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ICANN Transcription

Transfer Policy Review PDP WG

Tuesday, 25 June 2024 at 16:00 UTC

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JULIE BISLAND: Good morning, good afternoon, good evening, everyone. Welcome to the Transfer Policy Review PDP Working Group Call taking place on Tuesday the 25th of June 2024. For today's call, we have apologies from Owen Smigelski, RrSG. He formerly assigned Essie Musailov, RrSG, as his alternate for today's call and for remaining days of absence. 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 raise your hand or speak up now. 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. As a reminder, those who take part in the ICANN multi-stakeholder process are to comply with the expected

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standards of behavior. Thank you. And over to our chair, Roger Carney. Please begin, Roger.

ROGER CARNEY: Great. Thanks, Julie. Welcome back, everyone. Hopefully, everyone had a fairly quiet ICANN-less week last week, so I'm sure everybody was busy with their real jobs getting back from ICANN 80. Thanks for coming back. We've got this meeting and five meetings scheduled next month. Our goal is to get through the report and get agreement on the report and get everything ready to be packaged and hopefully staff can get us into a public comment shortly after July, our last July meeting. If not, maybe we even do better and we don't even need our last July meeting. The plan is to spend the next month and finalize the initial report, full report. We hope to go through it by section. Next meeting, we'll go through section 1A, our first group of work that we did, which, as everybody knows, already had public comments on it, but we want to make sure that the working group is good with it and then we'll go to the next groups that we've done. But we'll set this meeting up here to set everybody up, so I guess my disclaimer here is probably for the next month, there'll be a lot of homework and making sure that everyone's stakeholder groups are good with what we have. This will be our final time to go through it before public comment, so hopefully we're in a good spot already, but if there's any cleanup needed, that's what we'll spend the next month doing. Other than that, I don't have anything else to open with besides I'll turn it over to any stakeholder groups that have any comments or discussions or questions they want to bring forward to the working group before we get started. So any

stakeholder groups have anything? No? Okay, great. I think we'll go ahead and jump into our agenda then, and I'll turn this over to Caitlin to run us through some of the updates coming out of ICANN 80. So, Caitlin, please go ahead.

CAITLIN TUBERGEN:	Thank you, Roger. And if we can move to the slides. Thank you, Christian. So all of these will look familiar because we went through these during our session at ICANN 80, but the goal of this time is to show some of the updates that were either proposed from working group members or some suggestions from support staff to address the concerns that were expressed during ICANN 80 and see if the working group is amenable to those changes or if further changes are needed on these specific recommendations.

So as a reminder, for recommendation five point three, the highlighted bullet or the fifth bullet had some worrisome text for the registrar stakeholder group, particularly the bit about how to initiate a reversal, that parenthetical in the fifth bullet. Some working group members noted that a transfer may be invalid, but it might not be possible to reverse it for a number of reasons, so that text might be misleading. And accordingly, if we move to the next slide, that text highlighted in that aqua color or light blue is the text that we went over during ICANN 80 proposed by Sarah. It was also sent to the working group in writing and I didn't see any objections to it, but rather than have the parenthetical about initiating a reversal, the language now says detailing how the RNH can contact the losing or prior registrar for support if they believe the transfer was invalid and any deadlines or policies which may be relevant. That language still requires registrars to provide

instructions that there is an issue in that notification of transfer completion, but also allows flexibility in terms of what different registrar business models may want to provide that's relevant for their customers. So I will pause a moment to see if anyone has any issues with that update provided by Sarah before we move on to the next recommendation. Roger, I'll turn it over to you to manage the queue.

ROGER CARNEY: Perfect. Thanks, Caitlin. Ken, please go ahead.

KEN HERMAN: So just a question, who's issuing these instructions? I'm not clear. Maybe it's in some of the earlier recommendations. Is this the gaining registrar or the losing registrar? And if it's the gaining registrar, how do they know what the losing registrar contact information is?

ROGER CARNEY: Great. And for context, yeah, this is the notification of transfer completion is sent by the losing registrar or the prior registrar. So it's the losing registrar that'll be sending this notice out. Thanks, Ken. Zak, please go ahead.

ZAK MUSCOVITCH: Thank you, Roger. I think that this revision is more realistic compared to the previous language in that the previous language kind of suggested that there were steps that the registered name

holder could take in terms of taking action if the transfer is invalid. And the new revised language is more modest in the respect that the registered name holder can contact support if they believe the transfer is invalid. So I think this is more realistic in terms of what recourse the RNH has. But my question is, does anyone perceive this as a potential weakness in terms of when public comments are open that this could attract attention such that people say, well, there's really, it's pretty weak sounding in terms of what a registered name holder's recourse is here. Thank you.

ROGER CARNEY: Great. Thanks, Zak. And to kind of sort of answer your question by stating what you said earlier, I think you're right. I think that this does clarify and really shows what they can do. Like you said, the prior text made it sound like there was a set number of steps that they could follow. And really, in today's world and in tomorrow's, what we're proposing, there really isn't a whole lot. They just have to get a hold of their registrar and start that process to make that work. But I'll open it up to the floor to anybody else, to Zak's point on, is this a weakness when we go out? I personally agree with Zak what he said. If we start with, it seems a little more clear, even if it's maybe not as strict and pointed as people would want, but this is how it works. So I hope that that's good. But I'll open it up to the working group to write in comments on if we see this potentially causing any grief in the public comments. Okay. I'm hopeful that we don't see it, but point taken, Zak, that we may hear on this. And maybe that just helps some of our other recommendations about bolstering a way for registrants to do that. Okay. Great. Caitlin, I think we can move on to the next one.

