

**SO/AC New gTLD Applicant Support Working Group (JAS)  
TRANSCRIPTION  
Wednesday 17 May 2010 at 1300 UTC**

Note: The following is the output of transcribing from an audio recording of the SO/AC new gTLD Applicant Support Working Group (JAS) 17 May 2010 at 13:00 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-jas-20100517.mp3>

On page:  
<http://gnso.icann.org/calendar/#may>  
(transcripts and recordings are found on the calendar page)

**Participants on the Call:**

**ALAC**

Cheryl Langdon-Or - ALAC chair  
Evan Leibovitch – Co-Chair  
Sebastien Bachollet - ALAC  
Alan Greenberg - ALAC  
Tijani Ben Jemaa - AFRALO - At large  
Carlos Aguirre - At Large

Baudouin Schombe – NCSG

**GNSO**

Avri Doria - NCSG  
Rafik Dammak - NCSG - Council liaison  
Olga Cavalli – NCA

Fabien Betremieux - Individual - AFNIC  
Elaine Pruis - Mindsandmachines  
Richard Tindal – Individual

**ICANN staff**

Olof Nordling  
Gisella Gruber-White  
Glen de Saint Gery

**Apologies:**

Alex Gakuru - NCSG  
Andrew Mack - CBUC? (in the process of being accepted as a member of the BC)  
Michele Neylon - RrSG  
Tony Harris - ISP

Coordinator: The call is now recorded, please go ahead.

Avri Doria: Okay thank you, good morning. I guess I'd like to ask first for someone to go through the roll. Would that you be you Gisella?

Gisella Gruber-White: Yes, absolutely with pleasure Avri. Good morning, good afternoon to everyone on today's JAS call on Monday, the 17th of May. We have Avri Doria, Evan Leibovitch, Rafik Dammak, Baudoin Schombe, Olga Cavalli, Tijani Ben-Jemaa, Sébastien Bachollet, Cheryl Langdon Orr, Richard Tindal, Elaine Pruis, (Fabian DePremier), Carlos Aguirre, from staff - and Alan Greenberg, sorry.

From staff we have Olof Nordling, Glen de Saint Géry, myself, Gisella Gruber-White, apologies from Michele Neylon, Tony Harris, Andrew Mack, and Alex Gakuru. If I can please remind everyone to state their names when speaking for transcript purposes, thank you. Over to you Avri and Evan.

Avri Doria: Okay thanks. This is Avri. The first thing I want to mention before going on is there is a mild echo which means that probably someone is either not muted or someone is using a non-echo suppressive method of doing this. So please mute your lines so we can minimize the noise and the echoes and all.

Okay, the next thing we had on the agenda was agenda adoption. For the agenda today we've got a statement - an update of statement of interest, background on sort aspects, ICANN staff briefing to be confirmed, and Olof has that been confirmed?

Olof Nordling: It's been confirmed but I still don't have (Carla Valentia) on the call.

Avri Doria: Okay so if we get to that and she's not here then we'll keep pushing it off one item until she's here.

Olof Nordling: Indeed, thank you.

Avri Doria: Okay, finalized charter text for Objective 2 which I think is one of the highest priorities for this meeting. Then a WT1, Work Team 1 update on development and then I guess discussions on it if there are any. And then Work Team 2 update on development and discussion. Then a quick view of what our schedule is so that we've got an idea and then any other business.

So does anyone have any other business to add to this at this point? No, okay. Is there any issue with the agenda or should we proceed on that one? Anyone object to proceeding on this agenda? No, okay.

I wanted to as we started and before we got to the statement of interest I just wanted to give people a quick update on how Evan and I are sort of sharing the work. In terms of following the work teams, we have decided that one of us would follow one actively and the other one would follow the other one actively. Of course since they're both going to be on the list we'll follow both of them. But Evan will be following Work Team 1 while I'll be focusing on Work Team 2.

When it comes to the meeting the person following the work team will be the one to take the chair at that point. For other issues we are chatting in the background and we'll let on and off as the case may be so I'm taking this front matter.

