

**ICANN
Transcription
GNSO New gTLDs Subsequent Rounds Discussion Group
Monday 13 April 2015 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 13 April 2015 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: <http://audio.icann.org/gnso/gnso-new-gtld-subsequent-13apr15-en.mp3>

On page: <http://gnso.icann.org/en/group-activities/calendar#apr>

Attendees:

Bret Fausett - RySG
Dietmer Lenden – RySG
Avri Doria – NCSG
Philip Sheppard – BRG
Stuart Fuller – RrSG
Christopher Niemi- no soi
Susan Payne – IPC
Phil Buckingham – Individual
Ken Hansen – no SOI
Jon Nevett – RySG
Kristina Rosette – RySG
Katim Touray – Individual
Sam Lanfranco – NPOC
Rubens Kuhl – RySG
Tom Lowenhaupt – ALAC

Apologies:

Tijani Ben Jemaa – ALAC
Jeff Neuman-RySG
Liz Williams – RySG
Alan Greenberg - ALAC

ICANN staff:

Glen de Saint Gery
Steve Chan
Lars Hoffmann

Terri Agnew

Coordinator: Good morning, good afternoon please go ahead this call is now being recorded.

Terri Agnew: Thank you (Franchesca). Good morning, good afternoon and good evening. This is the GNSO new gTLDs subsequent rounds discussion group on the 13th of April 2015.

On the call today we have Katim Touray, Bret Fausett, Ken Hansen, Susan Payne, Dietmer Lenden, Avri Doria, Jon Nevett and Philip Sheppard. I show apologies from Tijani Ben Jemaa, Jeff Neuman and Liz Williams.

From staff we have Steve Chan, Lars Hoffman, Glen de Saint Gery 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: Thank you Terri. Well good morning everyone or the appropriate time of day wherever you are. We've got just a handful of people on the call today and this is maybe a good thing because I think we can make today a bit of a working session.

And the primary agenda item today is to talk through the draft charter that (Steve) circulated last week. You'll see a copy of it on your Adobe screen. If you want to pull it up locally you can go back through last week's email.

(Steve) sent it to the group on August 10 and the title of the email containing the document is called Proposed Agenda. So if you want to take a second and go through your email and find that that would be helpful.

I am going to take over most of the or I guess all of the chair responsibilities today as the co-chairs are both unavailable. I haven't been in regular contact with them these last two weeks and we did have a call last week to go through the draft charter.

So what you're seeing has already had me, (Jeff) and Liz take a look at it. So with that let me start with any updates or statements of interest. A regular part of the call if anyone has anything please raise your hand and we can hear it now.

Well seeing no hands let's move straight to the draft charter. As you've known from previous calls we have really just I believe three deliverables that we're going to finish as we finish up our work and delivery to the GNSO council.

The last piece of the puzzle was the working group charter. (Steve) I'm hoping that you can take us through this as an overview and tell us specifically which parts have been customized for this exercise and which parts are sort of standard parts of the working group charter that we don't need to spend too much time looking at.

(Steve): Thanks Bret this is (Steve) from staff. Largely the only part that requires a heavy amount of customization is under Section 2 mission purpose and deliverables and in particular mission and scope, which actually I was going to say the document is actually on (synch) so you can scroll it where you want but it's basically the first section after Section 1.

And there you will see sort of a synthesizing - sorry I can't say the word properly, of all the issues that were identified in the matrix. It's really trying to boil down and grab the key questions from each of the topics that were identified.

And, you know, what I was actually going to do is just sort of set some of the playing field I guess of what we're doing here, what the draft charter is for. So I thought I was going to just, I thought it would be good to just take quick run through of what this really is what this document is for.

And so if anyone minds go ahead and raise your hand but otherwise I'm going to go ahead and do that real quick.

Bret Fausett: That would be helpful.

(Steve): Great thanks. So as Jeff Newman has reminded us, you know, the work of this discussion group is really to identify the issues for a future PDP or PDP's to possibly work on and address in the future.

And so the purpose of this charter is to govern or sort of guide the work of the PDP in the future. In the past the charter is actually only drafted after GNSO council initiates PDP but there is sort of I guess you could call it a pilot as a request or a recommendation from the GNSO PDP improvements group.

