

ICANN  
Transcription  
GNSO New gTLDs Subsequent Rounds Discussion Group  
Monday 08 September 2014 at 14:00 UTC

Note: The following is the output of transcribing from an audio recording of GNSO New gTLDs Subsequent Rounds Discussion Group call on the Monday 08 September 2014 at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record. The audio is also available at: (insert recording link)

On page: <http://gns0.icann.org/calendar/#sep>

Attendees:

Dan Rodgers - RrSG  
Brett Fausett - RySG  
Alan Greenberg - ALAC  
Martin Sutton - BC  
Susan Payne - IPC  
Craig Schwartz - Applicant  
Jennifer Wolfe - Non Commerical  
Stuart Fuller -RrSG  
Stephanie Duchesneau - RySG  
Iliya Bazlyankov - RrSG  
Avri Doria - NCSG  
JC Vignes - NTAG  
Lucie Loos - Individual  
Tom Lowenhaupt - ALAC  
Sam Lanfranco - NPOC  
Tobias Sattler - RrSG  
Alexander Schubert- Individual  
Donna Austin-RrSG  
Volker Greimann – RrSG/GNSO Council Chair  
Jeff Neuman-RySG  
Jeffrey Eckhaus-RySG  
Mason Cole-RySG  
Anthony Harris-ISPCP  
William Ellis-RrSG  
Tijani Ben Jemaa-ALAC  
Dan Kelleher-RrSG  
Liz Williams- RySG  
Michelle Sara King – SOI  
Christopher Niemi-SOI

Apologies:

Philip Corwin – BC  
Stephane van Gelder – BC  
Katim Touray – Individual  
Rubens Kuhl - RySG  
Ron Andruff – BC  
Thomas Rickert - NomCom GNSO Council  
Bart Lieben-SOI

ICANN staff:

Marika Konings  
Trang Nguyen  
Steve Chan  
Lars Hoffmann  
Terri Agnew

Terri Agnew: Good morning, good afternoon and good evening. This is the GNSO gTLD Subsequent Round Discussion Group on the 8th of September, 2014. On the call today we have Dan Rogers, Bret Fausett, Alexander Cooper, Martin Sutton, Alan Greenberg, Tobias Sattler, Donna Austin, Michelle Sara King, Volker Greimann, Avri Doria, Craig Schwartz, Jennifer Wolfe, Susan Payne, Stephanie Duchesneau, Jeff Newman, Jim Prendergast, Thomas Lowenhaupt, Iliya Bazlyankov and San Lanfranco.

We have apologies from Stéphane Van Gelder, Katim Touray, Rubens Kuhl, Ron Andruff and Phil Corwin.

From staff we have Steve Chan, Lars Hoffman, Marika Konings and myself, Terri Agnew. I would like to remind all participants to please state your name before speaking for transcription purposes.

Thank you very much and back over to you, Bret.

Bret Fausett: All right, it's Bret again. I understand - I'm getting some text messages that some other people are on hold trying to get through so with apologies to

everyone who got here early, maybe let's give it one more minute here for the operator to process all the people who are trying to get into the queue.

All right, well thank you everyone. For the record, please, as you speak, identify yourself and your company if there is one or affiliation for the record because this call will be transcribed and people who weren't available to attend in person will be able to listen and catch up on all the things we've gone over today.

I'm Bret Fausett from the GNSO Council, the Registry Constituency and Uniregistry, a new gTLD registry operator. And I'm the interim chair until we decide to do something else. And with me here - Susan, I see you say I'm cutting out. Can you hear me? You can text if this is better. I'm leaning right over the microphone at this point. Okay great, thanks.

With me is Steve Chan from ICANN staff who is the lead assisting us as we go through this. Let' see, we did the roll call. We'll also have the roll call from the meeting Adobe and I believe the operator is also collecting names as people call in and give them to her if anyone calls in late.

Just a reminder for Statements of Interest, I know that all the working groups and the discussion group also has a requirement that all of its participants fill out a Statement of Interest. We usually leave a little bit of time at all of our meetings for anyone to announce whether there's been a change to their Statement of Interest since it was first posted last month. So I'll ask now if anyone has an update to that that they would like to provide orally.

Avri Doria: I do.

Bret Fausett: Avri.

