ICANN Transcription
New gTLD Subsequent Procedures Sub Team – Track 5 – Geographic Names at the Top Level
Wednesday 27 February 2019 at 0500 UTC

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https://audio.icann.org/gnso/gnso-sub-pro-track5-geo-names-top-level-27feb19-en.mp3

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The recordings and transcriptions of the calls are posted on the GNSO Master Calendar page:
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Michelle DeSmyter: Fantastic. Well, welcome, everyone. Good morning, good afternoon, good evening. Welcome to the new gTLD Subsequent Procedures Sub-Team Track 5 call on the 27th of February, 2019.

In the interest of time, there will be no roll call. We have quite a few participants online today. Attendance will be taken via the Adobe Connect Room. So, if you are only on the audio bridge, would you please let yourself be known now?

Hearing no names, I would like to remind all participants if you will please state your name before speaking for transcription purposes and please keep your phones and microphones on mute when not speaking to avoid any background noise.

With this, I will hand the meeting back over to Olga Cavalli. Please begin.

Olga Cavalli: Thank you very much, Michelle. And good night from Buenos Aires, Argentina, a nice cool night. And good morning, good evening, good afternoon, everyone. Thank you very much for joining.

We will continue the revision of the document with all the comments that have been (inaudible) and ordered and classified by the staff. I want to thank the staff for making an enormous and incredible work with this huge document. So, the idea of today is review part of it. The other part was done in the previous call, and there will be other calls and we will check also this in Kobe in our face-to-face meeting there.

Before we start, I would like to ask you if there any updates of statement of interest.

I see none. So, let's move forward. We will review the document. In the case you were not present in the other call or you had no time to review it in detail, you can see that the document has been ordered and marked with comments in different colors. So, these colors have a meaning, and I will mention this to you. Of course you can ask the meaning at any moment in the call. Of course green is agreement. Red is that there is some divergence from what has been proposed; for example, (inaudible) the recommendation. Blue is new ideas that are not included in the recommendations. And yellow is concerns that the different commenters have about the ideas of the document.

So, I have my screen in the Adobe Connect, but I will review the document from another computer, which is larger. And I've got my colleagues from staff and from co-leads. If I don't see your hand up or something (inaudible) previous, let me know (inaudible) and I'll give you the floor.

So, you may recall that the last call we reviewed with the help of our colleague Martin Sutton the general comments. What we will do today is review the preliminary recommendations. As you recall, there are 13 preliminary recommendations. So, I will briefly read them and I will refer to just comments that we have received.

In order for you to follow what I am saying and to follow the document, I will refer to the number of each row of the general document. So, the number in the spreadsheet at the left side, this will be the number that I will refer. So, when you see the notes, we will use the same reference that we used for the first call so everyone is on the same page.

Okay. Let's start. Thank you, Martin. Any comments and questions so far? Okay. I see none. Let's go.

So, we start in the recommendations. In Row #3 is a summary (inaudible) general comments. Of course all these categorizations done very nicely by the staff. You can review, you can comment. The idea of reviewing the document is so that we have a chance to see it. And remember that in the lower part of the spreadsheet you have different sheets, but we will review now the one that says "Preliminary Recommendations." (inaudible)

So, in the Row 3, there is this title, and I will go first to the Line 4, "Contributions who support most of the 2012 (inaudible)." There is agreement from CENTR; AFNIC; ccNSO; (inaudible); Tom Dale, as individual; UNINETT Norid AS.

Then, "Contributions" – this is Row #5 – "Contributions who support most of 2002 rules, with exception of the intended use provision for city names." There is agreement, but some divergence. Agreement and some divergence from government of Brazil; government of Spain; Swiss Federal Institute of Intellectual Property, SFIIP; Icelandic Ministry of Foreign Affairs; German GAC; Origin European (inaudible); government of France; Association of European Regions for Origin Products, AREPO; Republic of Peru; the Finnish Transport and Communication Agency; government of Argentina, Chile, and Colombia; (inaudible); Portuguese government; and GAC; and ALAC.

Now I will go to Row 6, "Contributions who despite objection are willing to support most of 2012 rules; however, maybe do not want to see (inaudible) protections extended." There is agreement from MARQUES; the International Trademark Association; Registry Stakeholder Group; Business Constituency; Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. So, this is on general comments.

Steve is making some comments in the chat. No hands up so far.

So, let's go to the (inaudible) recommendations. The first recommendation says, "As described in Recommendations 2 through 9, Work Track 5 recommends, unless or until decided otherwise, maintaining the reservation of certain strings at the top level in upcoming processes to delegate new gTLDs. As described in Recommendations 10 through 13, Work Track 5 recommends, unless or until decided otherwise, requiring applications for certain strings at the top level to be accompanied by documentation of support or non-objection from the relevant governments or public authorities, as applicable."

So, let's see in – this is Row 7. Let's see in Row 8, the ccNSO, agreement.

There is agreement from the CNSO, as well.

Agreement from dotBERLIN, (inaudible), and (inaudible) – no. (inaudible) Hamburg Top-Level-Domain GmbH geo TLD Group.

Agreement also from – this is Row #11 – agreement from CENTR and AFNIC.

There is agreement – this is Row 12 – agreement from Business Constituency.

Row 13, agreement from UNINETT Norid AS.

Row 14, agreement from DOTZON GmbH.

Row 15 is agreement from the Intellectual Property Constituency, IPC.

Row 16, agreement from Tom Dale, as an individual.

