
JULIE BISLAND:

All right, for the transcript, this is Julie Bisland. Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group Call, taking place on Tuesday, the 8th of October, 2024. For today's call, we have apologies from Catherine Paletta, RrSG. She formerly assigned Essie Musailov as her alternate for today's call. We also have apologies from Rick Wilhelm, RySG, Prudence Malinki, RrSG, and James Galvin, RySG.

As a reminder, the alternate assignment form link can be found in all meeting invite emails. Statements of interest must be kept up to date. Does anyone have any updates to share? If so, please speak up now. All right, all members and alternates will be promoted to panelists. Observers will remain as an attendee and will have access to view chat only. Please remember to state your name before speaking for the transcription. Please note, all sessions are being archived. As a reminder, participation in ICANN, including this session, is governed by the ICANN Expected Standards of Behavior and the ICANN Community Anti-Harassment Policy. Thank you, and over to our chair, Roger Carney. Please begin, Roger.

ROGER CARNEY:

Thanks, Julie. Welcome back, everyone. Hopefully, everybody had a good summer, for those in the north, good winter for those in the south. Hopefully, everybody had a good break from transfers. It looked like our comment period was a success. We did get several comments, quite a few comments, I should say, and no one actually asked for an extension for a change. So, we hit our comment period, and we are

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now into our final stages of our report here. I would say we're not in a time crunch yet, but we do have a lot of work here. Again, there are quite a few comments. I think half of the recommendations had comments that we need to review. I think a lot of this work from now until we're finished is going to be quite a bit of homework. Everybody needs to read the comments and tease out what they can find out of those comments.

Again, we're really looking for new things or something that people think is new. If it's not, maybe someone else can jump in and share that when we're discussing it. We are looking for new comments or new ideas or new issues that we haven't already discussed. If we've discussed them, hopefully, that continues, and we can just mark that as, hey, here's our discussion, and yes, you're right. There was need to discuss around it, and this is how we got to it. I think, again, what we're looking for is those new things.

From here until, let's say, December, we're going to have quite a bit of homework, so quite a bit of reading. Fortunately, staff has already pulled out the comments for us and put them in a nice, readable spreadsheet so that we can digest it fairly easily. Hopefully, the assignments that we were able to work out make sense and makes it flow smoothly for everybody that's reviewing the comments.

Other than that, again, I think that we're not in a time crunch, though we know that ICANN81 is coming up, and then the holiday season starts shortly after that, so we do need to be thinking about being good about making our timelines here and getting our homework assignments done. With that said, I don't think I have anything else. So, maybe I'll

turn this over to Christian to walk us through the public comment review tool. Go ahead, Christian.

CHRISTIAN WHEELER:

Thank you, Roger. Yes, welcome back, everyone. Happy to hear you virtually and see your virtual faces. Just want to walk you through this new tool that we have that staff has designed to basically pull together the different comments that we received, ensure that they're all readable and organized. Because as Roger mentioned, it is everyone's responsibility to make sure that you read and review all the comments, which you can find on the public comment page, which I'll post in the chat here if you want to look at it that way. This would be looking at them in their raw form, kind of show you what that looks like.

So, if you go out to the public comment page, see all proceedings, you'll see. You can just click on them this way. To have everything kind of a little bit more organized. We've placed all of those comments, all of them within this spreadsheet, and I'll give you the link to this in the chat right now. One second. Okay. So, yeah, so you'll see on this very first page, just some instructions, disclaimer, basically just saying that as Roger already said, but when going through the comments, as a reminder to make sure you read them all. And there's some other kind of handy links here. We'll also note any action items on this page as well, so you can just take a look at that to see what is the current homework.

We also have an action item here for staff. We have a snapshot page, which just gives an overview of which recommendations had significant

concerns or objections. As you'll see here, there's about 25 of them in all out of the 47 that we're going needing to spend some kind of extra time on to review those comments. And then on this tab, which says all PC submissions down here, is where you'll find everything that's all of the comments that were submitted in one place. We have the author's name and affiliations here. We've abbreviated that so you're not looking at the names of the individual every single time. Let me just hide that really quick. There we go. This is easier.