Okay, update of statement of interest. This will always be on the schedule with a request to ask everyone whether they needed to make an update, whether they happened to have made one since the last meeting and just basically want to bring it up and check. But at this point I would also like to ask Glen since we're just at the beginning to give us an update on where we are in terms of everybody filing one and to let us know if there's any issues.

Glen de Saint Géry: Hello everyone, can you hear me? I was on mute.

Avri Doria: Okay I can hear you, yes.

Glen de Saint Géry: Yes thank you. We are waiting for just two or three to come in. One of them is from the guest representative Dr. (Goven) and another one is from (Alien Turase). I think he is at-large or ALAC or someone. But I've been chasing them up. Otherwise, they're in, yes.

Avri Doria: Okay thanks very much.

Glen de Saint Géry: Because I think people have asked - told me that I can use other statements of interest that are on the - that are available from other work groups and until we get the form of statement of interest that you have suggested, I think that's what I have to do.

Avri Doria: Okay thank you. Yeah, I mean, a lot of people like myself try to use the same one though if you look at some of the questions sometimes it will require an update for anyone that uses a common one because it asks if there are any specific interests with regard to a specific group. But I definitely am very sympathetic with using just one statement of interest for all groups but as I say it needs to be updated. Okay is (Carla) here yet or should we jump to the next issue?

Olof Nordling: This is Olof and we don't have (Carla) on board as yet so let's jump to the next issue I would suggest.

Avri Doria: Okay we're at issue 4, finalize charter text for Objective 2. I think by and large all the rest of the text has been stable, there's been no disagreements. However, there were issues on the various formulations we had of Objective 2. What we've got there now is a specifically ambiguous one. We may decide that that's what we want to leave.

The Objective 2 we've got now says to identify how the application fees can be and then bracketed text reduced/subsidized to accommodate applicants that fulfill appropriate criteria to qualify for this benefit. Now I had to submit a

status report to the GNSO, it's basically one of their operational rules that every work team, work group whether joint or just GNSO needs to submit an update.

In that update I sort of indicated that we still had an issue on this one, that we were going to try and resolve it at today's meeting, but that if we couldn't resolve it at today's meeting we would be notifying them and asking the GNSO and the ALAC in their discussion on the charter to make this decision at the higher level. Obviously at that higher level they'll be deciding on the acceptability of the charter in general but it would be good if we could come to agreement ourselves on language we'd like to suggest.

So at this point I'd sort of like to open the floor to people who would like to speak on the topic and I see Alan as the first one in the queue so Alan please go ahead.

Alan Greenberg: Just to caution -- if we toss it up to the parent committees the two parent committees may decide differently and it's far better if we can come to closure ourselves.

Avri Doria: Thank you Alan, yes that's definitely the case, of course that could be the case on the whole agenda anyway. I mean, not the whole agenda, the whole (unintelligible) anyway.

Alan Greenberg: Yes but that one is particularly relevant.

Avri Doria: Okay so I see no other hands. Would someone else like to speak, would someone else like to make a suggestion? Unfortunately one of the people arguing strongly for one particular interpretation, Tony is not here. The other thing I'd like to point out is that the subsidized I believe is - or fee reduction. I mean, we do basically have some duplication between 2 and 3. So okay Elaine, please.

Elaine Pruis: Good morning, this is Elaine Pruis speaking. This objective language is something that I was concerned about earlier this week. I am satisfied with both terms being added there. I think we're trying to project that we're looking for ways to assist the system applicants and my concern was if we used the word reduce that would be something that the GNSO would automatically toss out as they've already addressed reductions.

Avri Doria: Okay so are you suggesting that it should be something like can be reduced and/or subsidized?

Elaine Pruis: Yeah I would like it just like it is.

Avri Doria: Or do you like it as it is bracketed? I'm not quite sure I understood what your preference would be -- leaving it like this bracketed or changing it to reduced and/or subsidized.

Elaine Pruis: The meaning is the same thing. I'm certainly not a words professor.

Avri Doria: No the bracketed text just sort of means we can't make up our mind yet. Or we could just have reduced/subsidized. Okay Alan?