And Row #18, agreement, some concerns, and some divergences from the Brand Registry Group. And let me check with that. Divergence is they don't support restrictions to the use of geographic terms on the top level for applicants that hold matching trademarks. And the divergence is "the removal of the restrictions (inaudible) and the Recommendations 10 to 13." Their most detailed comments in Row 18, and you can go to the document and check them.

No comments so far. No hands up. Okay.

Row 19 is agreement and concerns and some divergence from the International Trademark Association. The divergence is that "ITA did not agree with restrictions in the first round, due to concerns that the conflict would establish law at the international or domestic level." And the divergence is that INTA does not support Recommendations 3, 10, 11, 12 , or 13.

Okay. No comments. No hands up. Okay.

Let's see Row 20. Row 20 is agreement and some divergence. Agreement from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. They disagree. The divergence is, "We do not support Preliminary Recommendation 3 for the reasons stated below" in that section (inaudible) disagreement.

Row 21, there are concerns raised by Christopher Wilkinson. Christopher says, "The option that it would normally be the relevant public authorities (inaudible) that could make the application (inaudible) registry on the basis of (inaudible) has not yet been seriously discussed."

Let's go to Row 22.

Are there problems with the sound? I will try to speak closer to the mic. Is that better? Okay. Thank you. Thank you, Michelle.

I was in Row 22. Divergence from the Registrar Stakeholder Group. The Registrar Stakeholder Group does not support this recommendation.

Row 23, the ALAC refers to responses of other recommendations.

And then Row 24, there is divergence from the NCSG, object maintaining the reservation of certain strings at the top level.

Okay. This is Recommendation 1. Any comments? Any hands up so far?

Okay. Thank you very much. It seems that sound is better now.

So, let's go to the second recommendation. "Work Track 5 recommends continuing to" – I'm reading Row 25 of the document. "Work Track 5 recommends continuing to reserve all two-character letter ASCII combinations at the top level for existing and future country codes." I wont read all of the recommendation because it's quite long. "This recommendation is consistent with the GNSO policy contained in the Introduction of New Generic Top-Level Domains policy recommendations from 8 August 2007, also consistent with provisions in the Applicant Guidebook of 2012."

So, let's go to the first comment. This is Row 26 of the document. It's agreement from Singapore.

In 27, we have agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group.

Row 28, we have agreement from the Business Constituency.

Row 29, agreement from DOTZON GmbH.

Row 30, it's agreement from the Registrar Stakeholder Group.

Row 31, agreement from the International Trademark Association.

Row 32 is agreement from the Intellectual Property Constituency.

Row 33, agreement from Tom Dale, as an individual.

34, agreement from ALAC.

Then there is agreement from Group of Registries – this is Row 36 – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC.

Row 37 is agreement and some concerns from the ccNSO. The concerns are they reiterate concerns regarding the proposal under Work Track 2 to give the exclusion of one-letter, one-digit as TLD.

Comments? Hands up? Nothing.

Philip is asking, "There are no row indications in the document in Adobe Connect. Can staff send the Excel document?" You have a link to the document in the invitation you received for the call from Julie and from Michelle, if I am not mistaken. Please, if colleagues from staff can confirm what I'm saying? And the left column, you have the row number that I'm referring to. It's the first column to the left.

Okay. I read the Row 37, about the ccNSO comments.

Then I will read – yes. Someone wants to talk? No? Okay.

38, it's a comment from CENTR and AFNIC. There is agreement and some concerns. Thes comments are quite long, mainly "ICANN is not in the position to decide what is a country and what is not. There are, have been, and will be new countries in the future that will need a ccTLD. Therefore, two-character combinations should be reserved for existing and future ccTLDs." This is Row 38.

Let's go to Row 39, from the Brand Registry Group. There is agreement and some concerns. The concerns are not supporting any restrictions to the use of geographic terms at the top level for applicants who hold (inaudible) trademark." And "two-character restrictions are already applied at the top level due to a longstanding practice for country codes corresponding to the ISO 3166."

So, let's go to Row 40, agreement and also some concerns from UNINETT Norid AS. The concerns are, "However, the proposal by Work Track 2 to remove reservations one-letter digits is in conflict with the principles that gTLDs should be three-characters or more. And with the two-letter country code, we refer to our earlier comments." So, there are some concerns about one-digit and three-digit codes.

Row 41 are comments from the Communications and Information Technology Commission, CITC. There are some concerns. No green, no agreement. "Strongly don't accept the initial report's proposal that seeks permission for two-character domain names as gTLDs."

Row 42 is divergence from the NCSG. It's about, "Only one country has been created in the past two decades. The status quo reserving all two-character letter-ASCII combinations ought to be assessed in terms of freedom of expression."

Row 43, the last comment about Recommendation 2, it's from Christopher Wilkinson. It's kind of a summary statement. No agreement or concern. And he suggests to "continue reservations of all two-character letter codes."

So, we finished with Recommendation 2. Any comments?

No comments? Okay. Let's go on.

So, in Row 44 you have Recommendation 3. "Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the Applicant Guidebook: alpha-3 code listed in the ISO 3166-1 standard."

So, Row 45 is support from Tom Dale, as an individual.

Row 46, it's support from Singapore.

Row 47, comments from Christopher, also a summary of statement. Not support of this agreement.

Row 49 – Steve is making some comments. Okay. That's just checking the chat. Row 49 is agreement from the Communications and Information Technology Commission, CITC.

Row 49, it's agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group.

