didn't expect to have, and in fact, we anticipate that while we have currently 5.5 hours scheduled for the ICANN 67 virtual meeting, we think it's quite likely we may not need all of that time given that we have next week. And staff is preparing the last two sections to review next week which are to begin review of those next two sessions which were going to be reviewed at ICANN 67 so we should be able to get ahead of ourselves. And that's TM, PDDRP and additional marketplace RPMs. So we'll gain some time there.

And then there's just the review of the executive summary background that, how the working group conducted its work. These are all just perfunctory text sections and a lot of which are built from information that was in the issue report. So a lot of that's not new. So we'll be running through that information with the working group but not anticipating any major changes to that because it is primarily just factual information.

So yes, the short answer is yes, we expect to be able to finish in time in ICANN 67 with time for the staff to compile all the sections and get the report published on the 18th.

BRIAN BECKHAM: Thanks. Great news. Excellent. Well, thanks Phil for the question, and Julie, for the clarification. Thanks, everyone for your work. It seems like we're getting back on track. So we will see you on the next call and I think we can, Julie, end the call here. Thank you.

JULIE BISLAND: Thanks, Brian.

[END OF TRANSCRIPTION]