CAITLIN TUBERGEN: Thanks, Roger. Christian, if we can just go back one slide. Thank you. So the next recommendation that we're talking about is recommendation 22. And registrars noted an issue with one of the reasons that registrars must deny a transfer. So if we go to the next slide. So this table shows what the policy currently says under current text, the proposed revision that this working group is suggesting as well as the rationale for the change. So one reason that a registrar must deny a transfer is if the domain is within 60 days after being transferred from another registrar. So 60 days post-inter registrar transfer. As the working group here is likely aware, this group agreed to change that from 60 days to 30 days. So that's highlighted here as an update since the group agreed to that. But also as the group's discussion evolved about post-inter registrar transfer restrictions, the group has an exception procedure in place for when that would not apply. And it's limited circumstances, but it's detailed in the policy recommendation regarding that transfer restriction. So if we can go to the next slide. So support staff added some language that's highlighted in that aqua color. So you'll notice in the rationale that it says registrars must restrict the registered name holder from transferring a domain name within 30 days after the completion of an inter-register transfer. And then after the comma, we added unless the conditions described in recommendation 19.1 through 19.4 are met. And similarly in the revision, the aqua highlighted text includes that exception procedure as well. Instead of referencing the recommendation numbers, there's some bracketed text there because it will ultimately cross-reference the actual policy sections when the policy is updated in implementation. So that's the

proposed edit to address the concern about updating this particular reason, noting that now there is an exception procedure in the recommendations, which wasn't there before. So I'll pause to see if there's any initial reactions. I will note that when we do send out the text of the initial report, we will have some of this aqua highlighting to showcase where there may have been a support staff proposed update based on discussions, so that it calls out to the group very clearly that this is new language for the group to review. And so there may be additional edits along the way, but this was just a first try to see if it addresses some of the concerns. So I'll pause now.

ROGER CARNEY: Great. Thanks, Caitlin. Any comments? Any concerns? I think this addresses the issue. And I see Sarah in chat saying, looks good. Prudence, thank you. Okay, great. I think we'll say this is good and move on.

CAITLIN TUBERGEN: Okay. Thank you, Roger. So you may remember at ICANN 80, we had a detailed discussion about the formatting of recommendation 19 in terms of indenting parts of the recommendation, moving some of the recommendation up to make it more readable. So again, the aqua highlighting is what the group had agreed to at ICANN 80, which was to move 19.1 up so that however language is part of the main clause or the main text of recommendation 19. And there the sentence about accordingly, the registrar may remove the 30-day inter-register transfer restriction early only if all of the below conditions are met. And then we have four conditions

that the group agreed to. And if we can just go to the next slide, please, shows the other two. So if we can just scroll back, I'll pause to see if anyone has an issue with this. Again, the actual text of the recommendation did not change, but rather just the formatting. And I see Christian is putting a pointer there. Thank you, Christian.

So the one thing that the group had noted for that however sentence that's highlighted is the 30-day restriction described in recommendation 19 is necessary. There was some discomfort with the word necessary. So in bracketed text support staff suggested the word needed, but that language is still up for debate by the group. We just made a suggestion to see if that language was better. Appropriate. Okay. I'll pause to see if there's any issues with the word appropriate.

ROGER CARNEY: Great. Thanks, Caitlin. Yeah. And I think this update makes sense to what our discussions were at 80 and looks much cleaner than our prior one. Appropriate seems to be getting support. Okay. I think we can shoot for appropriate now and see if we've run into any issues there. But the updates look good. And I think we've got support on that. So I think we can move to the next one.

CAITLIN TUBERGEN: Great. Thank you, Roger. So the next one should be pretty straightforward. This is recommendation 23. The current transfer policy has a transfer restriction related to the 60-day inter-register transfer lock following a change of registrant. This working group

is recommending eliminating that restriction and accordingly that would eliminate the NACKing reason or transfer restriction. So if we go to the next slide, you'll see that the proposed update is to remove this restriction with a note that the working group recommends removal of that transfer lock. So this is no longer applicable in terms of a reason that a registrar must deny a transfer. I will pause just in case there are any concerns with that proposed update.

ROGER CARNEY: Excellent. Thanks, Caitlin. Anyone have any issues here? No concerns. Thanks, Jody. I think this resolves the issue of it. Okay. If there's no issues, I think we can move on, Caitlin.

CAITLIN TUBERGEN: Thanks, Roger. So the next recommendation is recommendation 25. And recommendation 25 defines what a change of registrant data is. There was a note about 25.3, which clarifies that a change of registrant data does not apply to the addition or removal of a privacy proxy service provider. And the concern was that 25.1 should somehow point back to this to avoid any sort of confusion. So if we go to the next slide, what the group agreed to during ICANN 80 is that blue highlighted text, which just adds a referral into 25.1. So the definition of change of registrant data is the same, but it's subject to the language in 25.3, which clarifies that while technically speaking a change to a name or certain contact details that result from a change of a privacy proxy provider or addition or removal would be a material change, that is not part of change of registrant data. So it's clarifying here. So I'll pause to

see if there's any concerns with that change before we go to the next one.

