ICANN
Transcription
Review of all Rights Protection Mechanisms (RPMs) in all gTLDs PDP Working Group call
Wednesday, 29 March 2017 at 16:00 UTC
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Coordinator: Recordings have started.

Terri Agnew: Thank you. Good morning, good afternoon and good evening. Welcome to the Review of All Rights Protection Mechanisms, RPMs, in all gTLDs PDP Working Group call held on the 29 of March 2017. In the interest of time there will be no roll call as we have quite a few participants. Attendance will be taken via the Adobe Connect room. If you are only on the audio bridge could you please let yourselves be known now? And, J. Scott, I have you noted but I know you'll be joining on the Adobe Connect shortly. Anyone else?

Hearing no further names I would like to remind all to please state your name before speaking for transcription purposes and to please keep your phones and microphones on mute when not speaking to avoid any background noise. With this I'll turn it back over to our cochair, J. Scott Evans. Please begin.

J. Scott Evans: Good afternoon, everyone. This is J. Scott Evans for the record, chairing today's call. Understand that we had a very productive meeting, 4.5 hours of

meeting actually, in Copenhagen. I want to thank everyone for their time and effort in those calls. That has resulted in some additional work and some updating on our time table and (unintelligible) discuss today and also I believe a change to the timing of our calls from our usual 60-minute calls to perhaps going to a 90-minute format and then some that's the 120-minute format.

I guess the first thing we're going to discuss today is sort of our plan for completing the charter questions. And I think Mary sent around some information earlier in the table format that had a variety of information regarding the charter questions and our progress to date. Mary, could I ask you to summarize what you sent around for the group please?

Mary Wong: Hi, J. Scott. Hi, everyone. Mary from staff. J. Scott, I sure can, but in the meantime I see that Kathy has her hand raised so would you like to take her comments now?

J. Scott Evans: Yes, thank you, Mary. I've asked Mary, since I'm not on - this is J. Scott Evans again - since I'm not on Connect right now to let me know when people have their hands raised because since I'm not on Connect I can't' do that. So, Mary, thank you. And, Kathy, would you please?

Kathy Kleiman: Hi, J. Scott. This is Kathy Kleiman. Apologies, that was a mis-hit button. Back to you. Thank you.

J. Scott Evans: Oh okay. Okay, so, Mary, could you give us a brief summary of the table that you sent around earlier?

Mary Wong: Sure, and hi, everybody. This is Mary from staff again. And for J. Scott and others who are not yet in the Adobe, the document that was sent around is now being displayed in the Adobe Connect room. And essentially what it is, is a listing on the left hand side of all the 16 Trademark Clearinghouse charter questions starting with Category 3 going through the 6 and then going back to 1 and 2, as you have seen if you've looked at the document.

Then in the next column for each of the 16 questions at least for the ones from Category 3-6 there are some proposed next steps from the cochairs who I should note I think have not had a chance to discuss all of them. But the status of where those proposed next steps are has been put into the second column.

So for example, in the first question, Question 7, about how (unintelligible) you see that right next to it there's a proposed next step with a recommendation. And in the column next to that there are notes that staff has also added in based on the discussions on those charter questions in Copenhagen.

So, J. Scott, essentially we think that the document is fairly straightforward and self-explanatory. We know that it was sent up 24 hours ago so presumably we can go through this again. But I think the idea here, and (unintelligible) is to see if we agree on (unintelligible) questions or if there are any follow ups to what those are and if there's going to be additional discussions whether to have those now or to postpone them until review of (unintelligible). Thank you.

J. Scott Evans: Thank you, Mary. So I can't see the document so I'd be happy for someone to lead us through these questions and find out, you know, and go through the recommendations. I do think it is imperative that we identify questions that we can close out given the GNSO's statement to us to try to help conclude our work as quickly as possible.

So I think it's, you know, good that we start closing out things that can be closed out and focusing on those things that we need to continue. I'm discussing so that we can concentrate our work and become a little bit more efficient and hopefully more effective. So with that, is - Mary, could you tell us what - I can't see the first question so if somebody could lead us through what the first question is if there are no hands raised.

Mary Wong: Hi, J. Scott. This is Mary again. And, folks, I apologize for the poor audio earlier, I hope it's better now. I think I located the problem. So the first question here is from Category 3, which is Scope, and the question is, "How are design marks currently handled by Deloitte, the TMCH provider?" The note from the chairs is that we still have some forthcoming information from Deloitte because as you recall, we asked them a specific follow up question about this topic.

So the recommendation is that we should have more discussion on this after we get some further discussion from Deloitte. The note being here that this is still a very active point for discussion. The staff note then as a few bullet points based on Deloitte's presentation of the updated data that we also sent around when they met with us in Copenhagen, that tried to explain how the verification process works for design marks or as they call it I think is a device or figurative marks or image marks.

So, J. Scott, I don't see any hands raised but perhaps I think the question here is whether working group members feel that this is something that we should keep discussing but perhaps not until we get some further information.

J. Scott Evans: Okay thank you so much. I would agree with that. I think that we have a lot of information. We do know in fact that they are taking device marks, and I think that was as confirmed by their own Website but also confirmed by the presentation we received in Copenhagen. And I do think we gave them some examples and asked some additional questions. And I think would only be fair that we allow them to answer that before we conclude our discussion on this and formulate a recommendation.

Do I hear any - is there any disagreement with that plan? I take it there's none since I'm not hearing that anyone has raised their hand or that there are any disagreement. So that would be the recommendation is to wait until we get that response from Deloitte with regard to specific additional questions

we've asked and then bring that back up and put it on the agenda for discussion once we get that information back in.

Okay, Mary, let's move to the next.

Mary Wong: Certainly, J. Scott. So everyone, this is Mary again. And please let me know if my sound is (unintelligible). So far I think (unintelligible). So the next question is Question 8 which deals with geographical indications, protected designations of origin and protection appellations. And the note here from the cochairs is that this has also been an active area for discussion. And we did have some discussion about this in Copenhagen as well where there was also some participation from community members including the United States Patent and Trademark Office representatives who were there.

So this is noted in the cochairs' proposal and the staff notes. The recommendation from the cochairs is that this would require more discussion. One question that the staff had for the group, and we've developed this question based on the Copenhagen discussions, is that…

((Crosstalk))

Mary Wong: That wasn't me.

J. Scott Evans: I'm sorry, Mary. That was the train.

Mary Wong: That there is - noting that there is really three categories of submissions into the Trademark Clearinghouse. There's registered trademarks is the first category, there's court-validated marks as the second category. And the third is marks protected by statute or treaty. We know from discussions with Deloitte that for that third category, especially marks protected by statute and treaty, they do not also check if it is a registered trademark in any territory or jurisdiction, presumably because that is a separate category from registered trademarks.