Row 50, 50 is agreement from CENTR and AFNIC.

Row 51 is agreement from the Business Constituency.

52, agreement from UNINETT Norid AS.

43 is agreement from DOTZON GmbH.

And 54 is green, agreement, and the long talk that you can review from – hold on. Let me (inaudible). From the Registry Stakeholder Group, is 54.

55 is agreement and some concerns from the ccNSO. There's the concerns, would like to – "The ccNSO would like to stress that ISO list of country codes is a living document." So, they do some comments about the ISO list.

56 is agreement and concerns from the Brand Registry Group. The concerns are, "The BRG does not support any restrictions to the use of geographic terms at the top level for applicants that hold a matching trademark." This was also included in other comments.

Row 57 is a comment from ALAC. There's agreement and divergence. Agreement is the green part. And divergence is, "However, we do not support Preliminary Recommendation 3 in so far as it recommends continuing to consider ISO 3166-1 alpha-3 codes as remaining unavailable for delegation." There is concerns "(inaudible) alpha-3 codes to be made available for application by the relevant government."

58, it's agreement and divergence from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Registry, Amazon Registry Services, and Employ Media LLC. The disagreement is they "strongly oppose this and any policy of reserving three-character codes."

Row 59, it's the ccNSO raising concerns, mainly "although the ISO list of countries does not change frequently, it should be seen as a living document." And there are more text to review.

Row #60, concerns and divergence from the NCSG. The concerns are, "We would like to record concerns regarding reservation of code and names, in general." And the divergence is "according to the NCSG does not agree with such recommendation. Alpha-3 codes in the ISO 3166-1 should be made available for delegation."

Let's go to – am I going too fast? Just say something. No? Okay. Fine. Thank you, Javier. Gracias.

Now I'm lost where I was. Okay. 61, divergence from the Registrar Stakeholder Group. "The Registrar Stakeholder Group does not support this recommendation. Three letters have been available from the start." And they have additional comments.

Row 62, divergence from the International Trademark Association. "INTA disagrees with this recommendation as it creates confusion and is unnecessary. ICANN has already (inaudible) three-character codes and country names." And they explain their reasons.

Okay. The last comment about Recommendation 3 is in Row 63, and it's from the Intellectual Property Constituency, IPC. "The IPC strongly believes that three-alpha letter combinations should be available for delegation as new gTLDs." And there is further explanation.

Okay. We finished with Recommendation 3. Any comments? Any hands up? I see none. So, let's go on.

In 64, we have the Recommendation 4. "Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation: long-form name listed in the ISO 3166-1 standard."

So, let's see the comments. Martin is seeing if anyone has comments. Thank you, Martin.

Okay. Let's go to the first comment about Recommendation 4. It's in Row 65. It's agreement from the ccNSO with this recommendation.

Then in Row 66, there is agreement from Singapore.

67, agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH and geo TLD Group.

68, is agreement from CENTR and AFNIC.

69 is agreement from the Business Constituency.

70 is agreement from UNINETT Norid AS.

71, agreement from DOTZON GmbH.

72, it's agreement from the Registrar Stakeholder Group.

73, it's agreement from the International Trademark Association.

74, agreement from the Intellectual Property Constituency.

75, agreement from Tom Dale as individual.

76 is agreement from the ALAC.

77 is more text from – it's very long. I have problems to review all the document.

74, there is Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. Agreement, as well.

Let me enlarge the document. That was 78.

And now go to 79. 79, agreement and some concerns from the Brand Registry Group. The concerns are that, "The BRG does not support any restrictions of the use of geographic terms at the top level for applicants that hold matching trademark."

Row #80, agreement and some concerns by the Communications and Information Technology Commission, CITC. The concerns are, "Translations of strings' long-form country territory names should be addressed and reserved."

Row 81, we have divergence from the NCSG. "The NCSG is concerned that long-form of geographic entity as defined in ISO list. Long-form is overly broad to be used as a strict set of reservations." And there is more explanation about that comment.

And finally, the last comment of Recommendation 4, in Row 82, from Christopher Wilkinson, also a summary statement that, "The long-form

listed in the ISO list will continue to be protected." And more explanation about it in the comment.

Okay. We finished Recommendation 4. Any comments? Hands up? Okay. None.

Let's go on. So, in Row 83, we have Recommendation 5. "Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the Applicant Guidebook: short-form name listed in the ISO 3166-1 standard."

Let's see the comments. So, Row 84. 84 is agreement from the ccNSO.

85, agreement from Singapore.

86, agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group.

Row 87, agreement from CENTR and AFNIC.

Row 88, agreement from the Business Constituency.

89, agreement from UNINETT Norid AS.

90, agreement from DOTZON GmbH.

91 is agreement from the Registrar Stakeholder Group.

92, agreement from International Trademark Association.

93, agreement from the Intellectual Property Constituency.

94, agreement from Tom Dale.

95, agreement from ALAC.

96, agreement from – Registry Stakeholder Group,

Then let's go to 97, agreement from Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC.

98, agreement and some concerns. The concerns are, "BRG does not support any restrictions to the use of geographic terms at the top level for applicants that hold a matching trademark."

And 99, agreement and concerns from the Communications and Information Technology Commission. Concerns that, "Translation of strings should be addressed as unreserved."

And 100, Row 100, divergence from the NCSG. "Concerned that countries remain listed in short-form remain reserved." And should amend "can be disputed between state and non-state actors."