ROGER CARNEY: Thanks, Caitlin. Yeah. And I think this does help clarify. And if I remember right, maybe it was Jothan that brought this one up, but I think that this helps tie those together neatly. Great. Thanks, Jothan. Any other concerns on this? I think, again, not changing the wording so much is just to make it clear here. Okay. Great. I think we move on to the next one.

CAITLIN TUBERGEN: So the next change was in reference to recommendation four, particularly around the table about the policy impact rating. And the issue, if we go to the next slide, was with the highlighted text where it says, this recommendation requires a new notification, whereas currently the auth-info code is typically generated at the time of registration.

If we can go to the next slide, the troublesome language was the, whereas currently the off-info code is typically generated at the time of registration, as the two thoughts were not really the same. So recommendation four will involve a new notification that registrars send to registered name holders when the TAC is issued. And because that's a new notification that's going to require planning and system updates for registrars, that policy impact was tagged as medium. And we're just noting that it requires a new notification, but removing the language about

when the auth-info code or TAC is typically generated, since those thoughts are separate. Berry.

BERRY COBB: Thank you, Caitlin. Berry Cobb for the record. And of course, this isn't an issue from a staff perspective, but I just would like to remind the group about the strike through of the blue language. When I look back to where we've come in terms of essentially redesigning the inter-registrar transfer process, this little nugget right here had that been looked at a lot closer back in the old school IRTP days. I think things would look completely different than where they are in current state. And in a way, I'm kind of— sad isn't the right word, but to me, that is such a critical security enhancement that this group is proposing. And I wish it wasn't kind of dismissed, I suppose, or not highlighted in another way to really emphasize the security enhancement being made here.

ROGER CARNEY: Great. Thanks, Berry. And it was a big one. I mean, it's something that we talked about in our Group 1A discussions quite a bit, is the fact of this almost consistently was, set it and forget it, and it just lived on forever. And to Berry's point, it was a great security change to make this only set usable at time of request. So one thing to note here, too, is this isn't policy language that we're dealing with here. This is the impact assessment that we're providing. So again, we're not changing any policy language here. And I think the point from the registrars here was the impact of being medium has nothing to do with the fact that the auth code was originally set. It's the fact that there's a notification being sent.

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So any comments on this? Outside of Berry's interjection there. Okay. I think we are good here. And we can move on to the next one, Caitlin.

CAITLIN TUBERGEN: Thanks, Roger. The next change is in relation to recommendation five. So you'll note that the concern from registrars for this recommendation is the inconsistent referral to the losing registrar or registrar of record. So we go to the next slide. And the next slide. Sarah had noted correctly that we have an inconsistent reference within the same recommendation. And the group that was participating during ICANN 80 preferred the term losing registrar. So you'll see in the blue highlighted text that we removed the reference for the registrar of record and changed it to the losing registrar so that the parallel reference is the same. But also in the bracketed text below, we just included for ease of reference the definitions that are in the TDRP in reference to gaining registrar, losing registrar, and registrar of record. We included that because it might be helpful to include these references in the working group's initial report if the working group is amenable to these definitions. These definitions actually came out of the last review of the transfer policy, specifically IRTP working group D. They proposed all of the definitions to be included in the transfer dispute resolution policy. So if the definitions are okay, then maybe it would be good to include them just so there's a clear reference of what these terms mean within the initial report. But I see Sarah's hand is raised, so we'll turn it over to Sarah.

SARAH WYLD:	Thank you. This is Sarah. I just wanted to clarify. Are we including the definitions as a policy recommendation that would become part of the ultimate transfer policy, or are we including them as the additional implementation information? I forget what it's called. Thank you.
CAITLIN TUBERGEN:	Thanks, Sarah. So that would ultimately be up to the working group, but we saw this, I think, as implementation guidance to what these terms mean for the group that ultimately implements the policy, that the definition should be consistent with what's in the other policy, unless there's some sort of objection to that.
ROGER CARNEY:	Okay. Thanks, Sarah, for that. And, Sarah, we can make sure staff has a space there. I think there is a space there, but between registrar and last on the first line. But, Sarah, please go ahead.
SARAH WYLD:	Thank you. Sorry. Yeah, I'm probably wrong about the space. I don't know. Just remind me. I'm so sorry. I think you just said this, Caitlin. The definition of registrar record, where does that come from? I just wanted to refer to that, please. Thank you.
CAITLIN TUBERGEN:	No problem, Sarah. So these recommendations were pasted from the definitions in the updated transfer dispute resolution policy. So

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there's a glossary at the beginning of the policy that defines all of these terms. So we just copied them directly from the TDRP.

ROGER CARNEY: Any other comments on this? I like this cleanup to make it match the first line and the third line there. Any other comments from anyone on this? Okay, great. And as Caitlin said, I think that the definitions are more of an implementation, and not a specific policy definition here. So, okay, Caitlin, I think you can take this to the next one.