So that was kind of where the discussion in Copenhagen focused. And our question following from the cochairs' recommendation on more discussion is when we look back at the three categories from the GNSO's recommendations, what did we mean by marks protected by statute or treaty? Did that also presume that there must be a registered mark somewhere that has to be validated?

J. Scott, back to you.

J. Scott Evans: Thank you so very much. You know, I guess my question to the group is more of a macro question. Do we want to sort of table all the discussions with regards to what goes into the Clearinghouse and sort of tackle that all together?

In other words, tackle this at the same time that we tackle the (unintelligible) with regards to design marks or device marks and how they're treated so that we can have sort of a concentrated discussion focused around one subject matter what is (unintelligible) candidate for registration in the Trademark Clearinghouse. And I sort of put that to the group again, understanding that I can't see hands right now so I'm going to need some assistance if there's anyone who wants to discuss - has a comment with regard to my proposal.

Mary Wong: J. Scott, Phil has his hand up.

J. Scott Evans: Phil.

Phil Corwin: Yes, thanks, J. Scott. And Mary. On this one I think in order to expedite our work and that what we ought to do is engage in some triage here and eliminate the questions where they're not worthy of further exploration, resolve the ones that we can resolve now and then set aside a third group where we're waiting for further information. So that's how I propose we go

forward to expedite this process so we can move on to the RPMs associated with the TMCH database.

On the specific question of these marks protected by statute or treaty, I hate to drag in the work of the other working group I'm cochairing, the one on IGOs and curative rights process, but clearly in that one there's a difference between having a trademark and having a name that's protected by treaty.

But given that Deloitte's doing this now, taking these marks which are probably in many cases of international organizations, and not checking the trademark if we were now to recommend that they withdraw their ability to be registered in the Clearinghouse and therefore have right to sunrise registrations and get trademark claims notices, I can imagine we might get some outcry from those groups whose marks are protected by statute and from the GAC.

So I think that shouldn't be determinative but it certainly should be a factor we consider if we're going to consider recommending that these marks need to have associated trademarks to remain in the database. Thank you.

J. Scott Evans: Thanks, Phil. Mary, are there any other hands?

Mary Wong: No there are not at the moment. Oh, I see that Greg Shatan has raised his hand and I see also that Kristine Dorrain is typing in the Adobe. So, J. Scott, do you want to take Greg's comment? I will…

J. Scott Evans: I will.

Mary Wong: …read Kristine's when she's done.

J. Scott Evans: All right, Greg. Greg, are you there?

Mary Wong: J. Scott, Greg's says - he says he's just been cut off and he's trying to get back in. I notice that there's a couple of points of agreement with what Phil has just said in the Adobe Connect room. Kristine Dorrain now has her hand up (unintelligible) Kristine and then Greg if Greg is back in time.

J. Scott Evans: Okay.

Kristine Dorrain: Hi, thanks. (Unintelligible) Kristine from Amazon. I decided to stop typing. Yes, I don't understand why we would combine the two or why we would want Deloitte to combine the two. And I'm going to support what Phil just said. You sort of the moved the whole reason for having a protected by statute or treaty category, if you then insert (unintelligible) the statute or treaty category also has to have a registered trademark because if that were the case they would have just gone in under that category.

So I don't know that this requires a ton of discussion. I think these are completely separate buckets (unintelligible) completely separate ways of getting into the Trademark Clearinghouse. And if anyone - if anyone has a sort of concern with the idea of three sets of buckets, I'd love to hear sort of their specific concerns, because otherwise I think we're maybe just making a problem where there isn't one. Thanks.

J. Scott Evans: Thank you, Kristine. Do we have Greg back?

Greg Shatan: This is Greg Shatan, I'm back on audio.

((Crosstalk))

J. Scott Evans: Okay Greg. Yes, Mary.

Greg Shatan: Two things.

((Crosstalk))

Mary Wong: I was just going to say that - Greg, let me just - if I just say really quickly that there were I think three people in the Adobe chat, J. Scott, who agreed with Kristine's comment.

J. Scott Evans: Okay, thank you. Go ahead, Greg.

Greg Shatan: Thanks. Greg Shatan for the record. First, I think that there is, you know, clearly they're related questions about, you know, design marks and the marks, you know, whether the marks protected by statute or treaty are perhaps misinterpreted. I don't - but they're kind of adjacent questions, I don't think they should be combined. But we do need to kind of consider them in relation to each other.

Also, and I think particularly with regard to the marks protected by statute or treaty, it's something we need to explore, and I'm not sure I agree with Phil on the, you know, the way that is, is connected to whatever is going on in the IGO INGO discussion, but clearly what's important here is to get this right or, you know, or at least to achieve clarity on what was meant and it seems to me there may be something that are coming in under marks protected by statute or treaty that are not in fact marks.

And the question is not whether they have registrations attached to them but whether they fall under the category of marks at all. I think this wasn't intended to be an alternative to registration as such but not intended to be an alternative to having something that would be considered a mark. Thank you.

J. Scott Evans: Thanks, Greg. Well I - this is J. Scott Evans for the record. I tend to agree with Kristine.

((Crosstalk))

J. Scott Evans: Did I hear - Mary, you're breaking up. Did I hear you say Kathy has her hand up? Kathy.

Kathy Kleiman: Hi, J. Scott. Hi, everybody. Thank you. This is Kathy Kleiman. And I agree with Greg here. And - but I had some points beforehand so let me - so let me go through them briefly. One is J. Scott's idea of combining with design marks or at least dealing with the categories of what's going into the Trademark Clearinghouse that's fine if we want to push this until we get Deloitte's response, that's fine.

I was really struck by the fact that two members of the US GAC, from the US Trademark Office, came, spent their time and joined us during our three-hour face to face, specifically to raise issues about this question and say wait a second, we thought, we as US Trademark Office representatives, and somebody stop me if you think I'm mischaracterizing, we thought that the Trademark Clearinghouse was for trademarks.

And here what Deloitte told us was that even if a geographic indicator indication might be a trademark as well, they're not even looking at that, they're putting it in as some category of statute or treaty, which leads me to the question of some category of statute or treaty, which interestingly enough doesn't go back to any of the recommendations from the GNSO Council or the ICANN Board.

What came from the GNSO Council and the ICANN Board was trademarks go into the trademark database, the Trademark Clearinghouse database. So I'm with Greg and if I'm mischaracterizing - I don't know what the meaning is of marks going under statute or treaty right now except that they don't appear to be trademarks. And so I think this is an important issue for us because it's one that could significantly expand what goes into the database. Right now there's only 75 marks as we understand it.