So, you'll see in the public comment proceeding, there was a structured format where commenters were asked for each recommendation to choose their level of support, and then if they had any comments about it to give some more details to why they might not support it, or if they support the intent but with a wording change, or if they wanted to have a significant change to it, or just simply remove or delete the recommendation. So, each person had an opportunity to provide some extra context there. And so, since all of them follow this format, that's easy to drop in here to see for each recommendation what everyone said. And so, this is where you can see all of them in total in one page.

But since this isn't very readable, we actually have them, each recommendation has its own tab. So, you can see here for instance recommendation #1, we have the recommendation title, you have the actual text from the initial report. This proposed edit is where we'll put whatever the final edits the group agrees on. And then here you'll see basically all of the people who responded, a link to their submission, which I showed you from the public comment page. So, you don't need to go to that page, you can just click here next to it, and their comment.

So, you'll see for recommendation #1, most people support the recommendation as written, and some people had no opinion. So, we probably don't need to spend any time talking about updating recommendation #1. And this goes on for all of the recommendations. So, you can go through and see for yourself, just for each recommendation, what everyone said. Again, it's just copy pasted right from their submission. So, staff has not touched anything, apart from just organizing them in the order as they put it in themselves.

And at the very end here, because it does go through all the recommendations, we also had some questions to ask. For instance, are there any recommendations the working group has not considered? And so, these comments are here as well. So, you can read them. And as you see, a couple people had some lengthy replies, but others did not. So, we're only including those who actually responded to these questions. So, again, please do read all of these. And we put them in this tool for ease of review. And based on the feedback that we received, you just want to make sure everything is traceable and transparent. But as we go through these, there will be need to be some redrafting of some of these recommendations based on those comments.

And so, rather than doing it within this document, because given the size of this Google Sheet and the number of recommendations, it'll get pretty unwieldy soon. So, we do have a hyperlink to another document where the working group will actually edit text, and we can track the changes so it's easier to view. And where you'll find that is here. So, in post for post edits, we have another document, we'll just take a direct link to this page. And let me draft drop this in the chat as well. One

second. I just dropped it in. So, this is where the group will draft the actual recommendation changes. So, you can just click on any of these from the table of contents, or you can pull off to the side, and you can take into where we'll actually do some editing. And Caitlin will go over that in a little bit as we're going to do one today, as an example.

But just wanted to share these, it's really these two documents, rather than from the first or from phase 1(a) where we had a different Google Doc for every single recommendation. Obviously, we don't want to do that for 47 recommendations. So, rather than over 100 documents, we just have two, this Google Doc, which will be used for drafting the recommendations. And then this sheet called the PCRT, the public comment review tool, is really where the home base where everyone can read the actual comments themselves, and see them side by side and see everything as the commenter submitted.

So, please do review this tool. This is where you're going to see you know where your current action items and homework are, we'll obviously also put it in the notes and emails as well. But please do check out this document, as this is where everything is going to be. And of course, we are open to feedback on the structure and happy to modify this as we go along. If something needs to change, happy to hear from you guys, whether you want to, if anything here needs to change. So, we're totally open to that as well.

So, that's about it. And if anyone has any questions, happy to answer them. Otherwise, we can move on to the agenda.

ROGER CARNEY:

Thanks, Christian. Yeah, and just to tag on to that is, you're going to get used to this, because you'll be in this every week for the next couple months. So, as Christian said, if there's something that's not working, let us know, and we can see if we can update anything if we can or not. But get familiar with it, because we'll be doing most of our work between here and the other document that Christian just showed. So, again, if there's something that's clunky, let us know, and we'll see if we can get it fixed. Otherwise, just become familiar with it.

Steiner, can these be distributed outside the working group? I don't know if we want links to them. You know, we don't want people editing them outside the working group. The content themselves is nothing proprietary toward this IRT. So, I mean, its all just public comments, and how we are going to respond to them, which will be public as well. So, I wouldn't want to share this editable with other people. But the contents of it, I don't have a problem sharing. Great. Thanks, Caitlin. Okay. No more questions on this. I think Caitlin's going to take us through our assignments in an example.

CAITLIN TUBERGEN:

Thank you, Roger. This is Caitlin Tubergen speaking. And thank you, Christian, for showing the agenda. As both Roger and Christian have mentioned, the working group's role at this point is to review all of the public comments received in their entirety, so we can ensure that the groups and the individuals that spent time drafting these public comments are heard and considered as we move into the next phase of editing the recommendations. So, as we've all noted, there were 47 recommendations and a lot of public comments received. And so, the

leadership team and support staff took a look at the order of the recommendations and wanted to break it up into more manageable groupings so that there would be enough time to give sufficient or allow sufficient time to review comprehensively the recommendations.

