Transcription ICANN Helsinki
GNSO-New gTLDSubsequent Procedures PDP Working Group Part 1
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Jeff Neuman: Okay, if everyone can come and sit down, please. I've got a nice little sheet
                 here - this is pretty cool - put up in the front. It says what a working group
                 chair should do.

Woman: Really? A cheat sheet?

Jeff Neuman: Yes, so it says please try to start on time. Oh, okay, sorry. Ask the technical
                 team to start recording. Can we start the recording, please? All right, we got a
                 thumbs up. Make sure there's eye contact and thumbs up. All right, we got
                 that. Call the meeting to order. All right, it's called to order.

                 And this meeting is being recorded. There is an Adobe Connect room for this
                 meeting and so we will try to take some input from that Adobe room, so if
                 there's someone that's keeping track - I don't know if it's (Steve) or (Julie)
                 keeping track of any comments that come in remotely - so we'll try to make
                 sure that they get in as well.

So we're going to have two sessions today. The first one is - and these are working sessions of the working group, but everyone is invited and should participate. So I know that we have some spots open at the table and everyone's welcome to come on in. My name is Jeff Neuman, I'm one of the co-chairs. Next to me is Avri Doria, who is a second co-chair. We do have a third co-chair, (Steven Coats). He is doing nominating committee duty I believe still today. So he's unable to join us.

So the two sessions - the first session is until noon today. Then we take a break until 1:30 and then we meet for another hour and 15 minutes. But first session will be used to review some early input on the overarching issues as well as cover a couple of the items that we did not get to cover yesterday.

And actually we'll start with that. And then the second session this afternoon will be to talk about the work going forward and ultimately the - breaking into the different tracks and some administrative items, as well as hopefully going through the items that will be in each work track.

So with that, let me check the cheat sheet if there's anything else I have to - nope, I guess we're good. So what we're going to do is kind of skip ahead to some slides of things we didn't get to cover yesterday. And when I say yesterday there was a session at 5 o'clock yesterday where we had a cross-community working session where we got some input on some of the issues that were of broad community interest. There were two issues that were not covered during yesterday's session. One was - and both happened to be - I guess one said I was supposed to cover. The first one - so we'll cover them now.

The first one was how can implementation work proceed in parallel with policy development? And then the second one was streamlining the dot brand process. The first topic was really meant to discuss whether there was certain work that either was not - or did not necessarily involve policy but still involved issues that we thought - implementation issues we thought we had

to resolve before going forward with a new process. Or it could be ones where we can come to agreement with fairly quickly from a policy perspective and where we can actually start some of the implementation work.

An example of that could be - and again, I'm not pre-judging the outcome - but an example could be something like an accreditation process for registry back end providers or data escrow providers - etcetera - if we come to a policy conclusion that an accreditation process would be advisable - or I should say preferable. Then there's no reason why we couldn't start a group looking at things like valuation criteria and other aspects where we could start that work immediately without necessarily waiting for this policy process to come to an end.

Is there any - I guess I'll throw that out like we did yesterday. Any kinds of questions on - or any ideas of certain topics that we could actually start implementation work or ideas that people has on topics that could be covered without necessarily going through a policy process? So any other, you know - again - ideas, accreditation process. Are there any other ideas that people have that we could proceed to some sort of implementation or technical work without necessarily going through this PDP? I see (Donna) is working to come to a mic, so that's great.

Donna Austin: Thanks, Jeff. Donna Austin. One of the ideas that I had for this is the staff put together quite an extensive report on, you know, some issues that they face in terms of implementation and going through the process. And I just wondered if it's possible for us to have a look at that report and see what we can draw out of that and, you know, potentially go with some of the staff recommendations about the - you know, which way we should go on some of these things rather than us going into detail on, you know, some of those items.

I think staff has done a pretty good analysis on some of this day challenges with implementation and they have made some recommendations or

suggestions about how to move forward. And I think there might be some value in us reviewing that and see if there's anything that we can potentially take off our table because we're happy with the recommendations that they've made and perhaps - I don't know - hand it off to them to have a look at implementation. Was just an idea that I had. Because it is a significant body of work.

Jeff Neuman: Thanks, (Donna). Are there any other thoughts on that particular proposal? I think it's a good proposal at least to kind of look at that staff report and see whether there are certain topics in there that we could take their recommendations on or at least take them up to discuss. (J. Scott)?

(J. Scott Evans): Yes, I'm - for the record, this is (J. Scott Evans) from Adobe Systems. I'm also chair - one of the co-chairs of the Wrights Protection Mechanisms working group. And while I think that sounds like a great idea for a starting point, I think there were a lot of questions that were put to our group during our presentation on Monday regarding implementation of various RPMs, so I worry that taking the staff position may be taking a position where they think things need to be a certain way but the affected parties - like registrars and registries and maybe users as well - have a very different perspective on whether that is appropriate.

So rather than taking their work as a fiat accompli, I think it is a data point that needs to be considered, but I think you need to look at the affected parties as well, because I was hearing that they felt like there were some real implementation issues that were causing driving costs for the parties, eventually harms consumers because costs are always passed down.

Avri Doria: This is Avri speaking. One point I want to bring up in all of this is we've currently developed - and I'm not quite sure how we mix it in with the PDP - the whole notion of implementation review teams. So in terms of taking a staff output - which has an implementation thing - I think we'd have to apply that kind of rigor to it somehow, whether it was a sub-group of this group or

something to take each of these things and basically apply that kind of, you know, group pattern, group behavior to those in terms of review them, make sure that there were no policy considerations or ill effects, and then go through.