But again, if we don't get our hands around what's - how they're defining statute or treaty, whose statute or treaty and whether you have to be trademarks as well. So my thought would be to go back to, you know, to at least posit going back to the original recommendation of the GNSO Council, which was trademarks. Thanks.

J. Scott Evans: Thanks, Kathy. What I hear from everyone or at least from a few, is that this is something that needs further discussion. My point was perhaps the best idea would be for us to discuss this at the same time. I'm trying to get through this whole list of 15 questions and finding out what we could close out, what needs additional discussion.

So rather than devolving into additional discussion on the substance, what I want to know is, okay, if we push our discussion on this realizing there needs to be additional discussion on the points that Kathy and Greg have raised to the time - to a time certain when we get the responses from Deloitte, and then at that time we'll discuss both. So in other words, table this and the question before, is that an appropriate course of action so that we can move on and continue to get through the list of questions so that we can decide what our timetable is?

Mary Wong: J. Scott, this is Mary again. And there's some discussion in the Adobe chat as to what would be the types of entries that would be accepted, and I believe that would be within the 75 that Deloitte has reported they have, what would those be that are protected by statute or treaty but that are not marks or trademarks? There is also a comment that - from Paul Keating to - suggesting that we move forward per Phil's suggestion. So presumably - and he says here to deal with these we can deal with and push the others .so my assumption is that that's very similar to what you've just said that for this particular question this is something that we might need to return to.

J. Scott Evans: I agree. I think that that's determinative. And I'm going to take the chair's option and say that we will return to the substantive discussion on this at the

same time we return to the discussion on our agenda with regards to device marks and how they're treated, when we get the additional information from Deloitte. So with that, Mary, can we move to the next question?

Mary Wong: Yes, and the next question is Question 9, and we're still in Category 3, which is Scope. And that question is, "Should the trademark +50 be retained as it is, amended or removed?" The cochairs' note here is that this really hasn't been garnering much discussion at all so the recommendation is unless something new is raised, that we can close this question for now.

J. Scott Evans: Thank you, Mary. What are the thoughts of those in attendance today? Do we have any comments, concerns? I'm just about to join the Adobe Connect room and I'll be able to - go ahead, Mary.

Mary Wong: Yes, Phil has typed a comment in Adobe but he's also just raised his hand so perhaps he can repeat his comment for the audio.

J. Scott Evans: Okay. Thank you. Phil.

Phil Corwin: Actually, Mary, this is Phil for the record. My comment is not on this question of trademark +50, it was on something else responding to another comment. On trademark +50, I think it's time to close this one out. I haven't seen any evidence or heard a lot of outcry that TM +50 is being abused. I believe the presentation from Deloitte indicated that perhaps 1% of all the marks registered in the Clearinghouse were TM +50 marks rather than actual trademarks.

So it's not being abused but I haven't heard any suggestions it should be expanded. So we have to start cutting some of these issues out if they're just not worth further discussion. So I think trademark +50 is in there, it's being used to a minimal extent. I haven't heard any strong arguments for eliminating it or expanding it so it's time to fish and cut bait on this one; I'd

say cut bait and let's say it's done and we can spend our time on the issues that require further discussion. That's my personal view. Thank you.

J. Scott Evans: Thank you, Phil, very much. I agree with that assessment, I think we've got bigger fish to fry and we need to move on. But we've seen nothing to show us that there's some sort of abject failure with it in the fact that it's being abused so I suggest we move on. I don't hear any objection to that. I'm going to say that that's the status of this and we will now move to the next question.

Mary, if I could get you to read the last one and then I will be in and I can take over reading us through the rest of the material.

Mary Wong: Certainly, J. Scott. So this is Mary again for the record. And we are now at Question 10 which is about the matching rules of the TMCH, the question is whether those rules should be retained, modified or expanded, for example, to include (unintelligible), marks containing or mark plus keyword, etcetera.

And the cochairs' note here is that there was some discussion on both sides both to expand I suppose or modify not to do so, the other note here is that this is part of the analysis that was done by the Analysis Group in the independent review of the Trademark Clearinghouse so the recommendation is to hold this question until we've had an opportunity to either speak with the Analysis Group or to review their revised report that was recently released. J. Scott.

J. Scott Evans: Okay, thank you, Mary. So I agree that we need to get to see the report and we need to have them present to us. There's been a lot of work, they've considered in depth and I think it's incumbent upon us to give, you know, a nod to their work and take a look at it and see what their conclusions were. So that would be my recommendation. Do I hear anyone objecting to that?

Okay, I saw - I see Paul Keating agrees with that. Let's move on now to I think it's Question 11, which is, "Should the scope of the RPMs associated

with the TMCH be limited?" I'm going to have to expand to a full screen in order to read the document, very abbreviated in my Adobe. So, "Should the RPMs be limited the TLDs?" And we've heard - we seen in the first column we've heard that this could be difficult. But we received a scholar's letter, concerning this, I believe right at the opening of the Copenhagen meeting and I think that has been circulated to this group and there has been some discussion about it although not necessarily the substance of it on the list.

So and we see here there's some concerns were noted over the lack of differentiation leading to possible extension of trademark rights for trademark holders. It's difficult to develop general policies for differentiation. Maybe possible only to be (unintelligible) for sunrise and claims and different types of gTLDs.

So I mean, I think this is an issue that still is going to require additional discussion. Would - I'm trying to - get out of this, one second. So I think it's going to require a little additional discussion especially - I apologize, I can't get back out of the full screen. I'm trying to see. Here it is, okay. So does everyone agree - does anyone disagree that this needs to have additional discussion?

Is there anybody there? Okay, Kathy Kleiman. Thank you for raising your hand.

Kathy Kleiman: Hi, J. Scott. This is hard, it's hard to figure out where everything goes. But let me see just with this one that maybe we should bump this to the next stage when we're looking at the rights protection mechanisms of sunrise and trademark claims. You know, by its word, should the scope of the RPMs associated with the TMCH be limited? So we're actually - the question is already envisioning that next stage. So maybe we could ask staff to bump this over so that we can look at it in association with each of the uses of the Trademark Clearinghouse that we'll be evaluating.

J. Scott Evans: Okay. That sounds like a reasonable position and a way forward. Phil.

Phil Corwin: Yes, I agree with Kathy. Personally I don't support the - any expansion, I think it would just result in generating more claims notices, not in any use of the greater sunrise registrations. But on the substance, if the group wants to defer this for more discussion that's fine with me.

J. Scott Evans: Okay thanks. Is anyone opposed to that idea? Seeing none, let's move to 12. So there's some - there's discussion about operational considerations. And you see the recommendation is to narrow this question to the cost only. And, you know, there's some thoughts that perhaps this should be, you know, question whether cost, pricing and reliability should be implementation rather than policy.