Where they asked to have the charter drafted and included as part of the issue report stage, which is actually before where we are. So we're setting the bar even higher I suppose in that we're drafting a charter even before the issue report.

So this issue report or sorry the draft charter will eventually get appended to the issue report that is likely to be requested or possibly requested by the GNSO council in the future.

And so there's - it would be the expectation that this draft charter would be used by staff when staff is drafting that issue report in the future. So that's just to try to set the stage what this is.

And so as Bret mentioned most of the writing or most of the text in this document is mostly boiler plate and you'll find in most GNSO working group charters.

And so what we really want to look at is this mission of scope section. And as I mentioned it's, you know, it's the high level topics from the issue and versus recommendations matrix.

And it's not intended to capture every single point or issue that members raised it's like I said to synthesize and try to pull out the key questions. And so it's not intended to replace or supersede what's in the matrix it's I think if we tried to include every single point we'd be looking at more like a 14 page charter and this one is a much more manageable 7 page charter.

And so the charter I don't know if, hopefully folks have read the document but it actually references the matrix and the issue report in the text to say that those are reference points for a future PDP working group to or PDP's to reference back to.

And so they would be expected and hoped to look at both sections both the charter and also the matrix.

So hopefully that is helpful I think that's all I had to say about that so back to you Bret, thanks.

Bret Fausett: Well that is very helpful thank you (Steve). With that as background does anybody have any questions about the documents on your screen now? The purpose of it or what we're trying to do?

All right well seeing no hands let me move to the substance. Jon I see your hand was that a hand or it was a flash of a hand? Jon Nevett did you want to speak?

Jon Nevett: Yes hey Bret can you hear me now?

Bret Fausett: I can.

Jon Nevett: Okay great, sorry I was connecting the audio. Just a quick question. When I'm scrolling down the document I'm wondering if we will have five different groups looking at these things? Are we talking about that separately or is now the right time to talk about this?

Bret Fausett: No we can certainly dive into that I mean find out whether there should be five different groups or five issue groups?

Jon Nevett: Well yes I mean looking at the document the question I have is are we recommending that five - question one and question two is are these groups looking at the original recommendations themselves or just implementation of those recommendations?

Bret Fausett: Yes can you ask that question again Jon your audio cut out for me a little bit mid-question?

Jon Nevett: Okay I'm sorry about that. I'm wondering if we're recommending that five separate groups are looking at these five issues at the same time or is it more like the transfer policy work where it's one after the other so it's the same people doing it for the most part but then they're just looking at it (unintelligible).

And then the second question is are they looking at the actual recommendation and implementation guidance from the GNSO from 2000 and I guess 7, 2008 or is it implementation of those original principles, recommendations and then (unintelligible) guidance?

Bret Fausett: Okay that's helpful. So I'll take the first question first. I don't think that we have tried to pre-judge how the PDP working group will deal with these. They

may choose to divide up into five groups or they may choose to keep it all part of the same group.

I think these are issue groupings not necessarily groupings, suggested issue groups not groupings on how the group should be broken up. It may fall to the group or the chair of the group when the PDP is formed to break this up.

You know, personally I think if you found that the same groups of people were on all five different teams it wouldn't make sense to break it into groups. You might just continue to have a committee of the whole.

I really think it depends on who shows up on the other side and whether, you know, there is a core of people who just care about one subset and don't want to spend too much time on the others. So I think that's a question to be deferred to the next group.

On whether they're looking back at the originals I certainly think they should and maybe we ought to make that clear in the draft of the charter that one of the core tasks will be to look back at previous work and again also I think we've mentioned also the work that's going on in other ICANN gTLD review processes to make sure that everyone is informed about everything that is going on.

And is it policy implementation...

Jon Nevett: Okay thanks Bret.

Bret Fausett: Yes and on the question of whether it is policy or implementation I, you know, I think if you think it's an implementation issue if you want to change it I think you need to speak it out loud in the working group.

I think anything that people think necessarily, you know, without thinking about a policy or implementation distinction, you know, my view is that if you

want to make sure that it's followed in the next guidebook it needs to be, it needs to come out of the process.

So I'm hoping that people will maybe not be bogged down by the policy implementation distinction but think instead about what they definitely need to see or want to see in the application guidebook.

(Christine) I see your hand up go ahead.