So, in the agenda, you'll see the proposed breakdown of the recommendations. In short, what we've attempted to do is group the recommendations topically. So, for example, the first assignment would be to review recommendations #1, 2, and 4 through 11. I believe 1 and 2 don't have any public comments on them. But 4 through 11 are the recommendations that encompass the first part of the transfer process and all of the TAC-related recommendations or the transfer authorization code. So, we want to ensure that all of the comments related to the TAC are considered together so that we don't have to go back. So, we ask that all working group members review this group of recommendations by next Monday as we will be discussing if any changes to the recommendations or at least begin the discussion of if changes are needed to those recommendations at our next meeting on Tuesday.

The second proposed group you'll see is the remainder of the Group 1(a) recommendations. So, on Part 1 of the transfer policy or a standard inter-registrar transfer. So, you'll notice that Recommendation 3 was pulled out of the first group and that's because Recommendation 3 deals with a transfer-related restriction. So, once the domain is created, there's that 30-day transfer. There's a lot of comments on that particular recommendation and it's also related to the post inter-registrar transfer restriction as well as the approved reasons to NAC or not to NAC a transfer. So, that grouping we thought

made sense to include together. That will be the next assignment. So, next week we'll be reviewing those.

And then the next grouping is all of the recommendations related to change or registrant data. So, the working group would have an additional week to review exclusively those recommendations. Assignment 4, which would be the following week, is the beginning of the Group 2 recommendations. Those are related to the transfer emergency action contact and the transfer dispute resolution policy. And then the last grouping, you'll notice a little bit of a gap here and that's to accommodate the ICANN conference. So, that deadline would be Monday, November 25th. And those recommendations are all of the recommendations related to bulk transfers or partial bulk transfers, ICANN approved transfers, and the addition of BTAPPA into the transfer policy.

So, we hope that grouping makes sense and allows enough time for the group to consider the submitted public comments in a fulsome manner rather than reading them all in one go. You're welcome to if you'd like to read all of the comments. But in terms of our discussion, we'd like to group those topically and allow for enough time to read. Does anyone have any questions about the proposed schedule before we walk through an example? Okay, I'm not seeing any hands. But if you think of something when we're going through the example, by all means, feel free to raise your hand.

So, Christian, if we could go back to the PCRT for a moment. Thank you. And pull up recommendation #6. We are using recommendation #6 as an example because there were some comments received for this

recommendation, but there weren't a lot of huge concerns. And so, we thought we would try to use an example with an easier recommendation. So, you'll see some comments received. If we can scroll back up, you'll notice that recommendation #6 is about the service level agreement or SLA for TAC provision.

So, in other words, how long does the registrar have to provide the TAC to the registered name holder once that TAC is requested? The current policy, the requirement is for five days. And so, this recommendation is essentially keeping the status quo of five days. But as a reminder, it's adding five calendar days to make sure that there's no confusion over the business versus calendar and also confirming the 120 hours as the equivalent to five calendar days to make it more precise.

And so, when we go to the separate Google Doc, which Christian showed earlier in the call, what we've done here is we've broken it up into three little tables. The red table or the red outline table is, as you can see, the language that's included in the initial report. You'll see a couple of comments tagged here. And the comments are essentially summaries of the comments received during public comment. Again, we ask working group members to actually read the full text of the public comments because this is just a quick summary and we want to ensure all the proper context is provided.

So, I ask that we actually read those comments, which you can easily get back to following that hyperlink. But what you'll see in the yellow table is the language that's under construction. And in cases where it's feasible, support staff will go ahead and propose some language or at

least show what the language would look like if the recommendations in the public comments are used or adhered to.

So, what you'll see here is the two main comments or issues with recommendation #6 is that multiple groups noted that service level agreement isn't really the appropriate terminology for this recommendation. And that as opposed to saying SLA or service level agreement, that five calendar day period is actually the required timing under which a registrar should provide or must provide the TAC. So, the first comment is to change the title of the recommendation so that it matches the actual meaning. And a few commenters noted use the term required timing instead of service level agreement.