And then either send them back to the group and say, "Nope," the implementation group here looks and says, "We think there's an issue." Or, you know, make a list of them and say, "We've looked at those things. We do not see a policy issue," bring it to the whole group. Say, "Nope, we don't see a policy issue either." But if we put that intermediate step in in terms of reviewing them, it may be something that would be helpful in terms of accelerating some of the work.

Donna Austin: Yes, thanks Avri. I mean, I wasn't suggesting that we just adopt this as a fait accompli, but I think it is a significant body of work that we can benefit from if we have a look through it. Thanks.

Jeff Neuman: Thanks, (Donna). I see Jordyn is next. Is there anyone else that wants in the queue on the subject? You want - okay, so let me go - is this on this subject - this a follow up to (Donna) or…

Man: (Unintelligible).

Woman: A couple (unintelligible).

Jeff Neuman: Okay, so…

Man: Paul raised his hand and then…

Jeff Neuman: All right, so I'll go with Paul, then Jordyn.

Paul McGrady: I am, too. Paul McGrady. I'd like to go back to the initial question, which was is there a mechanism to stage implementation on things that we reach

conclusion on early that might take a significant amount of time of implementation in order for them to be effective and ready. And I guess I'm trying to understand mechanically how we do that. Are we thinking about instead of one big report on everything are we talking about releasing individual reports on, say - for example - the back end provider accreditation? You know, are we going to be releasing our work in chunks like that?

And if we are, then is the work plan going to reflect this staging of all of that? I - it's - to me it seems more complicated but also more efficient for the overall, you know, outcomes here. But I just don't know if that's how we're envisioning it and that's how we would do that. So it's - I'm not critiquing the idea, I just want to understand it mechanically. Thank you.

Jeff Neuman: So - thanks Paul. I think that - I don't think we've thought through the answers to those questions, so I think that they're good questions. I think that if people think it's a good idea to break out into a group on the accreditation process and their findings and report are in a sufficient enough condition to put out for public comment, I see no issue with putting things out in staggered stages. And our work plan is a working document and that could always be changed to accommodate something like that. So let me go to Jordyn.

Jordyn Buchanan: Thanks. I'm glad I went after Paul, because I think that actually set up my comment pretty well. It's going to be perhaps a little curmudgeonly again, but I hope maybe more constructive in that, you know, I look at the work that this PDP has taken - as I said yesterday - I think it's pretty staggering amount of policy work. And I think a lot of it - when I look back at the existing 2007 policy - a lot of it sort of fits squarely within policy that's already been adopted.

And even when there's areas of discussion like - I'll give a specific example - like singulars versus plurals. There's already a policy statement that we cannot have confusingly similar TLDs. So really what we're talking about is like what does that mean, confusingly similar? Singulars and plurals

inherently confusingly similar and should we adopt the policy? Or should we agree that that is inherently confusing and then therefore they should just automatically be disallowed.

So one approach you could take is you could say, "Oh, we need to do some more policy work to re-state that policy statement." Another approach you could take is to go through the implementation of that existing policy statement. And say, "Okay, maybe we're not going to say their inherently confusing, because that would be a policy statement."

And I would argue they're not. Like - for example - there was - someone applied for - lots of people applied for .web. - someone applied for .webs.

I have no idea what a .webs is. Or - and I would argue no one's going to be confused between the two of those, because no one things that the plural of Web is Webs. I don't know what the Interweb or Web is, right?

And so it might actually be a mistake to say that the plurals are inherently confusing. And so instead what we might want to do is just go back and sort of look at the reasons why we got inconsistent decisions in this area from an implementation perspective and say we want to refine the way that we handle the confusingly similar disputes. And so that would really just be a purely implementation discussion because you're just changing the way you're implementing an existing policy.

And to that extent I would say I totally agree with the - with (Donna)'s, you know, mention of the IRT. And, you know, and the concerns around - we don't want to just take on staff's recommendations entirely - but (Donna)'s provided a really great starting point. Like, let's identify the places where implementation was the problem. Where we have a policy statement we roughly agree with already, but we saw implementation problems in the previous round. Convene an IRT now and start working through those issues.

And a first bit of triage that the PDP process could do would just be to look at the places where we think, "Oh, that policy looks right, but for some reason didn't work. So let's ship that to the IRT instead of trying to deal with it here."

Jeff Neuman: Okay, thanks Jordyn. Reactions to that - oh, (unintelligible) who's on? I haven't…

Avri Doria: Yes, we have (Polly Risch).

(Polly Risch): Thanks. I guess (unintelligible) of looking at the implementation, what can - what's easily fixed. But there were more than a few - I think we had a - I've forgotten which meeting it was at - but when we looked at the end of the process there were things that were really significant issues like why were so many of the applicants from some particular areas? Who had problems? Who could afford things? Who could not? How was the applicant guidebook helpful or not helpful?

I would - those are really big issues and I think we need to put them somewhere so that - yes, I - I think I agree with your position, which I think is let's look at the implementation. What can be done easily? But then I would hate to think that we then don't deal with a lot of those larger issues. And I would suspect probably most of those were raised I think it was either last session or the session before. Thanks. Last meeting or the meeting before.

Avri Doria: And now we have Rubens Kuhl, please.

Rubens Kuhl: Rubens Kuhl (unintelligible). I'd just like to point out that (unintelligible) is not only a new GTLD issue, because it all supplies to the current GTLDs. So while we could benefit in the TLD PDP to have (unintelligible) program, it can be done completely out of the new GTLD PDP, because it all supplies to current GTLDs. So it's more a GDD task then a policy task.

Avri Doria: Okay, thanks. And it would probably also be an implementation detail because it wasn't in the policy that it was stated that they would each be done individually, it was an implementation detail that made that effect. Do we have any other hands? We don't have any other hands at the moment. Oh, now you've got Jordyn. Okay.