And I think that's the position I've sort of advocated all along is that if - that it was - I sort of feel like if we want to note that it came up and it was - that we felt like there were some issues, that and concerns around that but then we should throw that to the implementation working group to consider in more depth and offer recommendation, we could note that it was a concern for this group and it was discussed and it was raised and we passed it to them, that would be my thought on it. I'm opening this up to the group now.

I see - and I note Kurt has stated in the chat box there was a fairly strong sentiment at the ICANN meeting that a single provider model was fairly strong. Mary.

Mary Wong: Thanks, J. Scott. So I note also that to Steve Levy's question and George's follow up comment, after Kurt's comment, that my recollection is that at the time when the RFI was sent out, there were several interested parties in being the provider. And I believe that that was on the validation portion. So we're talking about Deloitte's role at the moment not necessarily IBM's.

Obviously that was a few years ago, so we don't know if there's any additional interest, but I thought that would be helpful. And the other point is that the contract with Deloitte and ICANN at the moment runs for five years with a one-year renewal - consecutive renewal for one year thereafter unless the - either party decides to terminate the contract. So again, not directly answering the question but hopefully some relevant information for everyone.

J. Scott Evans: Okay. Thank you, Mary. Again, I think that the recommendation I would have for this group is that we make a note that there was a question as to the cost and whether competition would lower that cost and whether a single provider model is necessarily the most efficient and effective for stakeholders and we passed that to the implementation team because they're the ones that deal with the implementation. But we noted in our report that it was brought up as a concern. And then close this question out. Kathy.

Kathy Kleiman: Thanks, J. Scott. We might also note when we pass it onto the implementation team something that Phil said in Copenhagen which is that based on what we're hearing, you know, the service of Deloitte, the operational issues have been good other than cost.

J. Scott Evans: Yes.

Kathy Kleiman: So we might want to pass that on as well that, you know, in general we've heard good reflections. Thank you.

J. Scott Evans: Okay. I think that's - I think that's only fair that we pass on what we heard. Phil.

Phil Corwin: Yes, since people have brought up what I said in Copenhagen, just to expand that a bit, generally no one's been critical of Deloitte's operation; they're getting high marks for that. We've got a battle of economic theory, some people think that competition will lower the price of using - of Clearinghouse

registrations; others think that it would just - given the rather small database it would just introduce greater inefficiency and not reduce costs.

And then what I did note - wanted people to understand in Copenhagen is that we've got a lot of pressure on this group, hurry up, hurry up so we can get to the second round. Well, after we deliver our recommendations and after assuming Council and the Board sign off on them, there's an implementation phase. And if implementation would involve putting out requests for proposals for additional providers of Clearinghouse services and then contract with them, that's going to - that's going to introduce delay if people want that competition to be in place before the second round.

So I just wanted to point out, I don't have a firm view on this question one way or the other but I just wanted to point out that that's a consideration to delay that might be introduced for the second round if there's a decision to go out and enter into more contracts with more providers before the round begins.

J. Scott Evans: Thanks, Phil.

Phil Corwin: Thank you.

J. Scott Evans: So I see Jeff Neuman has his hand up.

Jeff Neuman: Yes, thanks. This is Jeff Neuman. Phil, you raised that point at Copenhagen as well and I just have - I wanted to respond to that saying that I'm not sure that all implementation needs to wait until after every single bit of policy work is approved by the GNSO Council and then by the Board. And hopefully the GNSO Council will respect the findings of these RPMs and then - I'm sorry - of these PDPs and not have separate debates on that.

But I'm not sure necessarily that if there was competition or an RFP was introduced that you would need to have a vendor necessarily before you had

applications in or started applications in a new window. There is a considerable amount of time between when you start a new round and when the first of those TLDs get to the point of delegation. You know, and competition could also be introduced on a rolling basis. So I think there's a number of alternatives, I just don't want to scare off people that believe that competition would be a good thing to lower cost, scare them off by saying that if we implement it it's going to cause a delay. I'm not sure that's necessarily true. Thanks.

Phil Corwin: Yes, and Jeff, Phil here, just in quick response. I wasn't trying to scare anyone, I was just trying to, you know, say it's something we have to look at, would it affect the timing if there's going to be an effort to contract with more providers. I've just assumed, it wouldn't stop some aspects of the second round, but I assume that rights holders that many of them would want if it did result in lower cost to have that option to make more registrations before, you know, sunrise periods began in any of the second round TLDs. So that was - but whether - I'm just saying it needs to be looked at if we go that way.

J. Scott Evans: Thanks, Phil. Thanks, Jeff. I certainly think it's something that should be noted in any recommendation that we put forward because I think sometimes people forget the practical realities of running the business and they think that these things can, you know, once they're pronounced they just take place and they don't. And I think reminding them that there are practical considerations is a, you know, a duty that we should fulfill.

Moving to Question 13, I'm not going to read it, it has to do with proportionality of costs and benefits. You see our recommendation is to table this until we get to the end of the discussion. And I think, you know, there's no - that's sort of a summary question that takes a global view of the entire process, at least, you know, with regard to the Trademark Clearinghouse, with regards to the RPMs that are associated with it, and I think it's very difficult for us to have a discussion until we're at the end of - and we've evaluated everything that's part of this.

So I say we go with this recommendation, are there any objections? Seeing none let's move to Category 5, 14. We see here this has to do with the accessibility of the Trademark Clearinghouse and in - and its - we see that there's been, you know, there was some concerns but I think the discussion showed that many times, you know, you don't know if somebody is represented by someone who's in the UK but they're an American company or they're a North African company and they're represented by someone in Saudi Arabia, you just don't know. You know where the registrations are coming from because we know who the trademark agents are that are filing those, but that doesn't necessarily align with where the rights holders are and what geos they're from.

So I think, you know, we can make a notation to that and put that in but I think that we don't have sufficient data to make a determination at this point. And I think we should close this question out. Any disagreement with that? Hearing none we'll move to 15.

Here's one I think that there's been a lot of discussion with regards to the confidentiality of the Trademark Clearinghouse database. And so I think that this still very much an open issue based on the plethora of emails that made it to my inbox yesterday.

So I would - I have stepped away from my computer or a moment so I apologize, if someone has a comment I invite you to make your comment or raise your and hand and if I could ask Mary or someone if they see it to let me know and I'll acknowledge them. But I think this is an open question that we need to discuss - continue discussions on. Anyone have a comment? Disagree with my assessment?

Okay, I'm not hearing any. I'm back at my computer, I'll check real quick to see if there's a hand up. I see a hand. Susan Kawaguchi.