Alan Greenberg: Yeah I'd certainly take out the brackets. Either reduced/subsidized or reduced and/or subsidized and I would suggest we diffuse GNSO objection to it by adding the phrase at the end in keeping with the principle of - what is the words used?

Avri Doria: Cost recovery.

Alan Greenberg: Of full cost recovery of the application processing costs.

Avri Doria: Okay, any comment on that? Olof did you get that? Olof did you get that wording?

Olof Nordling: Oh yeah, I was on mute. I'm back, Olof here. Full cost recovery of the application processing cost.

Avri Doria: I would recommend we use the and/or as opposed to the slash because the slash can be ambiguous whereas and/or is pretty explicit.

Alan Greenberg: I support that.

Avri Doria: Okay any comment on that new wording for Objective 2? Is anybody uncomfortable with it? I see two checks of approval. Is anyone uncomfortable with it that would like to speak up on it? Another check of approval, thank you. Evan, yes Evan.

Evan Leibovitch: I'm just asking for the folks here that are part of council, are you confident that this wording is going to be acceptable or are we going to do something that is just going to be tossed back to us?

Avri Doria: We have Rafik and we have Alan who both sit in council, one as a council member and one as an ADAC liaison. They can speak to it.

Alan Greenberg: I added that phrase because I think without the phrase I know the reaction of council is of some councilors. With that phrase they may ask but how could you reduce it and still keep with the principle and that's a fair question to ask but I think it simply points out we understand what the board resolution and the council resolution had a line in like that.

Avri Doria: I see Olof...

Alan Greenberg: It's a challenge for us but it addresses it.

Avri Doria: I see Olof has his hand up, yes.

Olof Nordling: Yes Olof here, I've modified the text. I hope I've captured it correctly but could you please check out the notes box on the right hand corner?

Avri Doria: Right, got to move all the way down, to identify how the application fee can be reduced and/or subsidized to accommodate applicants that fulfill appropriate criteria to qualify for this benefit in keeping with the principle of full cost recovery of the application process cost. I think that's what was had, thank you. Your hand is still up Olof, did you want to add something?

Olof Nordling: No no.

Avri Doria: Okay.

Olof Nordling: I'm slow.

Avri Doria: Okay Rafik?

Rafik Dammak: I'm just wondering if the term subsidize may arise some discussion in the council because I'm not - it's not clear who will subsidize the fees. It's not - it's maybe, it's not clear that may arise some problems.

Avri Doria: Okay, I think that's one of the items that this group is going to work on (unintelligible) for that one. I had Tijani and then I think I had Alan followed by Elaine. So go on Tijani. Are you muted? Tijani the floor is yours. I don't know if Tijani is muted. Why don't we go on to Alan and I'll come back and ask for Tijani in a second.

Woman: Tijani you're on mute.

Alan Greenberg: I think the question is a fair one but the answer is if you look at the discussions the work group has been having, the principle of full cost recovery of the application processing is not going to be changed. The

principle of all applicants pay the same thing or some of the other issues which was not specified is something we might discuss.

We have also been discussing whether the fund costs have to be paid back and again that's not an application processing cost, that's a policy IBM made out of whole cost which is not necessarily sacred based on the resolutions of the board and the GNSO.

Avri Doria: And I know there are people in the GNSO council that would be supportive of such a thing. Okay Tijani?

Tijani Ben-Jemaa: Do you hear me?

Avri Doria: Yes we hear you now.

Tijani Ben-Jemaa: Oh very well. So I support the proposition of Olof but I don't think it is necessary to add in keeping with the principle of etc. because it is already written in the GNSO resolution.

Alan Greenberg: May I rebut?

Avri Doria: Yes please Alan.

Alan Greenberg: If we don't put it in, there will be an extensive discussion and the GNSO will likely not approve or at least albeit sufficient councilors who will be very unhappy.

Evan Leibovitch: So Alan what you're saying is putting in that phrase at least to make sure that they're aware of the cost recovery issue and that we're framing our discussion in that context?

Alan Greenberg: It changes nothing from our point of view and may diffuse a very negative discussion.

Evan Leibovitch: (Unintelligible) to that.