Avri Doria: I do. This is Avri. Yeah, I have added a contract to my list of contracts and that's working with PIR to help them establish a Secretariat for their advisory group for dotNGO. And I'll be adding it I just had a chance.

Bret Fausett: Terrific thank you. Anyone else? All right well seeing no further hands in the queue and hearing nothing we'll move on to the first agenda item of business which is discussion of our work plan and our timelines.

Let me just tell you I was really gratified to see all the input that had come in really over the last three or four days. So at this point I expect that not everyone has had a chance to review it and I think that's fine. We are collecting issues at this point.

But I believe, and Steve can correct me if I'm wrong, we have over 40 issues identified and I think we should keep that time period open to submit things probably for another two or three weeks so that people can read what has been posted and try to supplement that.

Now of course the issue list is never fully closed as long as the discussion group is open so, you know, I don't think we ought to foreclose people from being late to the party. But I do think we ought to try to get the vast majority of the issues identified that we have probably by the end of this month so that by the Los Angeles meeting we can start sorting them, organizing them and trying to identify those issues on the list that are policy from those that might be mere implementation.

Steve, you want to add anything to that?

Steve Chan: For the record, this is Steve. Thank you for the intro. Yeah, I just want to act out what Bret said and say that it is very gratifying to see the number of issues being submitted by folks to start filling up basically.

One of the things that we want to - or I think will help us in getting to the end goal which I think is to get to a list of issues that are going to be presented to the GNSO Council for them to determine whether or not it's going to go and be put forth into a PDP effort.

So towards that one of the things that we are going to work on after this call is to develop a template that helps each of you in identifying issues to determine whether or not it could be something that should be included as part of a PDP or perhaps it's something that the GDD operations team could simply keep in mind as they implement the second round.

And so, not to pick on any particular issue, that's one of the things that were raised just is for instance, someone mentioned that the - the training of certain evaluators could be better to ensure there more consistent results.

And it certainly just my opinion but that would strike me as an issue that is simply something that the operations team needs to take account of as they implement that part of the program.

So just to give you an idea of some of the issues are some of the categories that we think are useful to include in that template...

((Crosstalk))

Steve Chan: Hello?

Tony Harris: Sorry, Tony Harris joining.

Steve Chan: Hi, Tony. This is still Steve. You continue to some of the things that we think would be useful in that template are a description of the issue, supporting information about the issue is available, what information would need to be gathered and collected and (held) by whom and things like that to help explore the issue in further detail.

Does this issue require a PDP or are there other mechanisms available to redress the? Does the issue need to be resolved before the next round of applications is launched? And is the resolution of this issue dependent interlinked with other issues that may have been identified.

So we'll further refine that list. I'm not sure if that's going to be the final list but that's just to give you an idea of some of the things we're thinking of putting into the template to help us focus on the issues a little bit clearer. So, Bret.

Bret Fausett: That's helpful. Thank you Steve. Alan, I see your hand raised.

Alan Greenberg: Yeah thank you. If I remember correctly the Board has an agenda item which has the title of something like "Next steps towards the next - new gTLD," you know, next round. And I guess I have a little bit of a concern that there's going to be a duplication of efforts.

I presume staff has told them what the GNSO is doing. But I just have a little worry that there's going to be two parallel tracks.

Bret Fausett: You know, I think there's at least two parallel tracks. And you'll find the actual initial resolution that the GNSO Council approved that created this discussion group asked for a report from staff of three or four efforts that were underway to look at new gTLD the round and review it. There was some staff level things, the Board was looking at some things, the affirmation of commitments group was looking at some things. They all had a piece of this.

So we're getting a staff report that Marika is working on I believe that - issues are giving us some initial insight into but I believe that we'll have that completed by the end of the month, certainly by the time we meet in October at the ICANN 51.

And I think at that point we'll have a good idea of what's underway. We do want to make sure that we're not duplicating efforts along the way. I don't think there's anyone who's doing what we are doing here. But we certainly want to be aware of what other people are doing and we obviously want to make them aware of what we are doing as well. I think that's a good point.

Oh and I see that Marika has posted into the Adobe chat a link to that process that I just talk about.

Steve Chan: This is Steve, sorry. I was actually going to raise the point that Marika just made. That's actually Karen Lentz that's responsible for that report, that's all.