Susan Kawaguchi: Hi. Susan Kawaguchi for the record. You know, I've been giving this a lot of thought and I definitely made comments in Copenhagen that I disagreed that it should be open. And so I was thinking about it a lot and also agree with Brian Beckham and Brian Winterfeldt's perspective in their emails they sent out recently.

But if you take a look at the TMCH all of the information that I have entered in on behalf of Facebook and all our subsidiaries is all public information, it can be found elsewhere. And - but it is a subset of that information. And so my point I made in Copenhagen in some ways it is a clue to our strategy for domain registrations in the new gTLD program. So that's one point I just wanted to reiterate.

But also, if you take a - if you think about the TMCH in the same way as you would a - an account - domain name registration account at a registrar, and we use several, all of those domain name registrations are public, you can look them up on Whois, somebody can figure out if - it takes a little work, to - can figure out what we've registered and when and size of our portfolio.

But we don't publicly disclose that. There's a lot of information that could be gleaned from those registrations. No one is requesting in, you know, for transparency sake, that I hand over my corporate registrar credentials and allow you to go through and figure it out.

To me, the TMCH account is a private corporate account that we use for specific needs which is only a subset of our actual trademarks and in the same way that you would not allow the full viewing of our corporate account, to see what domain name registrations we own, I do not think the TMCH should be opened up for searching to see what trademarks we feel are the most critical to fulfill our needs in the new gTLDs. So I'm against opening it up. I don't think there's a need for transparency because it's all these records are already transparent, they're all available publicly.

J. Scott Evans: Thank you, Susan. I see George Kirikos's hand is up and then Kathy and then Jeff Neuman.

George Kirikos: George Kirikos for the transcript. I respectfully disagree with Susan. What I hear from her is that because she chooses to submit only a subset of her trademarks that one can infer information from that. But isn't that a problem that she's creating by only submitting a subset? So she had the choice to either submit all of them, submit none of them or submit a subset.

                   And so it's her act of choice that led to the inferences, so that's not something that the public should be penalized in terms of limiting access to the public database by her choice of strategy. And so this interacts a bit with the cost argument. If the costs were lower, she could obviously afford to register all of them if she wanted to. Thank you.

J. Scott Evans: This is J. Scott Evans. Jeff, I'm sorry, Kathy was next.

Kathy Kleiman: Great. Thanks, J. Scott. I'm going to make a historic note and some observations and then an idea for what we might do with this question. So the historic note is that the Trademark Clearinghouse database, when it came out of the STI, was open, when it was approved by the GNSO and by the Board it was an open database.

                   And the reason why, and I've written to another STI member, was that it would be searchable by third parties, it would be transparent, it would allow a level of self-policing by registrants so that they could better understand their trademark notices and maybe even know ahead of time what they were getting into and what goods and services people were protecting so they could avoid them.

                   It was in the implementation, as Mary has circulated several times both putting into our tables and then circulating I think earlier today, the IAG, the implementation team is what closed it off. What's interesting though is that

there doesn't seem to have been a debate. There's a lot of discussion about the misuse of the data, but there doesn't appear to have been anyone on that team arguing for the transparency and accountability. So I'm not sure it was balanced.

The other thing I wanted to add is I used to program databases on Wall Street, and whether it's open or closed is a design feature, not an implementation detail. So certainly there was no notice to the multistakeholder community that this could get closed off kind of as an implementation detail. So I'm surprised to have seen it coming in there.

But, J. Scott, here's an idea, is do we want to actually save evaluation of this question, and I hate to keep kicking the can down the road for things, but after we review the rights protection mechanisms, will we understand better the implications of open or closed after we look at sunrise and particularly after we look at trademark claims? Thanks.

J. Scott Evans: Well, I think the decision is that this question will remain open and it needs further discussion. I'm going to allow - I'm going to cut the queue off after Greg. I'm going to allow Jeff and Greg to go because, guys, what I really want to do as we go forward today, I'm trying to get through all these questions, is to make sure whether we need to continue discussions or can we close them out? If we're going to continue discussions, we can do that on another call or we can loop back to that when we get through our agenda today.

So I just want to make sure we can get through all these questions. So with that since Susan got to give her piece and I respect her for that and she was allowed to, I'm going to allow Jeff and Greg to give their pieces and then we're going to cut this discussion off. Jeff.

Jeff Neuman: Thanks, J. Scott. This is Jeff Neuman. Yes, I was a member of the STI when I was at my past employer so I was a registry representative. I was also probably one of the founders of the implementation assistance group

because there were a number of issues that we realized when we were - not just the rights protection mechanisms but a lot of the other aspects that we needed to - there were certainly some holes in the implementation that from a registry perspective we just needed clarity on before building our solution.

And just to disagree a little bit with Kathy, I actually did - while I was a registry I was on the other side saying that the database should be open. I was - excuse me - actively arguing that it should be open. But I was convinced by members of the IAG and it comes out in the report how we came out of because of the arguments raised and because of the fact that, you know, when someone did apply for a name they would get the information back through the claim to see what was in there with respect to their own individual application for a name.

So I was an advocate for it being open but was convinced by others that it would, on balance, be better to be closed and confidential. So we can go through all of those mailing lists if we want, I'm sure the IAG mailing lists were open. And you can find all of these emails. But I don't think that we should go back to the STI necessarily without going through the IAG implementation lists as well because there were real reasons why we came out with why it should be confidential.

And I do believe, and I'm trying to remember which open ICANN meeting it was, where this topic was actively discussed and for some reason I remember Kurt, I think you were leading the discussion in terms of from the ICANN side, but I do remember having this discussion and as Mary says, it was either Dakar and/or Singapore where this was actively debated. So I don't want to say on the record that it wasn't debated; it actually was. And all of these facts, even the ones brought up by the (EFF), they're not new, they were brought up back then as well. Thanks.

J. Scott Evans: Okay, Greg and I see that Paul has raised his hand and I'm going to - this is - I'm serious, after Paul's comment we're not going to continue on this, okay? If you have any further comments you can make it to the list after the call. Greg.

Paul Keating: This is Paul Keating, J. Scott, thank you very much. My only comment was if the only purpose of this call is to go through the questions, and to determine whether there are sufficient reasons to continue to kick the can down the road on the question because there's further discussion required we should keep it at that discussion. To continue to put in why - your personal opinions about a particular question is killing a lot of time. We only have now 9 more minutes left of this call.

J. Scott Evans: No, no, no…

((Crosstalk))

Paul Keating: …through as many questions as possible.

J. Scott Evans: …this is a 90-minute call.

Paul Keating: Thank you.

J. Scott Evans: Just to be clear…

((Crosstalk))

J. Scott Evans: …this call is 90 minutes.

Paul Keating: Fine, the comment still stays the same.