And 101 is the last comment of Recommendation 5. It's from Christopher, also a statement. "Short-form names listed in ISO 3166-1 will also be protected."

Okay. We finished with reviewing the comments for Recommendation 5. Any comments, questions, hands up?

Thank you, Cheryl. She's telling in which page we are. Thank you for that.

Okay. Let's go on. 102, it's the Recommendation 6. "Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the Applicant Guidebook: short- or long-form name association with a code that has been designated as 'exceptionally reserved' 3 by the ISO 3166 Maintenance Agency."

Let's see the comments. 103, agreement from the ccNSO.

104 Row, agreement from the Communications and Information Technology Commission, CITC.

105, agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group.

106, agreement from CENTR, AFNIC.

107, agreement from the Business Constituency.

108, agreement from UNINETT Norid AS.

109, agreement from DOTZON GmbH.

110, agreement from Registrar Stakeholder Group.

111, agreement from International Trademark Association.

112, agreement from the Intellectual Property Constituency, IPC.

Javier Rua Jovet: Olga, this is Javier speaking. There's a hand up by Christopher.

Olga Cavalli: Thank you, Javier. Thank you so much. So, I stop now in 113. I don't want to forget that. Christopher, the floor is yours. Go ahead.

Christopher, you're on mute.

Christopher?

Javier Rua Jovet: Christopher, you're muted.

Olga Cavalli: Okay. I'll move forward. So if you can connect, Christopher, I'll stop and give you the floor. Okay?

Okay. 113, it's support from Tom Dale, as individual.

114 is support from ALAC.

115 is support in general from Registry Stakeholder Group. That was 115.

116, agreement from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC.

117, there are agreement and concerns. There are some concerns about the trademarks by the Brand Registry Group.

And 119, there is divergence from the NCSG. They keep their previous comments about reservations associated with the short- or long-form name. So, I won't repeat.

And then, there is comments from Christopher Wilkinson, 119 Row, "Short-/long-from names associated with 'exceptionally reserved' ISO 3166 will be reserved as unavailable for delegation."

So, we finished with Recommendation 6 comments. Any comments? Christopher, can you hear me? You were mute. I don't know if you can unmute and let us know your comments? I can give you the floor now.

Okay. I'll go on. So, if you can talk later, that will be okay. Let me know.

So, in Row 120, we have Recommendation 7, which is, "Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the Applicant Guidebook: separable component of a country name designated on the 'Separable Country Names List'." And there are more comments, more detail about this recommendation in Row 120.

Okay. 121, the first comment. It's agreement from the ccNSO.

122 is agreement from Singapore.

123 is agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH, and geo TLD Group.

124, agreement from CENTR and AFNIC.

125 is agreement from the Business Constituency.

126 is agreement from UNINETT Norid AS.

127 is agreement from DOTZON GmbH.

128 is agreement from the Registrar Stakeholder Group.

129, agreement from the Intellectual Property Constituency.

130, agreement from Tom Dale.

131, agreement from ALAC.

132, agreement from the Registry Stakeholder Group.

133, agreement from theGroup of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC.

134, agreement and some concerns of the Brand Registry Group. The same comment they have down about trademarks.

135 is agreement and concerns about the International Trademark Association. "Names listed in Class C refer to synonyms of the country name or sub-national entity, so are not separable components of country names," is mainly their comment, their concern.

136 is concerns from the Communications and Information Technology Commission, same as about translation that they have done in other comments before.

And NCSG has a diversion, mainly similar to ones before. "NCSG does not support the reservation of strings (inaudible) to be a separable component of country names designated under 'Separable Country Names List' included in Appendix 2." They believe that, "the expansion of the number of (inaudible) however is not sufficient and justified."

And finally, the last comment, from Christopher Wilkinson, is in Row 138. "Separable components designated country names will also be protected in the same way."

This is the last comment for Recommendation 7. I will stop here and see if there any comments, hands up, or things that you want to share and to say. Christopher, are you back? You want to say something? You had your hand up before, but I couldn't hear you.

Christopher Wilkinson: Yes. Hi. Good evening. Christopher Wilkinson, for the record. I've had to re-log on twice to get back into the Adobe. Just to say, it's extremely difficult to follow this because the page numbers don't appear on the screen or on the PDF and the numbers that Olga is referring to actually do appear very faint on the left-hand side of the web version, but they don't appear on the screen. It's extremely difficult to keep up with the discussion when these references are invisible. Thank you.

Olga Cavalli: Thank you, Christopher. You are totally right. It's extremely difficult. So, what I am doing to be able to do this, I'm working with two different computers. In one computer, I have the Adobe Connect open, and the other computer with a very large screen I have the displayed document so I can read all the numbers.

But I do agree with you that it's difficult. What I suggest to you is that when you check the notes, the same that we did in the first call, you can check the notes and there you have all the reference to the rows. And with a larger screen you can review the document. But I agree it's difficult. But it's the only way that we can review such a large document. So, apologies if you have difficulties.

Christopher Wilkinson: Fair enough, Olga. Just to add that very few people have a large screen. In fact, it's – even in full screen the document is so dense. And so that if you enlarge it to the point that you can actually read it, you can't get the whole document on the screen. There's a problem with this method of communication, I must say. Thank you. I'll review the comments later.