Bret Fausett: Terrific, yeah. Yeah, so if you see the link that's in the chat there is an update from Karen on various projects and I believe a more fulsome report will be forthcoming.

So back to our work, I don't know if it's premature or not but - before we move onto the next bullet point let me go back to the timelines. There was a brief discussion on the list this morning about when we think the next round of new gTLDs will happen. I saw various comments on that. I included my own crystal ball projection to the list.

But I think for our purposes we ought to try to be cognizant of that master deadline but I think our own internal timelines I still want to have a fairly good discussion in Los Angeles. We've got a two-hour timeslot, Steve, did you say on Wednesday morning?

Steve Chan: This is Steve. It still needs to be finalized but that's the intention, it'll be Wednesday morning.

Bret Fausett: Yeah.

Steve Chan: For two hours.

Bret Fausett: Yeah, we're looking at a two-hour slot Wednesday morning at ICANN 51 in Los Angeles next month. And I think that at that point what I hope we have is a pretty full set of issues identified. You haven't seen it yet but Steve is already trying to segment what's come into the list into logical segments. One of the things I want to get to in the next bullet point is maybe what those segments should be.

But I think by Los Angeles we ought to have a fairly robust set of issues and a working categories notion of how they fall into various subject matter categories. And then we can I think maybe start the harder work of identifying what policy and what's not, what is a blend of policy and implementation and maybe thinking through where we want to go from there.

I still think that our timeline is realistic to think that we may finish this by the end of this year. That would be my goal at least to have a draft report that we can all take back to our various constituencies, companies or interest groups by the end of the year to comment on and hopefully have something to the GNSO Council for its consideration by first quarter of 2015.

That's still I think a doable goal. I don't know if anyone has thoughts about that. Donna, I see your hand raised.

Don Austin: Thanks Bret. So I just have a question, if we're going to separate these - the issues into policy implementation, but might be operational, what scope are we going to put around those to determine where they fit? I mean, notwithstanding that there is a - there's actually a working group on policy versus implementation that's running at the moment. I'm just wondering how we're going to put the scope around those things to decide what category they fall into.

Bret Fausett: Marika, you want to comment and then I'll get to that point.



Marika Konings: Yeah, this is Marika Konings from ICANN staff. So I think partly as well the reason by maybe looking at a template for each issue where further information can be provided. And one of the categories were questions or lines in such a template you can think of is for example, what is the desirable outcome.

And I think by looking at the desirable outcome it may be easier as well for the working group to - or the discussion group or later on the Council to assess whether that desired outcome in order to achieve that does that really need a PDP or are there other mechanisms available?

I mean, certain things can be done as well in a kind of, you know, guidance or as part of, you know, discussing other issues. So I think the whole idea as well of trying to get more information around each of the issues also by identifying, you know, is there any further data or research that would need to be done before you can actually even, you know, decide, you know, what may need to happen or what the appropriate processes, but that is also included as part of that template.

And hopefully by having both templates with more complete information it will then allow the discussion group to actually identify, okay, which are clear-cut, you know, PDP issues that will need to go through a PDP?

You know, what are, you know, may be a different kind of category or what are, you know, implementation issues that just need to be provided to staff so that they're clear on when the next round comes around that, you know, certain things need to be done in a certain way and that guidance is provided.

So I think that's a little bit background behind that. And hopefully as well that will allow, for example, a kind of, you know, identifying are there certain issues that really need to happen first? Are there certain issues that can happen in the later timeframe?

So you're also, you know, assuming that, you know, multiple issues may be identified for PDPs; it may not really be realistic to tackle all of those at the same time so there may be as well value in looking at, you know, are there certain priority issues or certain issues that need to be tackled first before others can be tackled.

So again I think hopefully the templates will provide some further information and guidance to the discussion group on the basis of which you can make certain assessments and, you know, eventually as well recommendation to the GNSO Council on how certain issues should be dealt with further down the road.

Man: May I speak?

Tony Harris: Hello, this is Tony Harris. I'd like to raise my hand. I'm not on the Adobe.

Bret Fausett: Yeah, go ahead Tony. It's Bret.