J. Scott Evans: Okay.

Paul Keating: I think we - if you could please move things forward faster so that if someone has a personal comment about a particular point of view, about why something is important and why it should be kicked down the road that's fine, but to debate the individual question I think is not the purpose of the phone call today. Thank you.

J. Scott Evans: Thank you, Paul. Greg, with Paul's comment in hand, I'm going to ask if you don't have something direct to this, if you either put it in the chat or put it on the list if it's to the substantive discussion, if it has to do when we consider this issue, I welcome your comment.

Greg Shatan: Thanks. It's Greg. Jeff said most of what I would say anyone. I do think, you know, clearly not the end of this discussion. But when and how we discuss it I think is something we need to deal with down the road.

J. Scott Evans: Okay.

Greg Shatan: You know, I feel…

((Crosstalk))

Greg Shatan: When we do I think we should go - not just rely on anecdotal recollections of the past but try to be a little bit more - go back to some of the resources, thanks.

J. Scott Evans: Okay I think that's a great idea and is incumbent upon us to do that and so that we make an objective evaluation of this. Okay, 16 has to do with the scope of the Trademark Clearinghouse and the protection measures that come out of those. Again, we have recommended as chairs, and I think you would all agree, that that's because it is such a 60,000 foot question that we have to finish our work with regards to sunrise and claims service and circle back to answering this particular question.

Do I see - Paul, your hand is still up, I'm assuming that has to do with regards to your prior comment.

Paul Keating: I'm sorry, I just left my computer and I don't have…

((Crosstalk))

J. Scott Evans: Okay, I just wanted to make sure. So if I don't hear any objections, we're going to do this after we do the - okay. So now is our - I can't - let me - I don't have the agenda up. Let me push up in the notes. Let's see. Now are we going to do Category 3 or are we going to go through all of the charter questions today to determine how we proceed? If someone could just help me out quickly? Mary.

Mary Wong: Thanks, J. Scott. And thanks, everyone for the discussion. So I think the idea was to see if we could close off whatever - however many questions from all the categories including…

J. Scott Evans: Okay.

Mary Wong: …1 and 2, but to make things simple I think for Categories 1 and 2, because we did discuss those in some length earlier on, the basic question there for everyone as you see in the (unintelligible) really is whether there's additional - whether there's a need for us to develop policy recommendations or to discuss it in additional detail or if there are actually other concerns, are these more implementation related. So this is something that I think what we would do on the staff side is encourage folks to basically look at those questions again and look at the notes and perhaps respond to the list if they see there's a need to continue.

J. Scott Evans: That's what I was going to suggest…

((Crosstalk))

J. Scott Evans: …so we can move on today is that in Category 1 and 2 at the bottom here, if you all would look through those, and to the list post whether you think we can close the question, whether you think we need additional information or additional discussion. And let's move on today. So that will just help us move a little bit quicker.

Okay, now we heard a presentation from Deloitte. And we have asked certain questions with regards to the Trademark Clearinghouse with regards to especially the treatment of devices, they call them marks. And we're waiting to hear back from them. But now I guess my question is, after seeing that and having time to digest the ICANN 58 presentation from Deloitte, is there anyone that believes that we need additional follow up or additional information beyond what's already gone out from Deloitte before we continue? Any comments, concerns, outrage?

Okay, hearing none it looks like that we're - we can deal with that - these questions once we get in the additional information we've already sent out. It doesn't look like anyone necessarily requesting or demanding or requiring or wanting or desiring whatever you want to say some additional information. George, I see your hand is up.

George Kirikos: Yes, George Kirikos for the transcript. Just to go back to that other question that we had where we were debating the subset of marks, it would be useful to get from Deloitte the total number of unique companies that have registered marks and a frequency of how many marks per company, so the number of companies, for example, that registered one mark, the number that registered two marks, the number that registered 5000 marks, etcetera. So if Deloitte has that kind of data it might be helpful to our discussions. Thanks.

J. Scott Evans: Okay. I don't see any comment, I think that's fine as long as the information was anonymized, I think that would be fine. So I think that - Mary, is that something that you and I could work on, put together a question that we could

float to the group sort of how we ask this question and then send it off to
Deloitte hopefully beginning of next week?

Mary Wong: J. Scott, this is Mary. Yes, I think we can certainly do that. And we were going
to follow up with Deloitte anyway on the staff side to ask when we might
expect some further response from them. So I think the timing would be
excellent.

J. Scott Evans: Okay. Well then why don't we do that? Paul, I see you've raised your hand.
George, I assume that yours is an old hand so I'm going to move to Paul.

Paul Keating: Hi, thank you, J. Scott. This is Paul Keating for the record. Have we asked
Deloitte whether they're under any legal obligations not to disclose the
contents of the database? If not, we should ask them that question
specifically because it really doesn't do us very much good to have the
debate if they're precluded from responding to it effectively. Should we
conclude that, yes, the database should be open and they're precluded by
law from opening it, that's rather a silly exercise on all sides. So I would like
us to ask them specifically for the specific legal position as to the openness or
the closed-ness that…

((Crosstalk))

J. Scott Evans: Well, that's a great question, Paul. What I would ask, are there some
trademark owners on here, and I'll check with my domain administrator, that
can look at their agreement with Deloitte and see if that provision is in their
agreement, that would be my first question. Why do we have to go to
Deloitte? We've got people on this committee that have contracts with
Deloitte.

Paul Keating: Yes, but, I mean, there could be just the simple terms of the agreement could
allow Deloitte to disclose the information if otherwise required, for example,

there are lots of things. I'd like to hear from both sides. I'm not opposed, J. Scott, from hearing from…

J. Scott Evans: Mary…

Paul Keating: …the contracting parties on the trademark holder side…

J. Scott Evans: Okay.

Paul Keating: …but I also want to hear Deloitte's legal position.

J. Scott Evans: Okay. Mary.

Paul Keating: I'll take my hand down and go on mute.

Mary Wong: Thanks, J. Scott.

J. Scott Evans: Mary.

Mary Wong: And, thanks, Paul. This is Mary from staff. So I was just taking a quick look through the description of the Deloitte contract with ICANN. And I don't - I haven't seen the contract itself, but I think as everyone knows, there was a summary document that was published and that is part of our working group's historical materials.

I don't recall a mention of confidentiality there. But I also wanted to note that in the use of the Trademark Clearinghouse the terms and conditions for that use are published and I don't recall the details right now, but we do have those materials and so we can quickly take a look through the terms and conditions for submissions and use of the Clearinghouse as well.