Olga Cavalli: Thank you, Christopher. I share your difficulties. Also, remember, not only for you but for all colleagues, we are just making an overview of the whole document. As you can see, it's a huge document, a huge amount of information. What staff has done and in a very nicely way they have ordered it and they have categorized it and they have marked this color differentiation which I think is very useful because at a glance you can have a sense if there is agreement, or not, or if there are concerns. I think that the purpose of this call is that: give you a sense of the general document. And then if you're really interested, go in deep into all the text and the different comments in either a larger screen or printed or depends on which way you feel more comfortable.

Are there any other comments? Okay. I'll move on.

I will go now to Recommendation 8. It's in Row 139. The recommendation from Work Track 5 is clarification from the Applicant Guidebook, "designate the following category as a country and territory name which is

reserved at the top level and unavailable for delegation: permutation or transposition of any of the names included in items (i) through (v). Permutations include removal of spaces, insertion of punctuation, and addition or removal of grammatical articles like 'the.' A transposition is considered a change in the sequence of the long- or short-form name; for example, 'RepublicCzech' or 'IslandsCayman'." So, "recommends clarifying that permutations and transpositions of the following strings are reserved: long-form name listed in the ISO 3166-1 standard"; short-form in the same list; "short- or long-form name association with a code that has been designated as 'exceptionally reserved' by the ISO 3166 Maintenance Agency; separable component of a country name designated on the 'Separable Country Names List'. And strings resulting from permutations and transpositions of alpha-3 codes listed in the ISO 3166-1 standard should be allowed."

So, let's go to the comments. I am in Row 140. Agreement from the ccNSO.

141, agreement from Singapore.

142, agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group.

143, agreement from CENTR and AFNIC.

144, agreement from Brand Registry Group.

145, agreement from UNINETT Norid AS.

146, agreement from DOTZON GmbH.

147, agreement from the Registrar Stakeholder Group.

148, agreement of Intellectual Property Constituency.

149, agreement of Tom Dale.

150, agreement from ALAC.

151, agreement from the Registry Stakeholder Group.

152, agreement from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC.

153, there are some concerns and agreement from the International Trademark Association. They see this recommendation as "unnecessary and over-broad preventative solution."

154, concerns and divergence from the Communications and Information Technology Commission. The concerns, that "translations of strings to any language should be reserved" and "shall also be reserved as well as their translations." So, similar comment as – similar divergence as the concern.

155, concerns and divergence from the NCSG. "Resulting from permutations and transposition of alpha-3 codes is unclear" and does not support reservation of strings resulting from permutations.

156 is divergence from the Business Constituency. "The BC does not support permutations and transpositions. This can create other terms that are not necessarily geographic and, therefore, may prevent (inaudible)."

157 is divergence from apTLD. In light of what they recommend, "for the sake of consistency the former recommendation should be deleted."

And 158, from Christopher Wilkinson, is a summary statement. "These permutation or transpositions shall be protected in the same way, except that permutations and transposition of the ISO 3166 three-letter codes should be allowed."

So, we have reached the end of the comments for Recommendation 8. Any comments? Any hands up?

Justine, I did a mistake, maybe. 153, Justine is correcting me. Let me see. It's International Trademark Association. What did I say? Okay.

Okay. I'll move to the 159, Recommendation 9. Okay? "Work Track 5 recommends continuing to consider the following category a country and territory name which is reserved at the top level and unavailable for delegation, as stated in the Applicant Guidebook: name by which a country is commonly known, as demonstrated by evidence that the country is recognized by that name by an intergovernmental or treaty organization."

Let's see the comments. 160, it's agreement from the ccNSO.

161, agreement from Singapore.

162, agreement from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group.

163, agreement from CENTR and AFNIC.

164, agreement from UNINETT Norid AS.

165, agreement from DOTZON GmbH.

166, agreement from the Registrar Stakeholder Group.

167, agreement from the International Trademark Association.

169, agreement from the Intellectual Property Constituency.

169, support from Tom Dale.

170, support from ALAC.

171, support from the Registry Stakeholder Group.

172, agreement from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC.

173, there is agreement but some concerns by the Communications and Information Technology Commission. Again the comment about translation.

174, agreement and concerns from the Brand Registry Group. "The BGR does not support restrictions to the use of geographic terms at the top level for applicants that hold a matching trademark."

175 is new idea by apTLD. The new idea is "also the need to establish a dedicated procedure to detect and demonstrate respective evidence."

176 is divergence from the NCSG. "It's not acceptable. This does not have a legal basis nor can it be restricted to a limited number of names based upon a set of defined standards."

177, divergence from the Business Constituency, that does not support this recommendation.

And 178, Christopher, a comment from Christopher. "Names by which countries are currently known should be protected in the same way."

So, this is the end of Recommendation 9. Any comments, hands up?

I see none. So, let's go on.

179 has the Recommendation 10. "Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level. Applications for these strings must be accompanied by documentation of support or non-objection from the relevant governments or public authorities: an application for any string that is a representation of the capital city name of any country or territory listed in the ISO 3166-1 standard."

So, let's see the comments. I will go now to Row 180, agreement from Singapore.

181, agreement from UNINETT Norid AS.

192, agreement from DOTZON GmbH.

193, agreement from the IPC, Intellectual Property Constituency.

194, agreement from Tom Dale.

195, agreement from ALAC.

196, agreement from the Registry Stakeholder Group.

197, agreement from the Brand Registry, with some concerns. The same comment about trademarks that was stated before.

198, agreement and concerns from the Communications and Information Technology Commission about the translations. Similar comment as before.