(Christine): Sorry it took a minute to get off mute. Thanks very much for the charter it's really helpful. I have a couple suggestions last request. Just it seems more recently that when a working group comes up against an issue that may or may not be within the scope that someone has raised as to whether or not it should then go to the charter.

That there seems to be an increased tendency at least my interpretation to take a very literal view of what the charter says. If it's in the charter it's in our scope if it's not, it's not.

So I would suggest that the language that is at the bottom of page 1 and the beginning of page 2 be much stronger that the charter that this is not to read alone that it must be read in connection with the issues report appendix.

And that what's in the charter is an effort to provide a very high level but not exhaustive list of the topics that were considered. So that would be the first thing.

And then second, I think we might and I should have done this myself and I will do it and I apologize for not having done it but it seems that we might need to go back through the topics that are in the charter and mesh them and get all of the issues that have been identified to make sure that we are capturing everything.

You know, for example something that kind of jumped out at me is that in group three the discussion, the point of our objections is really in terms of the implementation. It doesn't actually go so much to the actual criteria that was developed and are those the right criteria, are those the right measures for determining whether some prevailed.

So I think we just need to make sure that to the extent that we're trying to provide a high level that we've really captured everything.

Bret Fausett: Good, good that's helpful and I think those language changes to the intro can definitely be made. And, you know, actually you'll see - is that you (Steve) or who is taking notes in the right margin of our Adobe? Thank you for that.

You can see that we're adding on some to do's in the right hand margin. So let's see any other hands, questions, comments about this Section 2 on the issues?

Mission and scope. All right well this is definitely not a finished work by any means. I do think though that it ought to be the focus of review and comment over the next two weeks between this meeting and the next.

So please take some detailed time to even provide red level, red line comments if you have a chance. In the meantime (Jeff), Liz and I will beef up the sections that we've talked about.

I do and I think it's not just that, you know, the issues and the matrix control over the issues and the working group charter. I think certainly if someone comes up with something in the working group in the PDP working group that they should have the ability to raise it even if it's not specifically identified in the charter.

So maybe we need to make the charter say exactly that. (Steve) I see your hand up, go ahead.

(Steve): Thanks Bret, this is (Steve). I just wanted to highlight that there is comments in the charter for some possible holes that we might want to fill. So I think it's on page 3.

So there's comments there that just say that in regards to the compliance, you know, I don't really see that anyone raised any issues specific t that topic. So maybe there is supposed to be something in there or maybe there is not and it could actually be struck from here.

But I'm actually not sure so it would be good if someone was able to raise or determine whether or not there's something that should be there. And the same thing for a global public interest, which is I know something that Avri brought up.

I just wasn't sure specifically what was supposed to fall into that slot. So like I said just wanted to highlight that these holes are there and there's comment in the charter that I would hope to get some guidance on or I guess me and the co-chairs. So thanks.

Bret Fausett: Thanks (Steve), Avri go ahead.

Avri Doria: Yes hi this is Avri. I wasn't about to address that particular hole but will and I apologize I'm just reading this at this meeting I didn't have a chance to read it before the meeting.

I have a question though in terms of the overall scope of the process. Are we going into this and this is a question I asked pretty much at the beginning of this team is, are we going into this with A, the presumption that there will be other rounds and if not does the PDP have an ability to make a recommendation on that.

And then also are we going into the notion that if there is another general round, another round it will be of the same general nature as the last round or

is the group afraid to, you know, dive into - and I know that this came up in discussions but afraid to dive into issues of a specialized round of one source or another if it wants to get into that.

And as I say on the public interest and wherever I will contribute something going on and I apologize for not being prepared for the meeting, thanks.

Bret Fausett: Thanks Avri. I did ask because there was some discussion of this prior to Singapore and I did ask staff including at one of the public, I think it was public, GNSO meetings I asked (Akram) whether, you know, his view on the question of if we did nothing if the GNSO did nothing the working group that we're contemplating did nothing would there be subsequent rounds of new gTLD's.

And his answer was yes that it was baked into the previous process that there would be a review and then there would be a subsequent round of subsequent rounds of new gTLD's and that they would follow the same form as the previous one.

So I think the answer is yes there will be. If we want to stop it so no more new gTLD's or change the way that we have new gTLD's such as with specialized rounds or something like that then I think it needs to either come out of the policy development group that we're contemplating or come out of the policy development work in some way to say no more or let's have a radical changing of course. Does that answer your question?