Avri Doria: Does that answer your question Tijani?

Tijani Ben-Jemaa: Yes, no it's okay for me.

Avri Doria: Okay thank you. Elaine?

Elaine Pruis: Yes, Rafik asked about subsidization. Objective 4 basically addresses we're going to identify providers as that sort of support.

Avri Doria: Fantastic, yeah, really good point. So Rafik can point to that and I'm glad that both Rafik and Alan will be there at the meeting. So thank you. Anyone else have any further contact - comment? I'm stumbling over my words this morning, not that that's anything new. Okay so is there any more issue to be discussed on the charter objectives, I mean, on the charter itself?

Man: (Unintelligible).

Avri Doria: No hands up, okay. If not I would ask Olof to make this change on the Web page. Rafik I don't know if you need to notify. I will certainly send as promised an update to the status report that I sent to the council which I assume is published or will be published with the rest of the council stuff and I'll send the update saying that the working group has resolved these issues on Objective 2 and, you know, it now reads etc. Any last comment before we move on?

Man: Just in terms of timing Avri, when will be the next time that council meets to discuss and potentially reject this after even what we've done?

Avri Doria: Well I'd prefer to say potentially accept but it's this Thursday.

Man: Okay.

Avri Doria: It's their meeting and I assume that the ALAC meeting if I remember the schedule is next week or something?

Woman: The following Tuesday, correct.

Avri Doria: So that's...

((Crosstalk))

Man: I anticipate ALAC will have significantly less problem with that phrase.

Avri Doria: I understand, and I think what will happen is if the GNSO council suggests any changes to this they will be forwarded on to both the group to discuss and to ALAC to consider. So we'll see. It's not unheard of for the council to recommend wording changes and sometimes we need to go through an iteration.

What I will ask of Rafik is that if the council approves a change and with Alan and Rafik both there they'll certainly be able to discuss any possible changes with a good idea of where the working group stands on it, but of course ask that what generally happens is there starts to be a negotiation between the council and the working group on what changes.

They don't - if it's not substantial they may just add a comma or put an "if any" phrase in somewhere or whatever. If it's a substantive change they usually send the charter back to the working group or at least that's what they have done in the past.

So we'll see how it ends up and I'll ask Rafik to report to the group as the liaison after the council meeting though I will be following the council meeting closely. Okay anything else on this one before we move on? Okay thanks for that. Back to Number 3, Olof, are we in position yet? Are you on mute?

Olof Nordling: I was, this is Olof and I'm sorry to say but no (Carla) online.

Avri Doria: Okay thank you, in which case we'll go to Item 5 and 6 and Evan I turn the chair over to you.

Evan Leibovitch: As Avri said earlier, we unfortunately do not have the driver of the WT1 Tony with us but we do have other people that were participating with that so I'd like to open up things to the people that have been participating.

There have been some emails going back and forth over the weekend and it seems like Richard, Alan, and Elaine and some others have been participating in the WT1 things, and so I'll open up the floor to other participants about some of the emails and other comments that have been moving forward just to bring the rest of the call up to speed with it. Is Richard on the call? Okay.

Richard Tindal: Here I am, this is Richard.

Evan Leibovitch: Okay would you like to start the ball rolling with because you've made some very interesting comments on the email list.

Richard Tindal: Okay, let me do that. So I think - let me just pull up Tony's note because that's probably a good starting place, if you just give me a moment to do that. Okay so yeah, I think that Tony pointed out - can everyone hear me okay?

Man: Yep.

Evan Leibovitch: You're fine.

Richard Tindal: Okay yeah, so yeah Tony pointed out that the 185,000 K applications and the initial review fee is sort of broken into three pieces, what's called - and this is

in the ICANN staff paper that breaks down the costing down. And so there's three pieces of it.

There's a new GTLD program development cost of \$26,000 and this is sort of characterized as money that has been spent already to and really at the time the paper was written which was some time back which has been spent sort of developing systems.

So, you know, effectively even I'm not sure, I'll use this as an example but I'm not sure if it's a valid one. Even a meeting like today's meeting that we're having that have staff support and costs associated with it that's resolving issues to do with the application guide book. So things like setting up a methodology for how things are selected and presumably identifying and contracting the sort of third party vendors who will resolve things like trademark disputation, etc. So all those sort of set up development costs, that's \$26,000.