199, agreement and new ideas by dotBERLIN GmbH and Hamburg Top-Level-Domain GmbH geo TLD Group. The new idea is with the following addition, "Applications of these strings (inaudible) documentation of support or non-objection from the relevant government or public authority independent from the intended use." This is the new idea that they propose.

190, agreement and divergence from Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. They do not support restrictions on the use of terms that match capital or other cities (inaudible).

191, concerns and divergence from the NCSG. "Receiving non-objection letters from public authorities is burdensome, sometimes impossible. It's unclear what would happen in the common situation where multiple city, states, provinces share the same name."

192 is divergence from the Registrar Stakeholder Group. They don't support this recommendation.

And 193, divergence from the International Trademark Association. They recognize the current practice with ICANN but objects to this recommendation, as it conflicts with established law.

And 194, divergence from the Business Constituency. They do not support this recommendation.

And a comment from Christopher, in 195. "Capital city names, countries, or territories listed in ISO 3166 should be also protected."

I will stop here for a moment. So, this is the end of Recommendation 10. Any comments, hands up?

I see none. So, I'll move on with Recommendation 11. We have 35 minutes to go. Whoa. Okay. This is Row 196. "Work Track 5 recommends continuing to consider the following category a geographic name requiring government support. Applications for these strings must be accompanied by documentation of support or non-objection from the relevant governments or public authorities: an application for a city name, where the applicant declares that it intends to use the gTLD for purposes associated with the city name. An application for a city name will be subject to the geographic names requirements. It is clear from applicant statements within the application that the applicant will use the TLD primarily for purposes associated with the city name. The applied-for string is a city name as listed on official documents."

So, let's see the comments. We are in Row 197. It's agreement from the Business Constituency.

198, agreement from DOTZON GmbH.

199, agreement from the Registry Stakeholder Group.

200, it's agreement from the Intellectual Property Constituency.

201, agreement, new idea, and divergence from the ALAC. The divergence is "some support for suggesting the applicants for city names be subject to requirements for letter of support from relevant governments." And the new idea is they suggest a "concept of letter of support or non-restriction be replaced with the concept of informed consent inviting." And they explain their reasons in their comment in 2001.

2002, we have agreement and some divergence from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. They do not support Preliminary Recommendation 3, and they do not support restriction of the use of terms that match capital and other cities and territory names.

Let's go now to Row 203. There is new ideas and some divergence from the International Trademark Association. They say that it's – they recognize that (inaudible) ICANN, but objects this recommendation, as it conflicts with established law. And then as new idea they say, "It's important when balancing competing interests to acknowledge and allow for this multiple meaning." And they explain their reasons.

Row 2004, it's new ideas and divergence from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group. They do not support the recommendation, and they want an amendment: "An application for a string which is a representation of a city or country territory in accordance with the list, such a string subject to the geographic names requirement." And they explain the text that they propose. They propose a new text.

This is 2005, concerns and divergence from the NCSG. They express that receiving these letters is burdensome, as they said before. "It's unclear what would happen in common situation where multiple cities have the same name." It's the same comment as before.

And then Row 2006 is the Brand Registry Group, divergence and concerns. They do not support the restrictions to the use of this geographic terms at the top level, and they are willing to consider previous level of reservation proposed with Recommendations 9 to 10.

Now we go to Row 2007. It's divergence from the Communications and Information Technology Commission. The comment about since it's the city name, a government support is necessary. And they propose a new text.

A comment from Georgia, adds divergence. This is Row 2008. "Documentation support or non-objection from the relevant government or public authority must be required if the applicant will use the TLD for any purposes, not only for the purposes as a city (inaudible) name."

2009, divergence from Tom Dale. "The intended use provision is inconsistent with the unique nature of the geo TLD."

2010, divergence from the Registrar Stakeholder Group. They do not support this recommendation.

And Christopher makes comments, "Application of any city name where the applicant intends to use the name in association with a city will require documents recommend to support of non-objections from that city."

So, this is the end of comments for Recommendation 11. Any comments, hands up?

Thank you, David, for recognize comments. Any problem with the problems from Georgia? Did I said it wrong?

Yes, you're right. We should say the comment, government of Georgia, so we don't get confused with other Georgia's. Thank you, Justine, for the comment.

So, let's go – if there are no other comments, let's go to Recommendation 12. We have half an hour. "Work Track 5" – this is Row 2012. "Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level. Applications for these strings must be accompanied by documentation of support or non-objection by the relevant governments or public authorities, which is an application of any string that it's an exact match of a sub-national place name, such as a county, province, or state, listed in the ISO 3166-2 standard."

So, let's see the comments. Row 2013, agreement from DOTZON GmbH.

Row 2014, agreement from the Intellectual Property Constituency.

Row 2015, agreement from Tom Dale.

Row 2016, agreement from the Registry Stakeholder Group.

Row 2017, agreement from the ALAC.

Row 2019, agreement and new idea from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group. The new idea is they suggest an addition involved of the independent from the intended use. It's a similar comment that they have done before in other recommendations.

Row 2019, agreement and some concerns from the Communications and Information Technology Commission, CITC. It's about the translations, that they have done in other comments.

2020, agreement and concerns from the Business Constituency. They do not support the need for letters if the applicant declares that it intends not to use the gTLD for purposes of the city or the country provinces or state.

2021 Row, it's agreement and some concerns from Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. Divergence is that there is no legal basis to withhold the strings.

2022, new idea and divergence from the International Trademark Association. They do not support the recommendation. They see as example of preventative creep. And then a new idea is, "To the extent that preventative measures continue to apply in respect to (inaudible), there should be an intended use element."