J. Scott Evans: Great. And then I think we can ask Paul's question, I don't think there's anything to say on the issue of confidentiality, could you give us, you know,

your - is there - are you contractually obligated to maintain the confidentiality of this information? I mean, I don't see anything wrong with asking that. Does anyone oppose us asking that? I just think that's additional data point. Okay seeing no red Xs or having no one screaming at me, I'm going to assume that we can move on.

So I think we have - I see the TMCH report is up in the window. But I think what we were supposed to - the third item on our agenda is to look at the revised work plan and talk about sub teams for sunrise and charter claims. Okay, so here we have the revised work plan. We see that we are now past, we are on the 29th of March with a 90-minute call.

So I'm going to subsume Point 4 into Point 3 and just as an initial question you will notice that we have changed all of the calls to 90 minute calls moving forward and so I guess I just wanted to ask, as we look at this, is that acceptable to the group that we move our calls from hour calls to 90-minute calls? Is there any strong objection to that?

Okay, hearing none, we will move forward on a 90-minute call basis. But I do - I think you should also understand that there may be calls within - that we even expand out to 120 minutes depending on where we are. So, you know, just be aware of that. And the chairs are going to try to have calls on - together and we will decide if we're looking forward on the schedule if something looks like it might need to be 120 minutes depending on where we are, and we will advise the group accordingly. But just to let you know that that is on the table and you should be aware that that is something that could occur in the future.

But for going forward it looks like we will have 90-minute calls so that we can continue with our work. So you see here where we are. You see that we need to start working with the Trademark Clearinghouse sunrise and claims charter questions, and we need to have sub teams to do that. So I am open to how we establish those sub teams. Do we have an idea about how we want to go

about doing that? Do we want to have people self-identify and then we will - I see Kathy Kleiman's hand is up. Kathy.

Kathy Kleiman: Hi, yes. Kathy Kleiman. J. Scott, I just wanted to mention that I think these are the questions actually for all of the rights protection mechanisms that use the Trademark Clearinghouse, so it would be sunrise, trademark claims. And we had talked about - and we have questions about private protected marks lists, so I think that's also one of the things we should be…

((Crosstalk))

J. Scott Evans: I'm sorry, I missed you…

((Crosstalk))

Kathy Kleiman: The private - the protected marks lists - the private protected marks list.

((Crosstalk))

J. Scott Evans: Oh, you're talking about…

Kathy Kleiman: We have questions about those. And those are uses of the Trademark Clearinghouse database. So I think we have at least three…

((Crosstalk))

J. Scott Evans: …the additional protections that are being offered by registries themselves beyond the mandated protections.

Kathy Kleiman: Right. And we have some - we have some questions in our charter and we have other questions…

J. Scott Evans: Okay.

Kathy Kleiman: …that have been raised in public sessions. So I think it's really three categories of kind of uses of the Trademark Clearinghouse. Thank you.

J. Scott Evans: All right. Mary.

Mary Wong: Thanks, J. Scott and Kathy. And actually staff did have a question about that because as you see on this draft work plan, dated yesterday, by previous discussion, the discussion of the - I guess we can call them the private additional voluntary mechanisms, that some registry operators are offering, those were slated for discussion after the next ICANN meeting, I want to say end of July.

So as Kathy noted, there's obviously some questions within the sunrise and claims sections of our charter that may bleed into that or may deal with those more specifically. So our assumption as staff was that the sub teams that are going to be formed this week would be looking at those sunrise and claims charter questions that do not have to do with these additional voluntary protections and that when the time comes for the group to look at these additional protections, then we would be looking at the mechanisms as well as the charter questions dealing with them.

In other words, for now the sub teams would be dealing with those sunrise and claims questions that are different or independent of any additional voluntary mechanisms. So we just wanted to check that that is right. And in answer to…

((Crosstalk))

J. Scott Evans: Well…

Mary Wong: …your earlier question, J. Scott, that we would probably put our call for volunteers on the mailing list after today as well.

J. Scott Evans: Okay. Here's what I suggest, and I am going to jump off of Kathy's comment,
I think we should have three groups that are constituted now. One will deal
with sunrise, one will deal with claims, and one will deal with private services
offered. And even though the fact we may not get into a robust discussion of
that information, they can be gathering information with regards to that during
this time so that we don't go through that process again. So my suggestion is
we have three sub teams, sunrise, claims and private services, and that we
put out a call for those, hopefully before the end of the week, and we get
volunteers in.

I would also request that if you're willing to serve as the chair of one of the
sub teams if you would indicate that in your expression of interest for serving
on one of the teams? Ok? So is there any objection to having three teams
constituted and doing a call for volunteers? Greg Shatan.

Greg Shatan: Greg Shatan for the record. With regard to the third proposed sub team on
private services, I'm a little concerned about what the scope of that would be.
I think there was general agreement the understanding the full landscape of
uses and claims services and RPMs was worthwhile, and not just existing in
a ICANN bubble, but I don't think there was agreement that this group had
any jurisdiction over those services as such and in terms of making
comments about whether they're good, bad, indifferent or whether they
should be, you know, changed in any way. So I'm a little concerned with
mission creep on this third point so maybe that can be clarified and my
concerns can be alleviated.

J. Scott Evans: Kathy, since you are the one that brought this up, do you want to take that
question?

Kathy Kleiman: Sure. Kathy Kleiman. We have questions about this - about the private
protected marks list and kind of all uses of the Trademark Clearinghouse are
under the purview, as I understand it, of this working group. So it seems

appropriate to be dealing with those questions now. I think you're right about scoping all of the subgroups.

J. Scott Evans: Well here's my…

Kathy Kleiman: That's a good question. And, J. Scott, do we just want one subgroup so that - because all of these are kind of interrelated questions in some ways, the applications of the database, would one subgroup allow us to kind of move quickly, see the overlaps and - or not - and just deal with all of this in one place? Thanks.

J. Scott Evans: Anyone else have any comments? Does anyone else - Paul Keating.

Paul Keating: I'm coming. I'm coming.

J. Scott Evans: Okay.

Paul Keating: Sorry. This is Paul Keating for the record. Can you please describe what you believe, J. Scott, as the scope of each of these three subgroups? I'm having…

((Crosstalk))

J. Scott Evans: Here's what I was going to suggest.

Paul Keating: I'll put my hand down.

J. Scott Evans: I was going go to suggest then the chairs will provide the groups with a template and allow for them - the first project will be for them to scope the work and for that then to come back to this group for approval of all of those. And we will provide a template that there will be a scoping document. I think this was some of the concern, and I think we addressed this earlier, Phil sent out a memo about that's the way we would do things.