And then they've got what I call fixed and variable application evaluation costs, that's of \$100,000 and they characterize that as predictable. So this is sort of estimated I guess with some certainty that these are going to be costs associated with the actual processing of the applications themselves as opposed to the sort of setting up the policy framework and setting up the structure if you like. That first \$26,000 was sort of how do we do this and how are we going to do that so setting up the framework.

Then the actual operation if you like, the prosecution of that framework to actually evaluate a TLD application they had as \$100,000. So now we're up to \$126,000. And then the final cost element is what they have called variable processing costs which they've characterized as uncertain and these - this is the remaining \$60,000. And so this is almost I think - and perhaps Alan you can jump in because I thought you characterized this fairly well.

But this is really kind of an uncertainty factor costing, it's sort of on the premise that things may go wrong, unexpected things may occur, systems that we built to do something may not work properly so we may have to fix them. I think that \$60,000 is less to do actually with sort of what I'll characterize as controversial applications that suck down a lot of resource but it may be a piece in here for that as well, I don't know.

But Alan perhaps you could jump in and so let me just summarize quickly and Alan can describe that third piece. So we've got this sort of sunk development cost if you like of \$26,000; we've got the actual processing where it costs to actually use that framework to evaluate applications of \$100,000; and then we've got kind of a risk contingency factor of \$60,000 bringing it all together for the \$185,000.

And of course that was calculated based on an overall number dollar costing then divided by an anticipated number of applications around 500. Alan would you like to jump in on that third one?

Alan Greenberg: I'm going to jump in on all three if you don't mind.

Richard Tindal: No I'm sorry, you can't jump in on all three.

Alan Greenberg: With a slightly different twist because I think some of the subtleties are important because they may be where we can push the knife so to speak to make - change things.

The \$26,000 is all of the work that's preceded the actual application process. And it is money - it is work that has been funded out of previous years as real expenses in the budget at the expense of not contributing as much to the reserve. At least this is the official party line.

And this money, the \$26,000 will be put back into the reserve to compensate for money which wasn't put there. So it's not an explicit application cost, it is a

policy that ICANN made of diverting money from the reserve and then reputting it back afterwards. And I think that subtlety is an important one.

The \$100,000 as far as I can determine - and there's a second paper by the way in addition to the one Olof pointed to and I put a pointer to it in the recent note, and it goes into a lot of detail explaining some of these costs. The roughly \$100,000 one I gather are costs that are essentially fixed regardless of the number of applications to be processed and other things like that.

The \$60,000 is a risk item, they call it risk. But it's not to cover the legal costs of a very expensive application but to cover the uncertainty in estimating the \$100,000. You know, so specifically it says oops, we've only got 300 applications, what's the risk of that happening and therefore the cost per application goes up or we overestimated or underestimated other costs.

And it's a rather complex mathematical process that was used which we have access to neither the process nor the input into it and therefore although it's a number which is subject to question, I'm not sure we're going to be in the position to question it. So that's the kind of history of it. When we get to it I can talk about some of the suggestions I and others have made as to perhaps how we can make changes.

Evan Leibovitch: Alan what do you mean we're not in the position to question it?

Alan Greenberg: Because it's something that was fed into a huge meat grinder and we don't know what was put into it and we don't know what the gears in the meat grinder were doing so we can't say it's wrong. It's hard to provide a proof that will demonstrate why they did it wrong and the number is really \$45,000 instead of \$60,000.

Evan Leibovitch: But in order to do that then they have to tell us why they did it or how they did it so we can properly analyze that.

Alan Greenberg: Except part of the answer, it is a lot of percentages were fed into Monte Carlo simulations, the kind of things that are used to model atomic particle reactions.

Evan Leibovitch: I'm just saying Alan if we have, you know, if we're given a very opaque process and then told that we just have to live with it, we're not entitled to question it because they've used some really weird formulas we'll never understand, I don't think I accept that.