CAITLIN TUBERGEN: Thanks, Roger. The good news is we have one more. And that is a recommendation 26. This was a concern, I believe, that Catherine noted. This is in reference to the recommendation stating that the change of registrant data policy should be separate from the transfer policy, as they're two distinct things. And I think the concern was that the working group should make it clear that it's not recommending a new PDP develop this new change of registrant data policy, but rather that this working group is recommending that the recommendations related to change of registrant data be housed within a different policy and that the current change of registrant be removed entirely from the transfer policy. So if we move to the next slide, the blue highlighted text aims to make it clear that the working group is recommending that this policy be created as part of the implementation of these policy recommendations, rather than via a separate PDP. So hopefully that addresses that concern, but I will pause while everyone has a quick look at this updated language.

ROGER CARNEY: Thanks, Caitlin. Any comments here? Thanks, Sarah, for the comment in chat. Ken, please go ahead.

KEN HERMAN: Yeah, thanks, Roger. Just a question, because I know that in my stakeholder group, I'm going to get questions about this, that the policies associated with the change of registrant data, we're addressing as part of this working group. We're not planning to establish a new policy-making mechanism in order to create a new policy. We just want this to be put somewhere else, and that somewhere else would then be decided. But the policy itself about change of registrant data we are addressing, is that correct in terms of understanding?

ROGER CARNEY: That's how I understand it as well, Ken.

KEN HERMAN: Do we have any idea as to what the GNSO is going to do with that? Do we have a recommendation as to where we think it might go, or are they just going to simply push it back onto the working group?

ROGER CARNEY: Thanks, Ken. To be honest, I haven't discussed with any of the council members anything about this, so I don't know what their thought process would be on that. When we discussed it, I don't

think we ran into that same thing. It's like, okay, I'm not sure, but that is up to them. Thanks, Ken. Any other comments here? Okay. I think our updates are good. We'll see them. We'll see these again for sure as we go through our review in the next few weeks, next month as well. So, thank you for all the updates here. And I think we can move on to our next agenda, which I think Berry is going to walk us through.

BERRY COBB: This particular agenda item is to just provide an overview of the mock-up of what the new initial report will look like. And extreme disclaimer here, this is an extreme mock-up and will look different than what our master document will ultimately look like. But the key objective here is to build upon what we discussed in ICANN 80 about the reordering of the recommendation numbers for Group 1A. And I had also suggested an idea about trying to reformat how we present the recommendations themselves. And so, this is just a continuation of that work. And in building this mock-up, some other smaller ideas have popped up that we'll explain through this as well.

So, the first page is just like any other traditional GNSO PDP working group report. There's a status, what's going to be going on. But we're immediately highlighting in the preamble on the cover page that this initial report structure is going to look different than previous ones. Then we kind of kick down, you know, I believe secondarily the second page will be the table of contents and the typical structure that we find at the beginning of a report. But we immediately also started to recognize, and I felt like I'd known this for a long time and only now feel empowered to

suggest the change here, but the executive summaries and previous PDP reports, you know, have in many cases themselves been 10-plus, 15-plus pages because they attempt to highlight the primary sections of the report and also attempt to summarize the consensus recommendations that the group is putting together. And in some cases, if a recommendation is half of a page, that really makes for a non-digestible executive summary. But I think further is most community members when reviewing these reports just stopped at the executive summary. So instead, what we're proposing here is that we're going to remove the executive summary and immediately try to force the reader into the substance of the report. But we still needed to set the stage. We couldn't just immediately go into group 1A recommendations.

So this prologue is a suggestion to basically advise the reader how to read this report. We're basically talking about how older reports were very long and stacked with all of the requirements because, you know, our primary goal with this eventual final report is this is the formal record of the working group deliberations and its recommendations. You know, it is attached within GNSO council consideration. It's a part of the ICANN board consideration. And even when it kicks over for implementation, you know, this is the formal record of what the group proposed.

So this little section here is just discussing about what the table structure is going to look like. You know, there's a recommendation number and title. Again, the recommendation numbers are shifting around for group 1A. We'll have the actual recommendation text, our new feature of the policy impact indicator and an explainer behind the indicator, the

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recommendation rationale, implementation guidance where it's applicable. And if it's not applicable, it'll just be a quick statement saying not applicable to that recommendation. And then we talked about also the new feature which took us down this road is, you know, because this is the formal record, there still needs to be this connective tissue back to the charter question that this group was tasked to address as well as how the working group itself, a summary of its deliberations. So the idea is to be able to bounce back and forth between the actual recommendation and then further down into an annex which we'll demonstrate in a second.

In this prologue, it also felt very important to highlight this policy impact assessment set up. You've seen this text before. There's some text in here to better set up what the policy impact assessment is about. I'm not going to get into the details of the language. You're going to see this in the consolidated report and we can make adjustments accordingly. But the TLDR here is there is an impact indicator and that there's some sort of explanation behind why that indicator was listed the way that it was. And most importantly, you know, the non-exhaustive criteria of, you know, what the group is considering as to why the indicator was.