The other main comment was that adding five calendar days and 120 hours might be incongruous in certain instances or inconsistent in certain instances. And so, this commenter noted that when you use calendar days, it might not match up to the exact hour because some companies might round up and five calendar days may not be exactly equivalent to 120 hours. So, they're noting that it should just say 120 hours to be absolutely consistent across all registrars.

So, here in under the yellow, you'll see that we've highlighted the draft changes, which are the title change to require timing, as well as the changing the five calendar days/120 hours to just 120 hours. And so, this is for when the working group actually discusses this recommendation, that working group members have the ability to add additional comments. If you don't agree with these suggestions and or you have additional wording suggestions, you can edit them here.

And then once the working group is comfortable with the language, we would enter it into the final report language into the green table so that it's clear what the working group eventually ended up on. And then that language will be imported back into the PCRT so that it's clear to the public commenters, as well as the working group, as well as anyone who would like to see the work of the group, how the recommendation may have changed based on public comments received.

So, we'll eventually discuss this recommendation next week, hopefully. We just wanted to show leadership and support staff's thinking as to how we could review language and get to what the working group ultimately agrees to include in the final report, but to make it transparent and clear to the working group members as well as anyone who's reading this what's going on with the text of the recommendations.

So, are there any questions or feedback on this method of reviewing public comments related to the recommendations? Theo, I see your hand raised. Please go ahead.

THEO GEURTS:

Yeah, thanks. This is Theo for the record. So, this looks like a very streamlined process, which is great. I do wonder, and that's why I'm asking the question, it seems to be heavily dependent on groups doing their homework. And I suspect that we registrars will be able to organize ourselves around this, but I do wonder if other groups, when they don't do their homework, is that going to be very bad when we are discussing these recommendations? I sort of can imagine that not

everybody can spend a lot of time on this. I mean, everybody has a variable hour of work they can dedicate to this. So, I suspect that the registrars can put in a bit more work than other groups. So, I'm wondering if that could lead to an imbalance. I think that's the ultimate question here. Thanks.

CAITLIN TUBERGEN:

Thank you, Theo. That's a great question. And again, this is Caitlin Tubergen from ICANN org speaking. I think what we would ask as an action item in response to that question is that all working group members take a look at our proposed schedule of recommendation review. And if you don't believe that that is sufficient time to review the public comments in their entirety, for those groupings to please speak up and let us know what would be feasible for the group.

I do want to make clear that while we have these groupings, that doesn't mean that all recommendations in that group will be finished in one week. And by that, I mean the homework is to review the public comments in preparation for the call. But there might be a recommendation, for example, where there are a lot of comments and there's a lot of additional discussion that needs to happen during the working group meetings. And accordingly, the discussion on those recommendations might not conclude during the dedicated meeting. So, it doesn't mean that everything's going to be finished on November 26th. We're just trying to break up the actual reading into reasonable chunks.

What I would also recommend is that at this point, we are in crunch time as we are, I believe, scheduled to deliver a final report to the GNSO Council in early 2025. And so, I would recommend that if there is a recommendation that your group or the group that you represent feels very strongly about, so for example, I'll just throw out a random number. If your group is very concerned about recommendation #25, when you see recommendation #25 on the agenda, it is incumbent upon you as a representative of that group to attend the call to make sure your group's comments are heard or to appoint an alternate if not able to attend.

So, again, to summarize, if you believe that there is not sufficient time to review the public comments, please speak up so that we can adjust the schedule. But of course, be mindful that we don't have three years to go through all of the public comments because we do have a deadline that we committed to the GNSO Council to deliver the report. So, please be mindful of that, but also ensure that you do think you have enough time to review the comments that were received. Theo, does that make sense? And Roger, please add on anything if you have anything to add here.

ROGER CARNEY:

Yeah, thanks, Caitlin. Yeah, and I would say similar. I understand what Theo was saying. I would suspect this is going to be on a weekly basis, several hours of good thought. The reading time, I don't think the reading time is that much, but thinking about how that impact is probably the bigger thought process. So, yeah, you're right, Theo. I

think that some people may not be able to. And as Caitlin pointed out, we would expect them to speak up and say that.

Again, our schedule is to get through this by the end of November. As Caitlin said, we're not going to be done at the end of November. So, we will have time to look at these things. So, I think, even our discussions as we've had them over the last three years, some people have participated more than others. And that's their choice to do. And as Caitlin says, if someone really wants more time on something, we would hope that they would come forward and say, "Hey, we need a little more time on this." And we can take a look at that and make sure that we can afford that.