Alan Greenberg: Well I'm not saying one has to accept it, I'm saying that's the way I understand the process and given a finite amount of time that's a position that I'm suggesting. I'm not saying it's cast in concrete or anyone from ICANN has said it.

Evan Leibovitch: Does any - okay Olof your hand is up.

Olof Nordling: Yes indeed, this is Olof here. Just for your information, the second paper that Alan is referring to, I put it - I didn't send it out on - to the list but I put it on the Wiki a week and a half ago so you should have complete information there. I can send it around if you like but I think that has already been out.

Evan Leibovitch: And not only that but in the chat in the Adobe Room, I have sent out the names of the two subject threads that if you want to refer to what Richard and Alan are talking to, it started with a posting that Tony made where he did that breakdown of the three way costs and so I've given the subject line.

So if you go back to the posting from Tony on May 14 this was followed up with what Richard did yesterday so I really encourage you if you're interested in the goings on of WT1 please read those things that all include pointers to the documents we've been talking about.

Is there anybody on the call right now that wants to comment on anything that Richard or Alan has just mentioned? Because, I mean, it sounds like what

they've mentioned sort of has embedded in it things that we're going to have to challenge if we're going to take issue with the \$185,000 as a calculated cost for everybody. Nobody's got something to say. Okay Alan and Richard.

Alan Greenberg: Okay I'll say - start off with something like I just said, that I think we should be putting our time where it's likely to be productive and I think simply telling ICANN you got the numbers wrong is not likely to be all that productive.

Worse, someone may say let's do it again and we have another - additional two years of sunk costs that were not predicted when the original costs came out and that could end up with the cost going up, not down. So I really don't think that's productive path. I think there are other productive paths which might be followed.

For instance, one of the principles that was espoused throughout the process of in addition to everyone pays the same fee is everyone pays everything up front and I think that's one that we might have some leverage on.

I think the \$25,000 in minimum costs, annual costs is another one we may have some leverage on. And one could even imagine -- and this is purely my idea, not anyone saying it's going to be sanctioned -- is one could defer some of the application costs and reduce the ongoing \$25,000 which was a somewhat arbitrary number, you may remember it was originally \$75,000.

So moving money around may well keep the application fee the same but lessen the burden on applicants. And I think there are ways we can look at which might be more palatable than simply changing the numbers which I think is going to be a lot more difficult for us to do especially in the timeframe we're talking about.

Evan Leibovitch: Okay well Alan let's stay with one thing. Right now the process as you say, the fees are paid up front and then you have to apply for refunds. There is a refund process if you don't get all the way in the process this or that. One of

the things that ALAC put forward in its comment I think on Deck 3 or Deck 2, I forget, but it essentially said rather than go to a pay up front and then refund, you essentially pay for each stage you go through at the time you go through it.

Alan Greenberg: And that's something we could suggest once we come up with the criteria for who fits into the category. That's exactly the kind of thing I'm talking about.

Evan Leibovitch: Okay, is there anyone who's not Alan and Richard who's got anything to say on this? Okay Richard go ahead.

Richard Tindal: Yeah I just wanted to add some thoughts here. So having been through applications in previous rounds and having sort of quite close to this one for the last two years, I'll make a sort of general statement. I don't think the \$185,000 is a crazy number. I think - my sense is that it's an average number. My sense is that it's probably not way out in either direction in terms of what it's really going to cost on average to process applications so that's point Number 1.

Point Number 2, you can't tell in advance, I don't think you can tell in advance which applications will be (unintelligible) process which will use more or less of the system. I mean, we could make an argument that a particular applicant or application that falls into our category, you know, we could say we don't think this one is going to have trademark issues but we really don't know. We don't know which parts of the processing system in advance a particular application is going to be making use of.

And so the principle that has been applied so far is that sort of everyone is going to share the cost of every piece of it because we really don't know, you know, who in advance is going to use more pieces. Maybe a very large commercial applicant in fact is going to sail through much more cleanly if you like than a small applicant.

Point three, the objections pieces of the process so if someone objects to you on some ground, those are separately funded activities so the \$185,000 is not addressing the sort of objection piece.