So after this prologue of setting the stage on how to read the report, you know, we don't know exactly what it's going to look like, but we're really transitioning into the three groups or groupings of the recommendations that we have. And in addition to removing the executive summary, we still needed introductory text for each of the groups. And so, you know, this is basically teeing up that there are these three groups and each one is going to basically highlight what are the key issues that the group was

discussing. And then we jump into the introductory text for the group 1A recommendations. So this is the heart of why we're going down this route of the reordering and the reformatting of the report, which was all about size and all about trying to make the recommendations more intuitive and consumable to the reader. But as was mentioned by Rick and a few others about wanting to retain kind of an archive of the old numbering system, you know, we're highlighting here that the numbers have changed. It's been realigned to complement the swim lane diagram. And here is the first annex. Now, the annex numbers may be different in the final report. So again, this is just a mock-up, but you can get down into the annex one and we see the legend of the new recommendation ordering. And then there will be a link to take you back up to the section that you were just at.

This also includes the disclaimers about the swim lane. And I would encourage the working group to pay close attention to these. I know that in the past, when we've tried having some of these models, such as the purpose workbooks from EPDP Phase 1, there was emphasis that they aren't policy documents themselves. And I think the same messaging applies here. You know, the swim lane is a conceptual diagram. It is not a policy document. It's only to help assist consumers of this to better easily understand the changes that we're making. As you also know, the swim lane itself is very huge. There's no way we can fit that in one page. This is just a quick reference that it exists. And then the messaging for the public comment period will emphasize a link to the full-blown swim lane when they're reviewing the document.

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So within Group 1A, and I've just included one recommendation number here, the new recommendation number is 18, which you're familiar with, 19, which I believe used to be 17. But at the end of the day, we know it as a transfer restriction after the initial, or after the transfer to a new registrar. As discussed, there's the recommendation text itself. And I believe that some of the sub-numbering here will change in the next version. When you're reviewing this, this is not meant to be authoritative text. It's mostly just taking the best that we had at the time and building this mock-up. Policy impact is medium with this particular statement, the actual rationale behind the working group. And in this particular instance, there's implementation guidance. And then at the bottom is the links to the charter questions and the summary deliberations.

For this particular recommendation, it actually touched upon two original charter questions. So it allowed the reader to click down to charter A6, which was taking back about survey respondents and the ability to NACK inter-registrar transfers from 60 days after registration. And then it includes a summary of the deliberations. And some of these can be quite lengthy. The original version that we had yesterday showed two columns. Column one was the charter question and then column two was the summary deliberations. But then it just made for a lot of empty space over in column one. So we went and collapsed it back into single rows. But the other key feature here is somewhere down here, eventually the reader is going to be in page 120 land. And that would be 55 manual scrolls using the document. So we've added the links back to the recommendation that they were at to allow for that ease of navigation. I guess it's kind of stealing the idea from

the annual budget and operating plan documents that are rather lengthy and needing to bounce around within the particular document.

So that's the proposed solution. Again, the annexes will have the charter questions and the summary deliberations down at the bottom. And I'll turn it back to you, Roger, for any questions or concerns. And if nobody disagrees, staff has already started on it. But if you do have discomfort with this approach, please let us know now so that we can correct our path. Thank you.

ROGER CARNEY: Great. Thanks, Berry. Yeah. And I think we've talked about this for a few meetings, this probable change here. Again, more, as Berry said, to make it more consumable, more digestible by the readers. And I think with the linking, that really helps because that'll allow people that want to drill into something, to drill into it without having to scroll past things and things like that, but does present right up front what the working group decisions were, which I think is the important part. And many readers won't need to delve too far into it to be able to comment or understand the changes that are being recommended.

So I think this is great. I think it's important for this group to buy in this. As Berry said, staff is starting to put all of our recommendations into this format. So if someone in the working group doesn't like this, we need to probably pause that and take a look at that because there is a lot of work by staff to make everything fit into this format. And again, the linking is very nice from a reader's perspective, but it will cause more work by staff to

make sure that the links are corrected and updated when necessary. There is some background work into this just to make it an easier digest for readers. In my opinion, I think we've achieved that, that this will be a lot better, easier read of, I don't know what it's going to be, the first 50 pages versus the first 150 pages to go through.

But yeah, we definitely want to hear from the working group if they have concerns because this is a deviation from current reports. So I think it's important to hear any concerns about it or any suggestions to make it even better. But Rick, please go ahead.

RICK WILHELM: Thanks, Roger. This hasn't been caucused with the registry, so just speaking as myself. This looks really good, Berry. One of the things that I would offer in addition to the, I think the structure being good for consumption, I think it's also going to be good for on the production side. And if you just hold it right here with what you've got on the screen, one of the things that I think I like about this structure is that it's going to make it much easier for, and just picking on Rec 18 as an example, it's going to make it easier for those of us that are working on these particular recommendations to hone in and focus on the particular words about each recommendation, 1 through N, and really get a good look at what each of them are saying. As I was scrolling through the document, one of the things that really, the structure really helped my eye focus on the words that we have on the paper. And I think it's going to lead all of us to give a closer read to these things. I think the structure with the boxes and the sections and things like that, I think the words are going to come out better because I think that

all of us are going to really focus in and apply a more careful read and more scrutiny to the individual words. I think we're going to produce a better work product because it's going to be more conducive to more careful review. Thank you.