But yeah, again, I think the reading part won't take much time. There're not volumes. There's not a book written on these things. Even when we're talking about 10 recommendations to review, it's not going to be a lot to read. The process and thinking about how that impacts the recommendation will be the time-consuming part. And again, I think it'll be a few hours a week for sure. I wouldn't expect anyone to spend days on this. The process in thinking about how that impacts the recommendation will be the time-consuming part. And again, I think, you know, it'll be a few hours a week for sure. You know, I wouldn't expect anyone to spend days on this. You know, maybe somebody will, but I wouldn't expect that. I don't think it's that big of a lift, but maybe it will be for some.

And one other thing I was going to mention was in our document, in our markup document, I don't know which one that is. Yep, there you go. Staff has already pulled out the ones that have comments on here. So,

in here, this is a fairly short list. You know, it's the 20 something that have comments on them. Now, as we go through and we identify something that we say we change something in recommendation #7, it may affect another recommendation that wasn't commented on.

So, we'll have to think about that as we go through it. And if we do, we'll just pull that in and take a look at it when we can. But obviously our recommendations are tied together pretty well. So, I think that changing words in some things isn't going to matter, but if we're changing an intent, it may affect others. So, we'll have to take a look at that. So, again, this just lays out the 20 something that actually have comments on it. So, just my one comment on that. Thanks. I'll let Caitlin go ahead now.

CAITLIN TUBERGEN:

Thanks, Roger. That is all I had in terms of the walkthrough of what the working group can expect when we actually delve into the text of the recommendations that received public comments. But if there's any additional questions or concerns, we're happy to address those. If there isn't, we're happy to close this call early and allow an extra hour for working group members to potentially use to read through the first homework assignment. Oh, sorry. I believe there is some additional business on the agenda.

ROGER CARNEY:

Oh, yeah, for ICANN81. I was just going to add to that, yeah. And I think, obviously, I think this first set, there's some good comments in there. And I think that we'll learn a lot over the next week and into our

meeting next week. So, don't feel overwhelmed by it, but take a look at it. And again, I think the bit honest part of this, as Theo brings up, some people may not have the time. If that's the case, let's get that out. And we can talk about that thing, those issues. And again, if the tool is not working, that's something else to talk about next week as well. But I will turn this back to Caitlin so she can or Christian, whichever one wants to take us through ICANN81.

CAITLIN TUBERGEN:

Thanks, Roger. This is Caitlin Tubergen from ICANN org speaking again. And you'll see that we've included the general information about the ICANN81 session, which is going to be held Saturday, November 9th, from 15:00 to 16:00 local time. And of course, we welcome remote participants as well for those who are not going to be traveling. As you could see from our assignments above, we won't have finished all of the reading assignments at that point. But from this point forward, what we'll be working on is continuing the review of the public comments and reviewing language updates coming out of that public comment review.

So, we'll have a more-full picture of what precisely will be on the agenda for ICANN81 as we start going through the public comments. But I can guarantee that it will involve some sort of recommendation review and editing based on what public comments we're going through at that time. And again, it's dependent on what the next few meetings that we have covers. So, we hope everybody can make it. And of course, encourage anyone else is interested in the transfer policy who's not

officially our working group member, but interested in the topic to please attend the session and participate. Thank you.

ROGER CARNEY:

Thanks, Caitlin. Yeah, and I would just add to that, if over the next few weeks, we find a topic that is tripping us up on a few of the recommendations, maybe we will look to pull those into the face-to-face as well. But yeah, I agree with Caitlin. I think 81 will be spent in this review process. And hopefully, if there are any sticky ones, we can pull out those and discuss them at 81 to maybe progress a little faster on it, if needed.

Okay. Any other comments or questions? As Caitlin said, we'll give everyone almost an hour back and they can jump in and start working on this if they want and get used to the tools that we're going to be using for the next two months. Okay. Great. All right. Well, thanks, everyone. Welcome back and let the homework begin and we'll start meeting weekly again from now on. So, we'll see everybody next week. Thanks, everybody.

JULIE BISLAND:

Thank you, Rodger. Thanks, everyone, for joining. This meeting has concluded.

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