Tony Harris: For this meeting in Los Angeles, which I think will be very critical in helping us to define what we're about in this group, my suggestion would be I think that by now ICANN must have quite a bit of experience with the rollout of new TLDs - but I say experience, situations that have arisen with different applicants which, you know, have become a conflict or things have got into turmoil or whatever.

I think whatever experience they have collected in all this application phase if somebody could give us a summary of that, that may help to point to some issues which really need to be worked on.

Tijani Ben Jemaa: Tijani. I want to speak please.

Bret Fausett: Oh, please go ahead and identify yourself.

Tijani Ben Jemaa: Yes, my name is Tijani Ben Jemaa. I'm the ALAC vice chair. I'm sorry I'm not on Adobe connect because it doesn't work here, it doesn't work today. I have read everything sent on the list and I am a little bit concerned because there is a very important point that wasn't mentioned either.

I mean, the first round was mainly for people from the north, mainly for the rich people. You remember the fight we did for the first round to make the application fees lower. And if it doesn't work ICANN said that it is cost recovery, etcetera.

So at the end the Board decided to form the JAS working group and the JAS working group worked and found a way to support applicants from developing countries and from the poor communities to support them to apply and to operate a new gTLD.

Unfortunately even this didn't work well because of several things; we can discuss it later. I think that this is one of the main points we have to discuss, how to make people from the south - how to make poor communities be able to have their TLDs, their identity on the Internet.

Right now we (unintelligible) manage because of several problems, we mentioned them and I don't think it is the moment to repeat them. But we have to take these points and to put it on our agenda, we have to discuss it. Thank you.

Bret Fausett: No, thank you. So let me - this is Bret again. Let me see if I can address some of these issues internally, give you sort of my thoughts on. On Donna's point - Donna, I think the easy identification of what is policy and what is not is anything that - the 19 policy recommendations that the GNSO made back in 2006 to start the new gTLD process if anything directly conflicts with those or alters them I think that's obviously policy that needs to go through a policy development process.

Because I would view those 19 elements as fixed at this point having gone through a policy process before. So if we want to change course on any of those 19 points and I recommend that everyone - I know that you probably don't have those at the top of your head. I've read them twice in the last month and I don't have them at the top of my head even as I'm speaking.

So I think it's probably a good idea for everyone to go back and look at those. Anything that we want to do that conflicts with those I think we're going to need a new policy development process for.

And I would also suggest that anything that was in the previous Applicant Guidebook that we thought was a wrong choice that we want to change entirely is probably something that needs to go through the policy development process.

You know, there may be other ways of identifying policy and separating it from implementation but that's sort of the way that I have thought about this so far.

Tony, on your point about getting input from the operational team that went through this process before, I think that's absolutely crucial and I know that we do have the staff members here but I think we ought to talk directly with Krista and some of the people who have - and Karen and people who have been directly involved in the implementation of this, Christine, and see if we can get their input into it as well.

I would love to have them identify issues that they think have been particularly problematic and I hope that they can attend our session in ICANN. And I would love their participation as members of the working group. I don't know that that's happened in the past but if there's ever been a place for them to participate in sort of a non-staff way I think this is the group to do it.

And then, Tijani, yeah I think we definitely want to get the issue you raised on the list of issue reports. I think, you know, trying to diversify the applicant group and make it easier for people to apply from various communities that may not be able to afford the high fee and from countries where the high fee may be higher than what would be typical in that country for a similar opportunity, I think those are exactly the kind of things we want to get on.

I think there was a lot of dissatisfaction with the applicant support process and the way it worked and the way it was designed in the last round and I think that ought to be a focus.

And I'm hoping that some members of this discussion group can take on those issues directly. I may be less - may be too far away from that to have a good idea of what the problems were but I've heard them articulated, I'm hoping that you and others will take that on and make sure that those issues find their way to the list.

Tony Harris: Could I add a comment? Tony Harris.

Bret Fausett: Sure.

Tony Harris: Yes, building on what Tijani said, I was also a member of the JAS group - JAS group, sorry, it sounds like jazz the music, the JAS working group. And I think that the perception of the outcome of the offering that came from the JAS working group work tended to be looked on as a handout by people.

And, I mean, I think you should structure it differently so you - they can feel they're applying to something but they're not sort of standing in line with the needy people with their hat in their hand.

((Crosstalk))

Tijani Ben Jemaa: May I comment?