2023, concerns and divergence from the NCSG. They repeat the comment about the burdens of receiving the comments and the letters, it's unclear what would happen in the common situation where multiple

city, states, and province have the same name. Similar comment as before.

And then we have concerns and divergence from the Brand Registry Group. They do not support restrictions of the use of these terms. And they're willing to consider the previous level of reservation in Recommendations 1 to 10.

In 2025, it's divergence from the Registrar Stakeholder Group. They do not support this recommendation. It "goes overboard and represents claims that have no legal basis."

And finally, the last comment of Recommendation 12, 2026 Row, it's a comment from Christopher Wilkinson. It's, "Applicants for national place names listed in the list should be subject to prior authorization of non-objection."

So, we have reached the end of the comments for Recommendation 12. I'll stop here and see if there are any comments or hands up.

I see none. Okay. Let's move on. It's Recommendation 13. "Work Track 5" – this is Row 2027. "Work Track 5 recommends continuing to consider the following category a geographic name requiring government support at the top level: an application of a string listed as a UNESCO region 4 or appearing on the 'Composition of macro geographical (continental) regions, geographical sub-regions, and selected economic and other groupings'."

So, let's see the comments. Row 2028, support from DOTZON GmbH.

2029, support from the Intellectual Property Constituency.

2030, support from Tom Dale.

2031, support from the Registry Stakeholder Group.

2031 – I already read it – is Registry Stakeholder Group.

2032, agreement from the Communications and Information Technology Commission.

2033, agreement from the ALAC.

2034, agreement and new idea from dotBERLIN GmbH & Co. KG, Hamburg Top-Level-Domain GmbH geo TLD Group. The new idea is actually the comment that they did before about the independence from intended use. They suggest a new text.

2035, it's agreement and concerns from the Business Constituency. They do not support the need for letters.

2036, it's agreement and some concerns from the Group of Registries – Uniregistry, Minds + Machines Group, Top Level Design, Amazon Registry Services, and Employ Media LLC. "There is no legal basis to withhold the strings in Recommendations 1 to 9 and to require letters."

2037, it's a new idea from Christopher. "Note that the general (inaudible) of cross-border regions is probably broader than UNESCO. Other concepts such as mountain chains, river basins, (inaudible) different parts of the world."

2038, it's new idea and divergence from the International Trademark Association. They do not support the recommendation. It's a similar comment as before. And the new idea is, "To the extent that preventative measures continue to apply there should be an intended use element." This was also stated before in other recommendations.

Row 2039 is divergence and concerns from the Brand Registry Group. They are similar comments than before. They do not support the restrictions, especially in relation with the trademarks and – I have a problem with my screen. They are willing to consider the previous level reservations but it's excessive and the (inaudible) governments and (inaudible). It's a similar comment that in other recommendations.

And we have 240, concerns and divergence from NCSG. They oppose the following recommendation. "Application for a string listed as UNESCO region or appearing on the composition of (inaudible) geographical regions...". And then, "The case should be limited to ISO 3166-1 and -2, and no other United Nations or other international organizations' groupings should be used."

Finally, the last comment is 2041. It's divergence from the Registrar Stakeholder Group. They do not support this recommendation.

Any comments so far? Have we reached the end of the recommendations? Yea! Comments?

Thank you. Thank you, David. Thank you, Cheryl.

Okay. We have reviewed – I didn't read all of the comments. Some of them are similar, and it would have been much longer if I had gone through all of the detailed comments. But I think the idea is that we have a sense of the general input that the different commenters have done and you have a sense of how the document has been ordered and classified, which I think it's really this issue about the colors. We just don't have to read. You can see the document and you can feel that it's agreement or

divergence or new idea. Of course you have to go in deep and give your input about all this fantastic development done by the staff.

Martin asks if anyone has observations from the comments to the preliminary recommendations.

(inaudible)

Okay. Maybe Steve or Julie, you can in the meantime my colleagues think about any comments, as we have some minutes left, maybe you can give us an idea of which are the next steps, when do we have the next call, and other details?

Hello? Steve, are you there?

Steve Chan: Sorry. Hi, Olga. This is Steve, from staff. I was just checking the calendar to make sure there isn't a call next week.

I keep hearing an echo.

Olga Cavalli: I hear some...

Steve Chan: I think it might actually be on Olga. If you don't mind muting?

Olga Cavalli: Yes. Sure.

Steve Chan: Thank you. Let's try – there we go. So, I was saying I was just checking the calendar to make sure there is no call. And it makes sense, because the call would have been the 6th, which is I think a day where many people are traveling to ICANN 64. So this is, in fact, the last call before ICANN 64.

I think at least in discussions with the co-leads, therefore, the next call or, I guess, next meeting would, therefore, be at ICANN 64. And I think the co-leads did not want to presume what the approach would be for the meetings at ICANN until they got a sense of how this comment review went. So, I think the idea now is to take some lessons learned from the public comment review, determine what the best approach would be for the meetings at ICANN 64, and then share that prior to the meeting to allow you all some time to prepare and make sure you come ready to contribute and help with engage on the subject.

So, yes, so there is no other meetings by teleconference. And so, therefore, the next meeting is at ICANN 64. And as a reminder – I don't remember the exact date off the top of my head – but it's the first day of the meeting, which is Saturday, and it's the first two sessions of that day. So, hopefully that's helpful. Thanks.