ROGER CARNEY: Great. Thanks for that, Rick. Appreciate it. Okay. Any other comments or concerns on this? Again, staff is currently working on getting all of our recommendations into this format so that we can start reviewing. And as Rick mentioned, hopefully in a productive fashion, reviewing efficiently as we go through this because we do have 47 recommendations that we need reviewed over the next five weeks. So again, many of those are fairly simple. Some of them will take some analysis by each stakeholder group. So I think it will help us get through this. But if there's any concerns, it is a lot of work for staff to go through this and do this. So we don't want to waste anybody's time as we go through this so that we can get to our end of July in good shape. Steinar, please go ahead.

STEINAR GROTTEROD: I'm not concerned, but I'm just wondering, we are now introducing a new feature, the policy impact assessment. In the working group, this is very helpful for us in the working group. Will it be the same help or will it create a little bit more confusion for the wider audience in the public comment? It's purely a question. Thank you.

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ROGER CARNEY: Great. Thanks, Steinar. Yeah. And introducing it to a report, I think, is new. I think that being part of PDPs prior to this, you always walked through that and thought about that and not necessarily did it. Even, you know, not part of the PDP and reading a final report, or report, you thought, okay, how does this impact it? What is, how big is that? So again, to your point, I'm hopeful that it's useful to non-PDP people that are going to read this for the first time because they can see that we did have that thought that, hey, this is big and we know it. So I'm hopeful that it's a positive. I think we'll see if that's true or not. But I think to me, for those that aren't involved heavily, the impact assessment should be pretty useful in that those that deal with this daily are making that judgment and providing it. So just my thoughts on it. I don't know if anyone else has any concerns or thoughts on if, you know, if this impact assessment will be received well or not. Any comments or concerns on this? Everyone will start seeing this pretty heavily, this format come through as staff starts to release this to the to the working group for review. So, but if anybody has any concerns, please let us know. But I think the input so far has been positive. So we're going to continue down this path and see where it takes us. And hopefully we're setting the standard for future PDPs and they can follow and improve on what we're doing. Okay, great. Thanks for that, Berry. Appreciate it. And it sounds like we have a good path forward there. So I think we can move on unless Berry or staff has anything to follow up on that. Okay, great. I think we can move on to our next agenda item.

Oh, okay. Continuing our review on high impact recommendations. So kind of a good lead in, I guess here. And really, I think we introduced this prior to ICANN 80, but we started

walking through these and ICANN 80 and then made it through a good number of them. But we still had a few high impact ones that we wanted to make sure that the working group agreed with the impact assessment, the high and really what makes it high and the language there that helps support that, you know, moniker of a high impact. So I think maybe this was the last one left on or maybe it's the next one. So I'll just go ahead and jump in and read it real quick.

Recommendation 36 was restriction of fee adjustments. And we had a long discussion about this when we went through this. But the working group recommends that if full portfolio transfer involves multiple registry operators, and one or more affected registry operators chooses to waive its portion of the collective fee, the remaining registry operators must not adjust their fees to a higher percentage due to the other registry operator's waiver.

Again, it took us a while to walk through all these scenarios. But in this instance where, you know, five or six registries are involved in a portfolio transfer, and three of them decide they're not going to charge a fee, that doesn't change the fees for the other three. They maintain their percentage that they had overall. So any comments or questions on this? Thanks, Rick. I think it's definitely a high impact because it does add some complication to it. But it does make it clear to me at least. Rick, please go ahead.

RICK WILHELM: I mean, one of the things that this recommendation could be clarified a little bit, and I'm not necessarily suggesting that the wording needs to be changed, but not all full portfolio transfers

involve fees. And so the wording here is not entirely, and I say it with a smile on my face, is not entirely clear that the full portfolio transfer does not necessarily involve a fee. So it could be worded that if the full portfolio transfer is one that involves fees due to some other recommendation, and it involves multiple registry operators, and one or more of the registry operators choose to effect a fee. So it's just like in the early portion of the recommendation, the naive reader might think that all full portfolio transfers involve fees, when in fact those are the near shot, know that not all full portfolio transfers involve fees. There is a threshold that is discussed in an earlier recommendation. I think it's rec 30, rec 35, I think it is. But that's the only tweak I would make. But the gist of this one is accurate and correct. And so it's just maybe it's subject to the conditions as described in rec 36 or something like that, blah, blah, blah. Anyway. Hopefully that's helpful. But I would call that a friendly editorial amendment, and I would leave it to leave it to staff to tune that up. Thank you.

ROGER CARNEY: Great. Thanks, Rick. Yeah. And again, I mean, as the impact assessment here states, it involves recommendation 35, 37, 38 as well. And specifically calls out the 50,000. To Rick's point, it doesn't talk about, you know, hey, this could be—that is left in 35. Okay, any other comments on this? Thanks for that, Rick. Okay, great. I think we can go to the next high one, which is 37. Okay, Rick, please go ahead.