Jordyn Buchanan: Sorry, just wanted to react to the comment about, like, the - you know, I heard in yesterday's - I'm not on the PDP task force, I'm just an annoying person showing up at - person at ICANN and like complaining to you guys. But, you know, what I heard yesterday, at least, in the conversation - which maybe mirrors the experience on the previous call - was a lot of people concerned about participation from the developing world and a lot of people concerned about community. So I do think those are important issues that we want to make sure that we address going forward.

It is not clear to me that you necessarily need policy fixes to those problems. And I agree we need to figure out a lot of - there's a lot we need to do. I also sit on the CCTRT and I'd say as a developing - the participation from the developing world is definitely an issue that we're looking at as well. And I think it's a critical one.

But it may be that between recommendations from the CCTRT and then just further thought about, "Hey, we agree we want this to happen. It's not necessarily that we need to change the policy or that we previously adopted in order to do it. But let's convene." That could be a special - I don't know - a cross community group - for example - might be a better solution there than a PDP necessarily.

Avri Doria: I have another hand, but I wanted to add something. One of the things, though, that's changed is when we did policy at that last pass - the 2007 - we were pretty much just getting overarching principles, whereas the notion of doing policy at this point has become much more of a specific, I's dotted, T's crossed type of affair. So it may indeed be that the policy doesn't need to be

changed in some sense, but it needs to be explained better and then that was what the implementation. And I have Rubens Kuhl's again.

Rubens Kuhl: (Unintelligible). Just like to point out that on the several regions and development issues there is some little we can do at the registry level, because every GTLD needs to be sold for registrar. The most underserved regions have issues with (unintelligible) having registrars having their regions.

So we can flood the market with GTLD serving those underserved regions and that wouldn't do anything since there is no sales channel for that. This is what is currently 2002 round GTLDs are facing in those regions. So I don't think we need to address that only at (unintelligible) level.

Avri Doria: Okay. At this point I now have Greg, please.

Greg Shatan: Thanks Avri. Greg Shatan for the record. And I wanted to pick up on something that Avri just said with regard to kind of the difference in levels of policy making in terms of detail. And I think, you know, feeding back to the idea that not all of the implementation went as expected, was because there were bigger blanks to fill in from the 2007 exercise. And any time you allow for, you know, massive interpolation or even in many cases extrapolation from the very high level policy points, there's more chances for implementation to go awry.

That doesn't mean that you turn that to a new implementation team. I think it means that, you know, we take the policy making down to the next level so there's less room for misinterpretation of - in the implementation phase. Even, you know, if we think the policy sounded right but the implementation sounded, you know, could have used some help, I think the onerous is on us at the policy level to express it in a way that the implementation the next time around is done more the way the policy makers intended and less as a celebration of the rule of unintended consequences.

Avri Doria: Thank you. We've got Jordyn - I saw (Jordan)'s first and then…

Jordyn Buchanan: So thanks Greg. It's Jordyn Buchanan again. So I'm going to I guess respectfully but strongly disagree with that notion for two reasons. Number one is we have IRTs and we've just adopted - you know, we've adopted this mechanism of having a stronger community review with implementation precisely to avoid the problems that you're talking about. And it doesn't make any sense to front load the policy with even more work and then also do even more work on the implementation side.

Because that just means that our time to go from inception to eventual adopt - like, implementation of any given policy stream is just going to become significantly longer. So if we adopted the notion that we want to use IRTs to get better implementation out of the policy guidance, we don't need to also front load the work making sure the policy is really crisp.

Second - and I think more important reason - is because really precise policy often is really brittle and doesn't actually play out that well in the real world. So I'll give you an example of this. In the new IRTP standards, there's - actually, here's an even better one. In some of our Who Is policy we basically now have the requirement that when you register a domain name, you have to send an e-mail - I guess, this isn't policy. It's under 2013 IREA. You have to send an e-mail to registrant to verify their e-mail.

At Google Domains, we - in order to have a Google Domains account, you have to have a Google e-mail account. We know who you are the whole time that you're logged in and engaging in the system, but we still have to send you an e-mail at the end of that process. Even though you logged into your G-mail account to get to - register the domain name in the first place. So the end of that process we send you an e-mail saying, "Are you really the person that registered that domain?" Despite that you typed in your password in order to do so?

That's because the language is really brittle. It doesn't say make sure that you verify the e-mail address. It says that the person has the same e-mail address that you're dealing with. It says you have to send them an e-mail to do it. And so when you make the policy really, really prescriptive, it makes it really hard to adapt to things like technology change in the future. And you want to allow the implementation to have some flexibility around general policy principles so that we don't have to come back and do PDPs on the same topic over and over again just because like a new technology's introduced to the market.

Avri Doria: Greg, was that a new hand? Yes, it obviously was.

Greg Shatan: Yes, it's a new hand. I guess first I think something that comes out of the 2013 RAA is not policy but implementation, so maybe the implementation was too brittle. Again, maybe showing - I don't think that demonstrates anything about a level of policy. And clearly one can go too far into the weeds or into the minutiae in policy, but we're talking now I think about a policy or set of policies that were done in some ways at too high a level. And I think if we do a better job of expressing ourselves in policy level, then the implementation should go faster, rather than slower.

So I think in the net it may be a wash, because less time is spent on interpreting broad policy swashes anyway the staff intends - you know, would like to do so. We do have of course implementation review teams and I'm sure we will have them coming out of this. We also have methodology that came out of the policy and implementation working group for kicking back policy decisions that appear during implementation that weren't evident during policy.

So that, you know, does save us to some extent, but that doesn't mean that we should be, you know, hands off of policy that didn't turn out the way it was intended. Again, I think we need to avoid rather than celebrate the doctrine of unintended consequences.