Bret Fausett: Yeah, please, Tijani, and then, Alan, I'll get you next.

Tijani Ben Jemaa: Thank you. Okay, great.

Bret Fausett: Tijani, go ahead.

Tijani Ben Jemaa: Okay thank you. So thank you, Tony. Yes, you were on the working group and I think that the very big problem was outreach in both phases. In the phase of the new TLD program there was not outreach in the regions where we need people to apply, I mean, the poor regions, the developing countries, the poor - the communities.

And also for the applicant program, the applicant support program, there was not outreach for it so people didn't know about it. And secondly, there was - we did - I was one of the members of this working group and we did very, very, very tough conditions so that people wouldn't apply for it.

For example, we said if you don't succeed to be - to have the support you will not be allowed to apply at all. So people were frightened and couldn't - and wouldn't apply because they say if I don't succeed, so I will not be able to have the TLD even if I find - found (unintelligible). This is one of the problems. But we put very tough criteria, very, very tough criteria. Thank you.

Bret Fausett: Thank you. Alan, you want to take it up?

Alan Greenberg: Yeah, two things. We keep on adding things as - before I get to speak. On the 19 policy issues that were identified by the GNSO, it's not necessarily the fact that we forgot any or we got the policy wrong, it's those policy recommendations were written in such a generic unspecific way - and somewhat deliberately partly because we didn't want to spend another several years working on that PDP, the interpretation of them ended up being different than what we imagined.

And, you know, yes from the point of view of that PDP it was implementation but clearly now we understand there were policy issues. And so, you know, Avri in the chat said they did a horrible job of implementing it. Well, I guess horrible is a judgment call. But certainly they were given - staff was given a lot of latitude - staff and the community because we spent God knows how many years talking about it - but in retrospect clearly there were mistakes made.

And if the policy had been more specific we might not have made those mistakes or at least they would have been deliberate mistakes. So it's not so much that we had the wrong ones or we did it wrong but we really are going to have to provide more guidance to the second round so we don't have some of the fiascos we had.

The second point is, and Tijani alluded to that in terms of applicant support, but it's equally true in community applications. There was such a visceral fear of gaming that all of these things, which could have made something easier for some - for applicants, the rules were made - the bar was set so high the rules were made so rigid that it almost guaranteed that no one would end up using that path.

And we have to rethink that. Yes, there's a fear of gaming, you know, fear of location shopping and things like that. But on the other hand those rules we came up with them for a reason and we have to make sure they're usable.  
Thank you.

Bret Fausett: Good points. Thank you, Alan. And I agree that, you know, I would view also as a policy issue and, you know, openly I guess it'd be the GNSO Council's call on this but anyplace where there was a disconnect between one of those 19 recommendations and the way it was implemented ultimately in the Guidebook, would be something to address as well, I agree with that.

So if there's nothing else on the work plan and timelines I thought we might go to a brief discussion of the issue categorization. You know, and let me tell you a little bit why I think this is important, we're going to - I don't know how the GNSO Council is going to do this. They may create one large working group to address new gTLD issues afterwards. It may also be more manageable for the Council to divide things up into multiple working groups.

So there's a - maybe there's a new applicant JAS-type working group, perhaps there's a community working group, a geo working group, things like that. But I think it may be easier for the GNSO to handle this if we take the list of issues that we have, which I would expect to be somewhere between, you know, 80 and 100 by the time we're all done, and group them into logical issue segments.

And so Steve has made an initial attempt to put all of the things that have been coming in on the list and on the wiki into some logical subject matter segments so I'll let him talk about sort of what he's thinking about right now. And then I'm hoping that we can, you know, guide that process maybe today on the call but maybe just plant the seeds today and have a further conversation around that when we meet next month in Los Angeles. Steve.

Steve Chan: Thanks, Bret. So as you said, I started dropping off the issues that have been raised on the wiki and on email into a mind map which is just a tool to help categorize ideas and help you think through things a little bit better.

So towards that point about trying to help us think about this better, that template I had mentioned earlier about the associate issues around the issues so not just the issue itself but also the dependent elements around the issue, whether or not it needs to be solved before the next round launches, whether it needs to be grouped with another issue to ensure that they're both resolved before something can move on.