RICK WILHELM: Yeah, registries have a comment on this one that we had failed to previously submit on 37. Yeah, this one here, we believe that the word partial or should be—it's just an editorial error that that partial shouldn't be mentioned in the title of this one. We think that this rec 37 only applies to full portfolio. And we think that somewhere during the editing process, partial or made it into the title. Because we think that this rec 37, we're still in the zone of full portfolio transfers. And that also in the text of the recommendation, we think that the context should be clarified that we're talking about full portfolio transfers. We think that this is made clear in the bottom portion of the slide here, where it's talking about the impact, it seems that 35, since it refers to rec 35 and 36, we're clearly talking about the full portfolio transfers. But the language in the top is leaking in with btappa. And so we think it's a clarification that that we think that should be cleaned up. Thank you.

ROGER CARNEY: Thanks, Rick. Okay, let me jump in and read this to see if anybody has any. Again, this is a high impact. We're only going through the high impacts. Rec 37 is the working group recommends that following the completion of a transfer, the registry operators must provide notice to ICANN that the transfer is complete. And the notice to ICANN must include the number of domain names transferred.

And as far as this is, I think that obviously the high impact is appropriate here. But to Rick's point, to jump back to that, I think what Rick said was correct. And that I think that maybe that was just a bleed over. And it makes sense. I don't know if anybody has any thoughts on that. But I think that the removal of partial or

would make sense. Thanks, Sarah. Yeah. And I'm still processing as well. I think that that makes sense. But I take a look at that and read it through. Again, the partial stuff, as Rick mentions. is covered in the BTAPPA discussions that we had as well. But Rick, please go ahead.

RICK WILHELM: Yeah, I'll just elaborate, right? ICANN is not involved in partial portfolio transfers. This is sort of the short shrugs his shoulder answers, the answer to the question about clarification. And I just think it's an editorial glitch that partial has crept in here. And I just don't, I didn't pick up. When we were looking at going back there, can't quite pick up when or how that crept in there. But it doesn't make sense structurally where it is. Because ICANN is just not involved in the partial portfolio transfer. So there'd be no logical reason why the registry operator would be providing notice to ICANN. Because the reason, of course, why ICANN is getting notice on the full portfolio transfers for the calculation of the fees, as is noted in the policy impact section of this. And so that's why the notice is required, because the registry operator's got to say here's how many domains crossed the finish line in the full portfolio transfer that involve this particular registrar. Thank you.

ROGER CARNEY: Great. Thanks for that, Rick. Sarah, please go ahead.

SARAH WYLD: Hi, thank you. This is Sarah. So this seems like a very reasonable change to me based on my quick review of the recommendations,

as I have them written down here. Indeed, they do all seem to be in this section related to full portfolio transfers. And so that seems appropriate to me. The only note I have is that in the version that I'm looking at, rec 34 is also fees associated with full portfolio transfers. And I noticed in the policy impact, it talks about 35, 36, 38. And then also, of course, 37 that we're looking at. So perhaps that might need to be adjusted. Or it might be that I'm looking at the pre renumbering version, which is I think is the case. But indeed, until rec 40, that's when we get into partial portfolio. So sounds like Rick is right, as always. Thank you.

ROGER CARNEY: Great. Yeah. And again, I think that sounds right to me. And again, I think it's a good edit. And I know it's not necessarily what we were trying to review here. But if anybody catches anything like that, I think it's important to correct it now. But I think that that makes sense. And I think we can remove partial or here. But as far as this high impact, again, 37 is marked high because of the coordination effect of this. And I think that that's the important thing. And hopefully, the impact assessment is correct. And again, it says what we wanted to say here. And again, it's that coordination that's causing this to go high. There's a lot of moving parts here when this happens. And other comments? And I think I again, Rick, I think that that editorial is a good one. But any comments on the assessment? The high value seems correct to me. I just want to make sure assessment details enough that people can see that, yes, this is a big impact. Okay, I think we can move on. I think this is good.

And 38, notice to affected registry operators and on a full transfer. The working group recommends the following receipt of notices from all affected registry operators. ICANN must send a notice to affected registry operators with the reported numbers and corresponding percentages of domain names involved in the bulk transfer, e.g. 26% of names from ABC, 74% from DEF. The registry operators may then charge the gaining registry a fee. And again, may is important there. Again, just like the others, the impact is high. And again, it's the whole moving part of coordinating and identifying the correct numbers to the correct people here that make this high. It's a big impact. It used to be just a simple 50 and be done. But now we're adding in some complexity here. So hopefully the assessment here correlates to that. And again, anyone from the Working Group have any thoughts? Need anything changed? Rick, please go ahead.

RICK WILHELM: So this means that the registry has to send in the numbers even if they're going to waive the fee. Is that correct?

ROGER CARNEY: Correct. And that's mostly to get the other registries' numbers correct. Hopefully that makes sense. Hopefully it's needed, I should say. And again, yes, you're right, Rick. Hey, I'm not going to charge a fee, so why does it matter? It matters for the others as well.

RICK WILHELM:

Interesting. It's one of the key things there is going to be the mechanism by which ICANN is going to execute the coordination.