And that would be my suggestion that once the - they're identified, staff and the chair - cochairs will work together to provide a template that will allow scoping to occur and then that scoping document would be returned to this group for approval and then the work would begin. Phil, I hope I have not stepped into it or stated something from a poor memory, which is not beyond my scope. Phil.

Phil Corwin: Yes, speaking of memory, J. Scott, at this point I don't remember exactly what was in that memo we sent out several month ago. But I would - I generally agree with you, why don't we let this group - we've determined we're going to - we know that the availability of the portfolio registry services blocking mechanisms affects use of sunrise registrations. We know that.

We know - and I was surprised to see Jon Nevett, I thought that the terms that were blocked had to be in the Clearinghouse, but we can explore that in the working group. And but why don't we let the subgroup, you know, look at what they might look at and bring it back to the full group for a discussion rather than engaging in a debate up front about what they should be looking at?

J. Scott Evans: Okay.

Phil Corwin: That would be much more efficient I think.

J. Scott Evans: I agree. I agree, so that's what we're going to do. We're going to get these three groups, we'll give you a little template that will assist you in scoping once the people have been identified, then that will come back to this group and we will agree that the scope is appropriate and then we will allow the groups to do their work. I just think that's the most efficient way to get this done.

If somebody can take me back to the agenda on the right rail because I can't see it and in the meantime, Mary, if you would make your comment? I see your hand is raised.

Mary Wong: Yes it is, J. Scott. This is Mary from staff again. So this is really just a note, and we will send out action items and a call for volunteers to the full mailing list since we don't have everybody on this call. But just a note that typically sub teams work concurrently with the full working group, so if you are joining a sub team or more than one sub team, we feel we ought to note that that likely means that you will be on not just the full working group call but one or more sub team calls during the same week.

We'd also note further that if we stick to this work plan that we have displayed in Adobe Connect, then the sunrise and claims sub teams would be under more time pressure than the ones dealing with the private protection since that is coming up later. So we just wanted to set the expectations directly. And if folks want to do things differently that's fine as well.

J. Scott Evans: Well here's something that I've thrown out before, and I'll throw out again, does it not make sense since we have sub teams working, that we start doing alternate week calls? So on Week A, sub teams meet; on Week B sub teams meet with the full group and they report out their work and we have a robust discussion with the whole group. Then we go to an A schedule where it's just sub teams. That way they take our slot, they're meeting at our slot at our time for 90 minutes on the alternative week, and every other week we meet and we coalesce the work they've done and we move this forward.

That's the way I've done it when I've chaired other times we've had sub teams. It is more efficient with regards to people's time, it's already on everyone's schedule. And it allows us to keep things moving forward because there's a deliverable for a discussion with the whole group at the second week. I just think that would help us move things along faster because I'm not

sure what the whole group is going to be doing while we're waiting around for these sub teams to deliver us the work that they're scoped to do.

Mary.

Mary Wong: Thanks, J. Scott. And I agree, I think that is a very efficient use of time. I think others agree as well as Steve does in Adobe. I think from the staff side what we would want to do is go back and look at this work plan. I think…

J. Scott Evans: Yes.

Mary Wong: …our immediate concern is that we have some Trademark Clearinghouse just kind of structural questions that we've been tabling and depending on when Deloitte comes back with that we might still need to do some concurrent calls for a couple or a few weeks. But to the extent we can…

J. Scott Evans: That's fine.

Mary Wong: …we can certainly (unintelligible) you suggested.

J. Scott Evans: Okay, I just think - I've used that on about six working groups that I've done at ICANN, it's been pretty efficient. And I suggest that we do that. And in the event we get this information back, we'll give you a week's warning that on the next week there will be, you know, double calls because we're going to consider the information from Deloitte and have a full committee call.

But I just think that's the way we have to do it, it's going to take some time management and some cochairs. And my cochairs have been excellent about getting together, working together well and doing everything we can to move things forward giving everyone's schedules, travel schedules, etcetera, etcetera. So I think I feel pretty positive with the excellent staff support we've been receiving, we can get this done.

So we've already agreed on the 90-minute calls. I think we've agreed that we're going to send out a call for three teams, so now we're down to Point 5, which is confirm the appropriate day of the week or the fourth rotational meeting with a time of three o'clock UTC.

Mary, would you just refresh everyone's memory with what we're considering here? I think this was a suggestion that was made by Kathy based on some concerns she had with other working groups perhaps that were meeting in our - people in APAC. So if you could just refresh us on what we're considering here so that everyone knows what's going on.

Mary Wong: Certainly, J. Scott. And hi, everyone, this is Mary again. I think because we have moved the time for this fourth rotating call, as you noted, J. Scott, because that is probably the most friendly time for our participants in the Asia Pacific time zone, that call is at 0300 UTC. So typically what that means is that we keep it on the same day as UTC.

The difficulty is that for other participants, say in North America, that actually makes it Tuesday night instead of Wednesday night. And I'm sure folks will correct me if I'm getting my days and times wrong. So the suggestion was that it - instead of it being Wednesday 0300 UTC, which would be Tuesday night for folks in North America and elsewhere, we make it Thursday 0300 UTC just for that fourth rotating call so that folks in other time zones the call would always be a Wednesday, whether that's early on a Wednesday or on Wednesday night. And I don't see anyone correcting me so I assume I got that right.

J. Scott Evans: Okay. Well I've just been reminded by Mike Rodenbaugh in the chat box that we probably shouldn't make any decisions with regards to the length or duration of the calls and/or this question without putting it to the full mailing list because there are people who aren't here who will be affected by this. So I suggest that we do - I think George is suggesting - Kirikos - that perhaps we do a poll. So is there any way, Mary, we could do a poll with regards to those

particular questions with regards to extending the calls to 90 minutes and the day for the fourth rotational call?

I see your hand is up but you're muted. Okay, here you are.

Mary Wong: Hi. Yes, sorry, I hit the wrong thing on my keyboard. Yes, we certainly can do a very quick poll for those questions and we will have that sent out to everybody by the end of the week.

J. Scott Evans: Okay, okay. All right, so I think that brings us to the end of our agenda. I don't see here a notation for any other business but I will ask that question if anyone has any other business that they would like to bring forward at this particular time?

Hearing none, I'm going to thank everybody for their time and attention today, appreciate that, and to all those in Copenhagen who spent 4.5 hours discussing, listening to presentations and pulling us forward to the point we are today, I want to extend my thanks. I'm sorry I couldn't be there. So with that I'm going to bring this meeting to a close.

And we will be sending out, as we said earlier, a call for the three sub teams. We will also, once those are constituted, be sending out a template that will assist in the scoping mechanism and we will have a poll going out to everyone regarding to the time of our weekly calls as also with regards to the appropriate day of the week for the fourth rotational meeting. Ciao, everyone.

END