Jeff Neuman: Thanks, this is Jeff Neuman. So - and everyone has taken just - even if we go back to the same speaker, let's just make sure we can announce our names. We can get down - I know this expression is - Avri doesn't like the rabbit hole or whatever.

Avri Doria: Rabbit holes are not rat holes.

Jeff Neuman: Oh, rat hole, okay. So we - you know, defining - distinguishing between what's policy and implementation can just - we could discuss that for hours and I think we shouldn't. I think there are some valid points that are raised. I also believe that one of the first tasks that when we do break out into these work teams is to go through the staff implementation report and look at things that may not have to go through a full policy process but can be broken up into - whether we call them IRTs or whatever we want to call them - that could be one of the first exercises that each of the work tracks does for their respective areas.

                 I think to create one overall team to look at the entire staff implementation report or the entire process would be a little bit too much. So I do think that that's one of the first things that we can discuss in the afternoon session. One of the other topics that came up - just to kind of bridge to the next one - is whether there could be a process for introducing certain types of TLDs that were fairly comfortable; don't necessarily need the amount of policy work that may be needed for other types of topple domains. And that's very controversial in what those types would be. Obviously we'd have to get into the discussion of, you know, how to categorize the different types of topple domains.

                 But something that certainly has been discussed has been whether, you know, dot brands - for example - could go into a - whether we call them a round or a window - sooner than some others. Maybe there are less or fewer policy issues. So I kind of wanted to throw that out there and just get some

thoughts from the group as to whether that was something that was worth entertaining. If so, any thoughts on how we would go about doing that?

Just again, this is just initial thoughts; we're not making any decisions here. But since we have a good cross section of the community here - in addition to the working group - this was something we wanted to throw out to the group yesterday. And - yes, Avri wants to add something.

Avri Doria: Yes, and while looking at that notion in terms of whether there are things like dot brands - of course, this is already presupposing answers to definitions like working differently for different types of TLDs - we may also look because there's been discussions not only about brands going ahead, there's been discussions about doing something for developing economies going ahead. There've been various discussions.

So if we get into a notion of is there something we can move to the front of the line because it doesn't need a lot more policy development or implementation development, it may rely on the type of TLD we're talking about.

Assuming that we have passed through the threshold of, yes, more TLDs and yes, they are types. And yes, we treat them differently. Because in making that decision we've - we would be presupposing a positive answer to three of our overarching issues, which I think - and it's one of the questions I was going to ask when we get there - in this room - conversationally at least - we seem to be presupposing a positive answer to at least three of our overarching issues.

Jeff Neuman: So going - yes, and we will touch the overarching issues. But on the issue of whether there are types of TLDs or the thoughts of trying to move at different paces or prioritization, are there just any thoughts on that overall topic? You can either raise your hand, you can do it through the Adobe. All right, Heather Forrest.

Avri Doria: Oh, I'm sorry. Go ahead. Heather Forrest, (Alexander), (Carlos).

Heather Forrest: Thanks, Jeff, thanks Avri. Heather Forrest. I suppose one thought that comes to mind - it's not an answer, sadly, it's a question - but to the extent that we prioritize or we somehow do what you're suggesting, it seems to me that we need to think about different versions of a base RA, to the extent that we have different timings. We're going to be out of step, let's say, in terms of an RA and are we willing to do that? Thanks.

Jeff Neuman: Okay, thanks Heather Forrest. And I'll put myself in the queue after the last person. So…

Avri Doria: Okay, then we have (Alexander), (Carlos), and then Jeff.

Alexander Schubert: Hello, my name is Alexander Schubert. The only thing I wanted to say is that we should be aware that in the next round people will try to game as much as possible. So if we are preferring anyone - like brand, for example - people will try to be a brand to get their string in early. So whatever could be gamed, we should really look them. Try to foresee how it could be gamed, because people will try to game.

Avri Doria: And (Carlos), please.

(Carlos):   Yes, thank you. This is Carlos for the record. My question would be if we decide to have different groups, what's next? And my warning would be we should not take this step based on preferences or the risk that happens but only after we have gone through the iteration of the application process and have some hard data why we should do it. I mean, if all the brands went through and everything was smooth, that would be an argument.

                 Or if all the community applications got blocked and we got a miserable result out of the application process, then that might be a good argument to treat

them separately, apart from the issues that were mentioned here. And I just want to mention that this is really an issue where we should make emphasis in the overlap or the corporation which is CCT review team. We should have a good argument in my view based on the results of the application process failure or success before we - or add that to the discussion, at least. Thank you.

Jeff Neuman: Thanks, (Carlos). You know, I just wanted to respond to something - what's that? Yes, Jeff Neuman, I'm sorry. I didn't follow my own rule. Thank you, Avri. The - just to respond to something Heather Forrest said, it - one option could be have a new base agreement, but another option could say, "Hey, if any brands want to sign existing as is or whatever, that's fine, too." So - but that's something that we'll - you know, that's an implementation issue that can be discussed later on after we - if we agreed on a concept.

And to (Carlos), I would just also say that, yes, our mandate is to of course take into consideration any of the findings from the CCT review team as well as the other groups that are out there. And so to the extent that there are any findings or things like what you said on the application process, we would have to take that into consideration. So anyone else in the queue? There's no one with their hands raised. Martin.

Martin Sutton: Martin Sutton, brand registry group. I was just going to add to the point that where there is a well-defined category - so with the spec (unintelligible) defined category - that does help to at least look at a type that could go through quite easily. And there we have sort of the less risk in terms of those registry providers. That could be an advantage to at least fast track through. So whether the starting point is the same, they could be options for those to get through the evaluation process quicker.

Jeff Neuman: Thanks Martin.