ROGER CARNEY:

Right, for sure. And then again, I think that, obviously, I think there will be public comments on these because of that, because we are introducing a coordination effort amongst the parties here. And I think we will get some comments back on this. And to your point, Rick, on how that's really going to happen and how it needs to happen. Thanks, Rick. Thanks, Sarah. I don't know if it matters on this slide, but we'll make sure that it's in the document. Okay, any other comments on this one? Okay, great. I think we can go to the next one, then.

Oh, yes. So yeah, now we're getting into something we just talked about. Recommendation 40 is inclusion of bulk transfer after partial portfolio acquisition, BTAPPA, and the transfer policy. The working group recommends updating the transfer policy to include the bulk transfer after partial portfolio acquisition, BTAPPA, directly into the transfer policy, which would apply to all registry operators. Definitely high. Today, BTAPPA is an optional service that registries can provide. Us moving this to the policy means it's no longer optional and all registry operators will have to abide by it. So it's definitely high. And again, I think our wording is clear there. But Sarah, please go ahead.

SARAH WYLD:	Thank you. This is Sarah. Sorry. So right now, BTAPPA is the thing that an individual registry can decide to do. And in the future, it will be part of the transfer policy. So everybody has to do it?
ROGER CARNEY:	Correct.
SARAH WYLD:	So the footnote says BTAPPA is now included as part of the transfer policy. What's the now? Should it be not yet? Should it be? I'm confused. Thank you.
ROGER CARNEY:	I think that the footnote was really the last part of that registrars are no longer have to file an RSEP to offer it. It's just part of the policy. But Rick, please go ahead.
RICK WILHELM:	I think that's a verb tense issue. I think it should read, for avoidance of doubt, if this is adopted, BTAPPA would be included as part of the transfer policy. I think I would say would be as opposed to is now.
ROGER CARNEY:	Thanks, Rick. Yeah. And I think that's absolutely right. It's just saying that, hey, this is going to be included in it. And so that means RSEPs don't need to happen. Everybody's just going to have it. So maybe we can update the wording to be a little clearer.

Okay. I think we've got an update there that we can make on the footnote. I think Caitlin's update works.

41. Expansion of bulk transfer after partial portfolio acquisition, BTAPPA, to registrar agents. And this came about fairly early on when we were looking at the BTAPPA in that there's today only certain circumstances allow BTAPPA to be used. But the recommendation wording is, the working group recommends that the standard bulk transfer after a partial portfolio acquisition, BTAPPA, be expanded to include circumstances where an agent of the registrar, such as a reseller or service provider, elects to transfer its portfolio of domain names to a new gaining registrar, and the registration agreement explicitly permits that transfer. Again, this is high. Again, currently, the BTAPPAs can only be used in certain circumstances. And Rick can correct me, but I think mostly it's basically on an acquisition or something. And where we're expanding that use to be more realistic and cover scenarios that happen today just don't happen under the BTAPPA. But yes, the impact is high because we are expanding it. And again, our assessment is that it is expansion. So any concerns on this?

Again, we're not necessarily looking, obviously—if we find something we want to update, that's great. But we're really looking at making sure, yes, this is a high impact and the language explains that well enough for people. Okay, no one on this one. I think we can move to the next one. And that was it. We got through them. And I think that that was 10 or 11 of them, whatever it was. They're marked high. They do have a pretty big impact. And obviously, that impact is, as Berry kind of went through,

there's multiple levels of impact because it's a removal or it's an addition or it's just a lot of work. Okay, I think we got through that.

I think, again, we've got five weeks, five meetings scheduled to complete our review of the initial report. And our goal is to finish by the end of July. Maybe we only need four. Maybe that'll work. I don't know. But next week, we're definitely going to start digging into the can't live with. Anyone that has anything on the group 1A. And we've processed those. So I'm hoping that goes fairly quickly. But there are, I think, 28 recommendations in that group 1A. So it is a big topic. But we'll be going over the format changes, obviously, that Berry showed today. And we'll get a good view of what that looks like as we go through them.

But yes, we need to focus on the group 1A items and make sure that we've covered any can't live withs, which I think don't exist today. But if they do, we want to cover them. And any updates people feel need to be happening, just like Rick did on that one. It had maybe a bleed over from early discussions. But again, I think that—was that all on the agenda today? I'm sorry, staff. Maybe I jumped into the summary a little too quick. Okay. I think that's good.

Again, going to be a lot more homework, I think, over the next month than we're maybe used to. Because we're going to make sure that everyone is on agreement on our 47, 48, whatever, Berry keeps correcting me on how many recommendations that we have. So that'll be our goal for July. And hopefully we get through that. But we'll need to do quite a bit of homework and making sure any issues any of the stakeholder groups can bring

forward, we can get answered before we turn this over to public comment.

Okay. Any other last comments? I think we can give everyone a few minutes back here. Otherwise, anything from staff we need to have done? Again, we're going to have a busy month in July to get through this. Okay. Well, excellent. I appreciate it. Again, hopefully, July goes smooth since we've already prepped and gone through these multiple times. So hopefully, we all get through this fairly quickly. And we can get this out the door. And everybody can have a fairly good August and September quiet period. Okay. Well, thanks, everyone. Give everyone 13 minutes back and we'll see you next week.

[END OF TRANSCRIPTION]