Avri Doria: Not really or rather that I knew. What I'm saying is, is it within the scope of this group to make that kind of recommendation as we're proposing it? Not the DT or whatever we're called there's so many names of these groups these days but is their PDP able to take up that question if it wishes?

Bret Fausett: I think, well my view is yes absolutely. That one of the policy outcomes of the policy development group that we're contemplating could be that the previous

round was a disaster and we should radically change course and that we shouldn't allow the kinds of applications or the number of applications that we allowed before.

You know, and as Susan points out I think some of that is bundled into group one. I don't know if other people have a view on that. Certainly, you know, I don't think my view has any special weight here. So I don't know if anyone else has a view on that point.

To the extent that, you know, Avri to the extent that it's not in there, you know, maybe you can suggest language that would make sure that that concept got baked in.

Avri Doria: Oka yes thanks I will bake it - I mean not that I expect to decide that there will be no more new gTLD's but we could decide that some sort of rolling process was going on.

So there was a lot of discussion during the first round policy creation of doing things not only treating different types differently but perhaps subsequent discussions have gone up that perhaps, you know, just doing one round per type or finding different processes for different types that could be, you know, grounds for general but, you know, ongoing for brands or anything of those kinds of ideas.

And I just want to make sure that the canvas is open to it (unintelligible) and that's what I didn't see on the immediate reading I was doing but I'll look further thanks.

Bret Fausett: And thanks and (Steve) or whoever our scribe is could you capture in the to do's to make sure to ensure that the scope includes the ability to make radical restructuring and change course on rounds and yes I think maybe that's just the best way.

Make sure that we have the ability to stop or radically restructure the rolling out of new gTLD's something like that. All right (Steve) is that your hand up?

(Steve): Yes that's a new hand, thanks Bret. So I guess just to clarify, so as Susan pointed out we touched on some of these topics in group one where we're talking about whether or not the application should be assessed in rounds and then also the different TLD types and the ramifications from doing something like that and then potentially advocacy submission limit.

But I think you went beyond that in what you just said as a to do in that there should be consideration of having no round or no subsequent procedure I guess is a better way to put it.

So I guess I just wanted to point out that a lot of topics that were just discussed are at least captured in some level in that group one and I thought I heard something beyond the scope of that in what you just said Bret.

Bret Fausett: And that something being?

(Steve): Possibly no round or possibly no subsequent procedure.

Bret Fausett: I think that's an outcome isn't it? Isn't that a possible outcome?

(Steve): Like I said just trying to clarify.

Bret Fausett: Yes I think it's highly unlikely that that's where we come but I think that at least a properly scoped charter ought to allow that to be an outcome because I think it's some people's preferred outcome.

So I'd at least like to have that, you know, a placeholder for that opinion to have a life in the working group and, you know, just to make sure it's not foreclosed.

Okay seeing, I don't see any other hands. This was really our focus of today is to introduce this, get some preliminary feedback on it and I think I'd like to be at a point where we can finish this piece at the next call so two weeks from now.

So if you can take some time and look at the draft charter and maybe show some feedback from your various constituencies or interest groups that would be extremely helpful.

My goal, our goal is to present this draft charter a set of, the draft issue report and our other documents as an informational report it's not a motion an informational report to the GNSO council at the May GNSO council meeting.

I believe that's around May 21 that could be plus or minus a couple of days so latish May. We wanted to ask for 30 minutes on the council's calendar to talk about where we are and familiarize them with the documents so that we hope they can put this as an agenda item on their meeting Buenos Aires.

So it seems like a lot of time but it really won't be and I'd like to get as many comments as we can over the next couple of weeks so that we can have very close to finished documents by the time we present at that May meeting.

Any other comments or suggestions, thoughts about the way forward? Well seeing no hands we'll move the conversation from this call back to the list. Again look forward to everyone's comments and thoughts over the next two weeks and we'll see you two weeks from today, same time and probably same phone number.

Thank you everybody. Terri you can wrap us up.

Man 1: All right thanks Bret.

Terri Agnew: Thank you very much for joining. (Franchesca) if you can please stop the recording.

Coordinator: The meeting has been adjourned. Please remember to disconnect all remaining lines and have a wonderful rest of your day.

END