Man: Just to come back to these categories, (unintelligible). Maybe we shouldn't look at this section 13 or the type of TLD but maybe just at the number of additions that will be allowed in the future. If it's a mono additions or if it's a multi-additions, TLD - maybe that's the only difference, because all these policies are made to protect the TLD space. When you have a lot of (unintelligible) these policies are made to protect from a (unintelligible) and cybersquatting and fishing and so on. (Unintelligible) from TLD. Maybe that's the only category you can decide move faster than the other, because it's easier to control and to manage.

Jordyn Buchanan: This is Jordyn Buchanan again. This conversation strikes me as a little bit funny, because this is one area where I think that there's clearly not any existing policy about whether even types of TLDs exist. Spec 13 was created I think as a reasonable but expedient sort of stop gap as part of the previous round. But it certainly is the notion of a brand TLD isn't reflected in current policy. So it seems strange to - the idea of like fast tracking certain types of TLDs where those types aren't even reflected in the existing policy seems challenging to me.

I'm all for fast tracking the process in general. I think there's ways to do that. But it seems like you want to look for the places where you need the least change to current policy - to fast track - not the most.

Jeff Neuman: Okay. Thanks Jordyn. Again, we're throwing out topics that – you've know – we've heard people mention. And just trying to get input on it. I see Greg is…

Woman: There's also a question in the chat.

Jeff Neuman: Okay. Well let's just go to Greg and then we'll take the chat question.

Greg Shatan: I guess I would look at the point that Jordyn's response to (Martin) a little bit different. This is Greg Shatan, for the record. Now that this is exactly what this (PDP) working group is intended to address. I don't think – you know –

we need to triage between things that are – you know – more or less, I think – clearly with the sort of the applications being dot brands and spec 11 or spec 13, rather formula. You know reasonable working start on that. We don't have a huge amount of work as compared to – you know – animal name and (TLD)'s being a categorized separately. So it seems to me to be – you know – a fairly clear one for us to work on. Thanks.

Jeff Neuman: Thanks Greg. Let's go to the remote question, then (Rob Renner).

Steve Sheng: Thanks. This is Steve Sheng from staff and there is a question remote participant. Michael Fleming asked would such a streamlined process for dot brands allow for an objection process as in the 2012 round?

Jeff Neuman: Thanks again. It think that's a – I'll take that more as a comment than a question. Because obviously we're not here - as co-chairs - or to make any precept positions. But I take the comment in there is that what we look at is whether not just the application process, but also other things around the application process. Including dot objection, disputes, resolution and all that other stuff. So without providing an answer. So I'll go to (Verner) and then to Paul.

(Verner): Just about the fast track. Sorry (Gordon) from (unintelligible). About the fast track. I don't think we should see this as privileged or anything like that. What we have is the experience with the 2012 round was that they wanted to be in, but not too quickly. But they still ended up clogging the process that – you know – held up – held back everyone. So if you have separate tracking and the brands can be in their track in a month or so. And that resources are devoted to that specific thing that is separate from the other ones.

Then each track can advance in the – at the optimal speed for that track. I believe it will avoid the situation where we had the lottery to decide in a big pool, who was going to be served first with evaluation. And then you have people who are evaluated. They played the lottery.

And then three years later, we finally want to delegate the (COE). Even though they've had the – they were afraid they might be too late. So I think separate tracks have the advantage that everybody gets to a result more quickly. So it's not my privilege.

Woman: I'd like to ask you a question why you're at the microphone. Is by putting them in separate tracks like that and turning silos in there. Do you somehow say that something can only be a brand? And that same word can't be a general - or a community name or something else - once its own silo as a brand. So is that a side effect that we would have to deal with?

(Verner): I think that is a side effect you would want to try to avoid. So we indeed, if somebody said "I want it as a brand." And somebody else said "okay. Actually this should be available for a community." We might have processes similar to what we have with the public interest commitment, for co-generics. Let's say we want the community that is not the brand in the interest to have at least – you know – the ability to do something.

Woman: So another complex piece of work that we would need to prepare for. Thanks.

Jeff Neuman: Okay. (Paul) is next. And then Heather Forrest.

Paul McGrady: Paul McGrady. And without addressing the actual question, what about an accelerated that brand process. Because I'm still struggling with that as a question. I did want to respond. So I can and I apologize to (Jordyn). I disagree with you. The Specification 13 was a stopgap implementation measure. Principle C - of the policy adopted in 2007 - clearly indicated that one of the purposes - of this entire program - was to allow for a differentiated market, differentiated domain name spaces.

Just because we failed to implement that adequately doesn't mean that the framework around Specification 13 is somehow not based on policy. It was

an implementation fix. It wasn't anything special or new. And I do think that we should – I think – as a practical measure – if different categories of (GTLD)'s were not meant to come out to the new (GTLD) program, then we shouldn't have said it in the principle C.

We clearly state that "in addition the introduction of new topical domain application process has the potential to promote competition in the provision of registry services to add to consumer choice, market differentiation and geographic and service provider diversity." So I don't think that we're doing anything radical by recognizing that there are – in fact – different categories of (TLD)'s. Thanks.

Jeff Neuman: Thanks Paul. Heather Forrest is next and then Greg. Is there anyone else? Okay. I'll put you in the queue after Heather Forrest.

Heather Forrest: Thanks (Jeff). Heather Forrest. Just a dull administrative question, or administrative point, rather. To the extent that we talk - about fast tracking brand --, we need to keep an eye on the timeline of the (RPM) and (PDP). Of course acceleration might not mean leap frogging them. But their timeline is not exactly accelerated.

Jeff Neuman: Okay. And then I'll put myself in the queue after Avri. Greg, Avri, myself and Jordyn.