So that template I think will help us in properly populating this mind map and the eventual report that'll come out of it. But just to start talking about some of the - I guess the categories that I had identified and I would like to caveat this by saying that I was working on this last night pretty late on Sunday.

But just to give you guys an idea some of the things identified are the application submission and review process, name collisions, string similarity. And so once again these are the high level categories and underneath this there are a host of other issues that folks raised.

So another one is rights protection and another is supporting underserved regions. And then for the moment I have a miscellaneous one. There's also a contracting category and broad registrar concerns category.

And so like I said, I was working on this late last evening and so I'm not quite happy with it where it is right now but my intention is that I will get a draft out to folks so they can view it.

But I think before I really go into detail on that I think the issue identification template, if people go and fill those out I think it'll go a long way towards aiding this part of the process. I think that's all I have for now, Bret.

Bret Fausett: Okay. Then looking at the chat I see that people are asking for a copy of the mind map. Yeah, I think Steve is definitely going to finish some work on that and then send his thoughts to the list and then we can have something to give him feedback on.

Let's see, anyone want to speak to this? Okay, I think this is probably our big priority for the ICANN LA meeting when we're there in person. Again, we'll have methods for remote participation so those of you who won't be with us will be able to get your thoughts in.

And I think we'll probably start that discussion a week or two in advance of the Los Angeles meeting anyway so I think we'll have a good time too - I think we'll have plenty of opportunity for people to see the issues that Steve has identified and also to comment on them before we leave there. And then putting things into the various categories will be much of how we spend our two hours together.

Let's see, moving on to the last bullet point, next steps and confirm next meeting. You know, let's see, we do have a meeting on calendar, don't we?

Steve Chan: We do not yet. Sorry, this is Steve. We do not yet.

Bret Fausett: So let me take that issue first and I'll tell you a little bit about how I thought we might spend the time between now and then. Let's see, the ICANN meeting is the week of the 12th, that's right. So what if we were to look at either the - some time between maybe October 1 and October 7 as a chance to have a pre Los Angeles meeting?

I think we'll send around a Doodle poll that targets those five days, I mean, 1st, 2nd or 3rd or 6th or 7th, there's an intervening weekend in there - as possible dates. We'll try to find a time that works. I appreciate the time that we picked hasn't - the first two meetings hasn't worked for everyone. We'll try to maybe vary that up a little bit so that people who - people can participate who may not have found this a good time.

And then between now and then I would hope that we would take at least another three weeks to get additional issues in. I saw that Alan said that the ALAC had not put its issues in and it did have issues to submit. The ALAC is not the only group in that vote. I know that there are probably lots of constituencies that are working on lists.

I'm - I know that companies work faster than constituencies so - and individuals work faster than constituencies so I think most of the issues that

have come in have been company or individual specific and they've been great seeds.

I had some issues that I was going to submit on my own but once I saw that other people had submitted I refrained from doing that. So I think we only need them up there on the board once. So if you look through the issues and find that things that you were going to raise have already been raised, then maybe you can work with the people who submitted them to perhaps recharacterize them if they don't exactly meet your needs. But, you know, I think we're getting a good setup there right now.

And then in October at our next meeting I hope that we've started the discussion of the subject matters that we want to put these issues into as far as categories go and have almost completed the issue identification which would really put us on course to finish our work on the timeline that we mapped out at the beginning.

Steve Chan: Thanks, Bret. This is Steve. And I just had a very quick point that Bret and I will work on actually drafting or I guess formalizing the work plan and send it around to the group and we will aim to get that out by the end of the week. Just so we can see what we need to do to actually get to those timeline targets that Bret has mentioned previously. Thanks.

Bret Fausett: So, listen, it's Bret. I don't have anything else on today's agenda. And I don't see any more hands in the air so does anyone have any final questions or comments? Otherwise we'll wrap this up here. All right well hearing and seeing none, thank you all for participating. I think it's - I've been really pleased by the number of issues that we've gotten so keep sending them in and we'll talk to you next month and we'll see you online.

Tijani Ben Jemaa: Okay, thank you.

Man: Thank you. Good bye.

Terri Agnew: Once again that does conclude today's meeting. Please remember to disconnect all lines...

((Crosstalk))

Man: Thank you, bye-bye.

Terri Agnew: And thank you very much for joining. (Francisca), if you can please stop all recordings?

END