If I put an application and someone objects to it because they think it breaches all the public order, then that's a sort of the objector has to put money up, I have to put money up, and it's sort of a lose or pay approach. So in terms of the four types of objections, no applicant if you like is paying up front for that. It's all kind of a pay as you go type scenario.

And then I think finally I endorse the thoughts I think Alan that you've raised here and Evan as well. I think, you know, yes you could I think reasonably ask for a sort of pay as each portion of the thing proceeds if you like. So for example, an applicant who withdraws immediately after going through the initial evaluation phase, they get \$135,000 - \$130,000 refunded.

So if you like, in a sense then the cost of that first piece is \$55,000 and for those that remember the EOI proposal that's kind of why \$55,000 was chosen as that number. So yes, I think there is scope for us to put forth a notion that certain applicants might not fund the entire fee up front but rather do it in pieces. That's all.

Evan Leibovitch: Okay Elaine, go ahead.

Elaine Prais: So just to address the concern about paying the entire fee up front, on Page 4 of the cost considerations document that was put out October 4 last year, there is a statement ICANN will collect the entire application fee at the time an application is submitted. This approach avoids the situation in which the applicant partially completes the process then may not have the resources to continue. It also ensures all costs are recovered.

I think that I agree with Richard that collecting a partial part of the \$185,000 would be a good way to go about helping disadvantaged applicants but if

we're going down that road we need to address this concern that ICANN has stated in this document.

Evan Leibovitch: Okay Alan is yours an answer to Elaine?

Alan Greenberg: Yes it is.

Evan Leibovitch: Go ahead.

Alan Greenberg: We were given a mandate which I think I described initially as near impossible, that if you remember we were asked to find not only a solution but a sustainable solution.

We were reminded several times explicitly by both the board and the GNSO that we must adhere to the principle of cost recovery and I believe we need to continue to do that. They didn't say you must follow - you must adhere to every single decision that staff made along the way in designing this process. And that's the wiggle room I think we have is to look at things like the decision that everyone must pay everything up front because the bookkeeping is easier.

So I'm not particularly worried about how do we justify that. The question is can we sell the case that it should be done and I think that's the challenge ahead of us.

And as I just put in the chat, I think the critical work is determining how many people, how many groups are likely to fall under this category if you'll excuse that expression. If it's only three, we're not talking about a huge amount of money and it's going to be a lot easier to justify than if we believe there will be 270 of them.

Evan Leibovitch: Well Alan the only answer to that is that there was some part of the discussion that was saying that if ICANN has in the minds of some and can

be demonstrated to have, you know, unnecessarily inflated the cost recovery issue, then that could conceivably - if that's addressed then that drops the fee for everyone.

Alan Greenberg: Yes if we can do that, that's fine but I've already stated I think that's not likely to be very possible and certainly not one of the more productive ones. But that's an opinion on my part and I stated as such.

Evan Leibovitch: And this is - this may be something where we're trying to address an issue with staff's calculations as opposed to the policy. Is there anybody else that has something to say especially about - Olof's hand is up. Anybody else on the call, Elaine, Alan, and Richard have already talked about this. We'll be taking it to email. Last comments before we move on to WT2, Olof go ahead.

Olof Nordling: Well just a piece of information appending to what Richard said about objection processes and such. Should note as well that when the council - those applications that will go through community priority evaluation, a fee for that which however is refunded, thus the cost of that exercise is subsidized if they pass the test. So just a little piece of information about what's already foreseen in Deck 3.

Evan Leibovitch: Okay, all right. On that note this sounds like a good time to segue into WT2 and Avri, go ahead.

Avri Doria: Okay thank you. It was a good discussion. I'm just checking, Olof I don't see (Carla) as having joined the call so I'm suggesting we put that off unless she's here and I just don't see her. I suggest we put that off until our next meeting, is that okay?

Olof Nordling: This is Olof, yes I agree. Let's try to make it for the next meeting.