Greg Shatan: Thanks. Greg Shatan for the record. And just picking up on something that (Verner) said. And maybe this is getting too much into the weeds. But in terms – if we are going to be doing a lottery for the order - in which applications are processed – perhaps applicants could be able to indicate where they would like to be in the order.

You know, the wonderful company that wants to get to market quickly. Wants Number One. A brand that needs a lot of time to plan exactly how they would

architect their dot brand eco system amongst all of their businesses and potential other users.

Doesn't want Number One. So the other logical alternative is to allow these things to be bought and sold. That could be a lot of fun. But probably not a very good idea unless you get Number One. But – you know – since a good part of this industry is based on speculation in receiving things you get cheap and sell high is another way for everyone to have some fun.

Jeff Neuman: Thanks Greg. Avri is next.

Avri Doria: Thank you. Avri Doria speaking. I actually wanted to sort of jump back to the program that we sort of were trying to work towards today. And one of the things – that I said earlier –is that we're presupposing a lot of the answers to our (CC1). We – and I think Jordyn sort of said the same thing. But then Paul sort of said well, that isn't new policy. That's policy that was implicit in the politics.

(Certainly was an expletive that I couldn't (quote publicly). So it was policy that was implicit in the other. And what we're doing – in some sense – is moving beyond the questions that we have yet to answer and presupposing answers which is fine with what we have to do as a group. And then modify those answers once we get the comments. But we've also jumped somewhat into the track work.

And some of these issues that we're approaching now are the things that we've talked about only beginning this afternoon. So - while I don't want to suppress any of us in terms of having this initial conversation – I think we're streaming way out of the track we had planned on for today.

Jeff Neuman: Thanks Avri. I'm going to take myself out. So I have Jordyn, Phil and anyone else. And then I think we'll close it. And then go back to the regularly scheduled program. So Jordyn…

Jordyn Buchanan: Avri made the point I was going to make already. So I'm fine.

Jeff Neuman: Okay. Phil.

Phil Corwin: Yes. Thank you Jeff. And Phil Corwin for the record. I just want to take a little bit of friendly exception to a statement Heather Forrest just made regarding the timeline for the (RPM) review. Working group, our timeline is to complete review of the new (TLD) rights protection mechanisms by mid-2017. About a year from now.

And to issue a final report and recommendations toward the end of 2017. While that is some considerable time. And while we're not in the latest with this working group and are endeavoring to coordinate our activities. When you look at the multiplicity – and the complexity of the issues we have to address – that's actually a pretty aggressive timeline to get all of that done that quickly. Thank you.

Jeff Neuman: Thanks Phil. Anne and Jordyn actually wants back.

Anne Aikman-Scalese: Anne Aikman Scalese with the (IPC). I apologize for not being more familiar with the work of this group and things like priority or scope. But – as I was looking at the comments about potentially prioritizing certain types of applications such as (dot Brown) community of lower income geographic regions – a lot of the comments that came up went to the fairness about doing that. And the possibility for gaming. And that led me to think about the objection process. And it makes me wonder if we should be prioritizing the review and fixing the objection process before you do anything else.

Because it's the objection process that keeps the application process fair. And there were a lot of comments that came in with respect to the objection process. And a lot of experience in the first round. That it almost seems as though you would have better checks and balances - on all the fairness

issues involved with prioritizing rounds - if you were really solid on potential reforms to the objection process.

Jeff Neuman: Thanks Anne. And we'll come back to that when we talk about the tracks. And that is certainly a high priority item in the track of the (realistic). Jordyn.

Jordyn Buchanan: Yes. Just to be clear. I realized that I also wanted to respond to Heather Forrest briefly. Just so you know, I don't particularly see how you get to deciding that you need a (top) brand round. But – if you did – I just don't see any reason why you would hold that on waiting on the (RPM)'s review to complete. If there's any category of (TLD)'s doesn't really implicate – I mean there are the brand sector (TLD)'s already don't have to do (summarize). Like they're really – I can't imagine that we've seen any actual disputes on any of the dot brands. So it just seems like – of any category of (TLD)'s – we just wouldn't worry about holding up for the (RPM) review to complete. It would certainly be the dot brands.

Jeff Neuman: Thanks. One last comment from (Alexander). And then we'll close it up and go to the regularly scheduled program.

Alexander Schubert : Again, I'm Alexander Schubert , just ten seconds. Well this could be a good mission to prevent the gaming. So if someone claims to be a brand or if the generic term that is a brand. The community could object to it and say, "No, we don't think that this would go as a brand. This has to wait." Because maybe someone wants to use as a generic application.

Jeff Neuman: Okay. This is Jeff Neuman and I'm going to turn it over to Avri.

Avri Doria: Okay. I was – this is Avri Doria speaking again. I was sort of concerned how we were going to get through all the text in an hour and a half. So now I have absolutely no worries that we can do it in 20 minutes. So going back to the – can we go back to the beginning of the overarching issues? So okay. And

we'll go through each of these slides quite quickly. Because – as I say - there is only 20 minutes left in this session.

But we sent out the community comment one. Because there's going to be comments based on all the tracks that we've just sort of been alluding to and will talk about later. And – as I said – as we look, we're talking, I'm hearing the answers are beginning to emerge in our conversations on these. And one of the results – at the end of this community comment period – will the group basically drafting its first responses to these. It's first recommendations to these. So the six questions – to remind anyone that doesn't remember them – is are we going to have additional new (GTLD)'s in the future? I'm beginning to get the impression that we think probably.

Categorization or differentiation of (TLD)'s. For example, brands, geographical supported community in the ongoing new (GTLD) mechanisms. Again, a conversation is very much presupposing that. But we may need to discuss somewhat what they are and how we differentiate them. And how we define them. Future new (GTLD) (views) expected in separate rounds. And that's in quotes. Although we've gotten much more comfortable using the word again. For a while we were punishing ourselves every time we said it. But now seem comfortable with it again.