Olga Cavalli: Thank you very much, Steve. Let me check the comments in the chat. (inaudible)   However, we need to get a decision of what can we live with. We need to get to a point where the (inaudible) equally happy or equally unhappy (inaudible).

Please have in mind that this (inaudible) many other inputs. If you go to the document in the lower part, you can see different. Then you have the questions for community input and the proposals, which is (inaudible) section of the document. We just went through the recommendations in this call, and in the previous call of the general comments. So, have that in mind.

Any –? Christopher, your hand is up. Please, the floor is yours.

Christopher Wilkinson: Yes. Good morning. Thank you, Olga, for a marathon session. As you've gathered, actually using such a vast document on the screen in this context is extraordinarily technical at the level of a laptop.

But be that as it may, I think I've got the gist of what was being said, and thank you to the staff for referring from time to time to my own comments.

I won't be in ICANN 64. So, I'll just make two or three general statements here. First of all, I do not agree that a trademark in Country A should be allowed to trump or override – we don't use the word "trump" anymore – to override the interests of the community holding that name as a geographical name in Country B. I think that would be a gross extension of trademark rights for which there is no legal basis to my knowledge.

Secondly, we don't need to go into the discussion again about the interests of the populations in geographical areas. That has been very well stated by the general statement that this received very wide support, which I have also supported myself.

And finally, we are faced here with an extraordinary diversity of opinions and fundamental disagreements. And I go back to what I've said several times in the past, that it is absolutely unacceptable to argue the so-called mantra, to argue that if there is no agreement in this group that we revert to 2012. I think the international consciousness about these issues is several orders of magnitude greater than it was in 2007 and 2012. And frankly, ICANN and Work Track 5 and the PDP will not get away with trying to solve the problem just by saying there's no agreement, therefore we go back to 2012. I think that would be fatal for ICANN.

Thank you.

Olga Cavalli: Thank you very much, Christopher.

I think, Martin, you're asking to Christopher to clarify his comments? Can you please indicate which comment refers to your concerns? You're asking to Christopher, Martin?

Christopher Wilkinson: Martin, my reading of many of the comments from INTA and others have implied, if not demanded, that the trademark should take precedent of the geographical use of the geographical name, even if the trademark has nothing to do with the country concerned with the geographical name. If I'm wrong, that would be interesting to discuss offline or on another occasion. But over and over again in these comments strongly, Intellectual Property Groups, the strong implication, if not the demand, that an existing trademark should take precedence over the use of the name for geographical purposes.

Olga Cavalli: Martin says that, no, they don't. And I think he's typing. Maybe he can clarify to you. Or maybe you can exchange some ideas. Martin says, "If two applications were received, one from trademark and one (inaudible), there is no reference to which would prevail." That's the comment from Martin.

Nick says that, "Christopher, it's in the high degree of support of the 2012 position and while there is opposition one way, there is also opposition in the other direction." This is a comment from Nick.

Christopher, you want to say something? I see your hand.

I think it's an old hand, Christopher? Or new hand? Christopher is typing.

Okay. Apart from Christopher's comment, are there other comments, other additional input from our colleagues?

Christopher says, "(inaudible) again. Have a good trip to ICANN 64. Goodbye." Bye, Christopher. Thank you very much for all your input and comments.

Cheryl says, "Thanks, Christopher."

Okay. Any other comments? We still have 10 minutes. It's 3:20 in Buenos Aires. So, a new day.

I hope – Justine is asking if, Christopher, you will join remotely that would be very useful. It's Saturday morning when we will have the session.

Okay. Any more comments? Any other comments from colleagues? Steve, Michelle, Julie, any other comments from staff? Or Cheryl or Jeff from the PDP leaders?

Cheryl Langdon-Orr: This is Cheryl here. Other than to note what a terrific amount has been gone through in today's exercise, it is almost mind-numbing at times but it

is incredibly important that you all are able to be satisfied that we have given justice in our review and have correctly characterized all of the very valuable public comments that have come in.

And then of course the next step is to perhaps identify some trends or lacks of trends, as it may be, in some parts of this analysis. It's a vital part of the process, albeit perhaps not the most exciting in terms of discussion and debate.

And do also remember that whatever trends, recommendations, degrees of consensus or otherwise you note out of this analysis, and of course any particular new ideas, etc., that are being brought forward, all of that will be taken through to the full PDP Working Group. Because whilst you are a unique work track, you are a work track of the full Subsequent Procedures for new geographic – sorry, pardon my pun, there, people – new gTLDs. You're just focusing on the geo term. So, it has to come back to the full Working Group, as well.

So, with that, a huge thanks and kudos go to Olga, especially at the unfriendly hour that this call is in for her. Back to you, Olga.

Olga Cavalli: Thank you. Thank you very much, Cheryl. The nice thing of chairing meetings at this time of the middle of the night is nobody is calling, nobody is interrupting, and everything is very quiet. So, that's very good. Thank you very much, Cheryl.

And also remember that the document is not what we have reviewed in this call and the previous. There is a lot more to review. So, have that in mind and please take a look at that.

Okay. Safe travels to those of you and me going to Kobe. For me, it's a very long flight. And if there are no more comments, (inaudible), I wish you a good part of the week, weekend, and see you, some of you, in Kobe. And if you are not there, just remember to join remotely.

And thank you all much for your attention and for being with me tonight in this call. Bye, bye. And we'll see you in person or online.

Michelle DeSmyter: Thank you. The meeting has been adjourned.