Predictability should be maintained or enhanced without sacrificing flexibility. Any event changes must be introduced in the new (GTLB) application process. The disruptive effect to parties should be minimized. Community engagement and new (GTLD) application process and the limitation of applications - either in total or per entity - applying during an application window. And there's that second word that's started appearing other than rounds.

So what I want to do now is go to an individual page on each of these. And basically see if there's any questions, any comments there. Also to basically see if anybody is willing to now state - kind of categorically that - the answer

that I'm seeing emerge. That is some form of yes, is really wrong. And that there's a position out there that actually does. Because I'm constantly hearing a – almost a conspiracy that there are a lot of people that don't want new (GTLD)'s.

Now, everyone I'm listening to at the moment - seems to be presupposing that there will be, there should be - there ought to be, there can be. But I'd really like to give an opportunity now not to those who have reasons for why. But for those that have reasons for why not. If there are those people. And – you know – so that it's never been repressed. It's never been presupposed without allowing a statement to be made that you don't think so. I see a hand. Okay. Jordyn has a reason for why there shouldn't be.

Jordyn Buchanan: Probably not the person you expected to raise their hand. Lately my hand – it's Jordyn Buchanan. So – I think – there's really one important output from the (ccTRT) that ought to be a predicate to proceeding with the release of additional new (GTLD)'s or at least to doing it in a manner that we did it similarly to the last round. And that's whether the cost benefit analysis is positive. One of the things the (ccTRT)'s trying to figure out is roughly – like we know that there's benefits to choice.

There's benefits to competition and so own. But do those benefits outweigh any potential costs we're capable of identifying. And it's – I mean I personally – not speaking for anyone else in (ccTRT) I personally – think the answer to that is likely yes. But – if for some reason – it turned out to be no. Then I think you'd have to a big step back and say, "wait. We can't do more of these until we figure out how to get that balance correct."

Avri Doria: This is Avri again. And that very much echoes – I think at least – one of the views we heard yesterday in the cross community conversation from Spain. In terms of asking that very specific question. Are there any other points though that needed to be considered - on sort of the "not" side of this particular ledger - while we're thinking through things that we need to answer,

things that we need to account for. Should I move on? I see no reason not to. Okay.

So then going to the second one on categorization. Again – as I've been listening, you know – we've been talking about there being various types. And those being discreet in some sense. Meaning that they can be defined, that they can be – you know – carefully. It's a careful box that you know what's in the box. that you know what doesn't fit in the box. Though we also had discussion of perhaps it's an objection process that defines something as what it looks like in the box. But it's not really in the box. And that kind of conversation.

And then we've gone through a list of various kinds of these that might be. Now – I'll be quite frank – in the last round, I was one who very much objected to the listing of different types. Because I didn't think we really knew which ones would emerge and we could imagine many.

Now we have a fairly good set of evidence of which types seems to have emerged. So I'd like to get some feedback on where we are on that. Is the supposition - I'm making – that there's a general sentiment for there being types. There's a general sentiment being made for those types can be carefully defined. And that perhaps there needs to be an objection type of methodology which has been very much a message that has been used in the new (GLD)'s all through. But there needs to be some kind of objection methodology for determining when something isn't a type it's claiming to be.

What are the point need to be? And I don't want an (exit) point necessarily go through the – yes that type exists. No, that type doesn't. What I'd kind of like to see us do – if what I just said is generally acceptable and gets borne up in comments – is try to define how we actually define the (unintelligible) box. How we delineate a type? And then see which of those fix that kind of analysis. But I'd like to get comments from (unintelligible), please Jeff.

Jeff Neuman: Thanks. This is Jeff Neuman. The only thing I would add to that is I think you stopped at the application evaluation dispute. But I think also how that's implemented going forward. Things like reserve names and register registrar separation.

And all that other kind of stuff. I do think - that if you do come up with types – there may be implications on those subjects – other subjects going forward as well. So we need to keep that in mind as we go through the work tracks that certain things for certain types of (TLD)'s may or may not apply, depending on what that type is.

Avri Doria: Okay. I see two hands. I see Heather Forrest and Paul. And I see no physical. And then (Alexander)'s a physical hand after those two virtual hands.

Heather Forrest: Thanks Avri, Heather Forrest. I would – there have been some questions or comments - in the chat about 2007 and - predating 2007 the discussions on categorization. And obviously – at that point – we opted not to categorize. But for the – if you lack specific provisions in the guidebook on community. I think it would be helpful just to remind ourselves. Go back to that specific language and the rationale as to why categorization wasn't chosen then.

Please bear in mind I'm not leaning one way or the other. But I tend to find it helpful – in discussions like these – to go back as a starting point to where we were. And see if we agree or disagree with those points now. Thank you.

Avri Doria: Thank you. After these comments, I can jump in and quickly give what I think it was. Paul.

Paul McGrady: Paul McGrady. Heather Forrest said 70% of what I wanted to say which was we've already recognized a type, right, with the community based applications. So it's not like there was no differentiation identified in the first round. We clearly differentiated those and saw them as being different in the

marketplace. We then fixed the lack of differentiation for dot brands through Specification 13. So we've already done that. So – I do think that – we've already gone down that path.

I think there are other categories as well. In terms of new geographic market places and things like that that – you know, for example – when you look at who applied where, there were not enough out of Africa, right. And so we made that might be its own kind of differentiation as well, in terms of how those are evaluated financially. And things like insurance provisions and stuff like that that get in the way.

And so – you know – there are good reasons to differentiate. And not just to create new commercial categories. And so – I think – that going the path and differentiation this time consistent with policy, principle C. I think it makes sense. And – I think – there's policy run way for us to do that. Thank you.

Avri Doria: Thank you. (Alexander), and then the next…

Alexander Schubert: Again, Alexander Schubert . And in the 2012 round, the categorization was self-identified. So self-identified as for example, a (GOTOD) or to the community. And there was no real sense of to a game or to self-identify the community if I am not a community. Okay. I think one or two brands that self-identified with a community even if they weren't.

But – in the next round – if we have (junked) the self-identification as being one of those categories, we would need to (elevate to the depth of Rio). I mean if someone says, "oh, we are community" and they're doing the stuff to be (passed) and then they don't pass the community test, we have to do it before they can even be (passed). So just the self-identification as community or whatever, wouldn't be enough.

Avri Doria: Okay. I put myself in the queue. And I have Edmon and then Greg. And (Carlos) and then Jordyn. Okay. I'll just quickly say why there was a

comment. This is Avri Doria. Why a comment was made that we had one type. We talk about this kind of being the first round of new (GTLD)'s, forgetting that we had done a supported round before that.

So essentially we went into this round with two existing types. The beauty contest, the kind that had been awarded in the first trial round. And the supported from the supported round. But that definition of supported migrated into the community notion.

Beyond that --whenever we talked about categories and at the time it was not types – it was the category conversation. It was a very strong push from (GAC) and there were other pushes for categorizing. We could not come to closure on what the categories would be. Now it's very obvious what categories we've got. We knew there would be categories. But we didn't – you know – that sort of before the fact, these will be the categories was a very difficult issue to come to closure on. Because lots of people had really good reasons for why a category may or may not exist in the coming round.

The only two - we knew for sure though - is standard and supported called communities. Okay so that was the bit I wanted to give about the history and why we limit it to just two. Okay. So I had (Edmon), Greg, - who'd I have after?

(Edmon Chung): (Edmon) here. So I guess building right on what you said. I think going down the path of having categories is probably a good thing. Although a couple of things are important. As you actually mentioned, these categories emerge over this physical round, doesn't mean that more categories can be created in the future. So – I guess – one point is yes, we can probably provide some listing of some sort. But we really shouldn't be fully prescriptive to a point where additional categories can't be added.

The other point is – in terms of category – there's one part that is nice to – I guess for – the public or for people to get – wrap their mind around what kind

of (TLD) they are. There was another – more important – part which is the priority. Last time around, the community applications would provide a priority. If we go down with half of the categorization, it's – the matter of priority is – I think it's – bigger question than just listing the categories. Because – you know – we can certainly add more categories. But how are they prioritized. Are they prioritized? Are they treated differently? That particular part would be – I guess – more importantly discussed.

Avri Doria: Thank you. I'd like to point out that we have five minutes left, I believe, in this session. But anyway, Greg.

Greg Shatan: Thanks. Greg Shatan. Just briefly. I think there was – you know – high incentive for gaming on the one category we had in community. You know for the reasons that Edmon just pointed out. And – in fact you know– arguably, there was quite a bit of gaming since it did give you priority. So claiming you were a community – and not just a regular old (TLD) basically – was a trump - I hate to use that word – over other applications.

You know - one thing to consider is making it clear that if you are in a category - that means that you are ultimate implementation of the (TLD)'s has to be done in a way that reflects the category which goes to a much larger point which won't go into in the five minutes or four minutes now left which is what is the – how binding is what's said in an application.

Avri Doria: Thank you. That is a big topic.

(Carlos):   Yes. Thank you, (Carlos). I just want to warn that if I'm interested in the discussion of categorization is not only for fast tracking. That might be one reason. But there might be other problems that we have seen that we want to fix. It's not necessarily just for the speed of the process that I would like to be involved in the discussion. Thank you.

Avri Doria: Thank you. Jordyn.

Jordyn Buchanan: It's Jordyn Buchanan. So I think – and Avri, I think you're absolutely correct. It's the case that we can now look. And obviously we could make categorization determinations about various (TLD)'s and applications that exist. I think Edmon's right to caution us that just because we've seen some already doesn't mean that others are not going to emerge in the future. And so some of the caution – that was exhibited in the 2007 round – ought to apply here as well.

I think – more importantly though – because I really want you guys to finish one day. And I think Jeff really touched on the concerns in opening this up which is this just like multiplies the amount of work that you have to do. You have to like now identify the categories and - for each of them - you need to see for all the things we're looking at. How do these categories interact with the chunks of work. You're like – you're multiplying your work by probably – maybe not – per how many categories you get. Because there's going to be some efficiency to this. But certainly it's going to be a significant increase in the amount of work you do.

I would certainly suggest you could get to a bunch of general principles and start allowing people to apply – under the existing framework – and then come back and - take a look and - see whether you want to do additional things to create, make it easier, or something under specific categories. As opposed to making just a blocker that is getting to initial completion of this process.

Woman: So Jordyn actually captured one of the points I wanted to make which is I would rather see us focus on the categories that have already developed and emerged from previous rounds as the ones we spend time listing up criteria for. And then also have the option where other types of categories or business models or use cases could emerge in a more open kind of format for these. Because - I think - that also gets the goal of trying to foster

innovation in the space. I don't want to see us like ruling out potential uses by over litigating the categories.

Avri Doria: Thank you for that quick suggestion. We are pretty much at the end of this slot. What I'd like to do – for the next one if that's okay with you Jeff and the rest – is when we come back – after lunch – quickly try to go through the rest of the six quickly in the same style that we've been going through now. And then move into the tracks which we've already started talking about at the beginning of this.

So – at this point – I'd like to basically say that the first session – I don't know if you have anything to add. Because I basically seem to have started chairing. But to basically wish everybody a happy lunch. And we start again at 1:30. Okay. Thank you.

End