Avri Doria: Okay then, thank you. Then moving on to WT2, we had a work team that I guess the people listed on the Web page, the Wiki page who volunteered on

it were Andrew, Carlos, Tijani, Elaine, and Rafik. We have Carlos, Tijani, Elaine, and Rafik on the call. Which one of you would like to kick off the discussion? I see Carlos with his hand up so Carlos, please. Are you muted? Carlos?

Carlos Aguirre: Can you hear me?

Avri Doria: Yes I can hear you now, thank you.

Carlos Aguirre: Thank you. Yeah, we have last week a conversation with Andrew Mack for two hours by Skype. Spoke a lot about some points that we want to launch a discussion about this point. We - the idea was for to separate the concepts of NGO of non-profit organizations in first place because the people think in first time that who need help to apply is in the first place the NGOs. We want to make a difference between NGO and non-profit organizations because we think are not the same in this case.

We tried to identify some criteria about what means non-profit organization who could need a help or for apply in this case. We think the criteria to identify could be in the first place location, goals, level of community support, and sustainability model.

After that or second point, we think that who ask for help need a sustainable project in time because not or to help who soon abandon the initiative. This is - in this point we are very, very in agree. It's not interesting help who soon abandon the initiative.

After that we tried to define which kind of help they might need to have, who can think this initiative condition apply - to apply. So we think that the first kind of help is to assist the understanding the legal requirement for applying. Because the rules are written under the common law system and not all countries have the same legal system.

Second, we think that the translation of documents related to new GTLDs is necessary for all languages because these may appear as disadvantage to some applicant and additional fee to help to do translations in some cases.

We also support the need for applicants who require a training plan. For example, in areas that economic sustainability, marketing, business operation, etc., we think also that the reduction of fees is another part of the aid to be provided although this point is tried but working one, we think that the help could be given in a kind monthly payment or payment in part at least for the initial fees. Obviously always under discussion.

We need to - we received other mails in the - when we launch the discussion, received mails from Richard, Avri, and Elaine and I want to consider especially the mail sent by you Avri because the point of (unintelligible) is very important for us. It's an issue that I have no solution for this moment. I think - we think that we need to start a discussion about this point is that we felt or spoke with Andrew Mack the last week.

Avri Doria: Okay thank you, very good (unintelligible) side of things. Thank you for that update. I see we've got about seven minutes left so I'd like to give it to people to comment and move the discussion forward but please keep the comments short so we can get as many people in as may want to speak. So go ahead Tijani. Are you muted?

Tijani Ben-Jemaa: Thank you Avri, thank you Carlos and your friend for the language that you proposed. I didn't have time this week to comment but I do very soon. First thing I want to say is that the categories that you tried to outline must be in the direction of having strength categories and applicant categories. The second comment for what kind of support, you forgot the technical support and Avri made a very good point about the (basics) - (IP basics). Thank you.

Avri Doria: Thank you, Alan.

Alan Greenberg: Yeah, there's a comment that's been made in the vertical integration discussion by Eric Brunner-Williams that discussions about imaginary things are not productive, imaginary requirements. And I'm not saying what we're talking about is imaginary but I think it would be incredibly useful in this discussion if we had at least a small number of examples of potential applicants for new GTLDs which we think would meet the sustainability requirements and such that were talked about and we think would be deserving of help.

Now whether they're cultural ones, whether they're in developing countries, whether they're charitable organizations, just a small handful of examples that are potentially viable I think would allow this discussion to go forward so much better. Without any concrete examples I think it's going to be much more difficult a discussion to have.

Avri Doria: Okay thank you, I see that Elaine first agreed with that, now has her hand up so Elaine.

Elaine Pruis: Yes, in the email yesterday I added a URL of a group that's been tracking announced GTLD intentions to apply so I think that if you take a look at that you can see sort of the spread of generic names. We have some ethnic groups, there is linguistic groups there, there are several listed as community which in my opinion certainly wouldn't apply for any sort of assistance. I think that would be a good starting point to look at who we're talking about.

And if you are aware of groups that are not listed there it would be wonderful to fire off an email to them and ask them to post something or add it at least to our group if you don't want any public looking for that URL. I think it's newtlds.tv.

Avri Doria: Thank you.

Alan Greenberg: Just in support of that, Elaine's comment was what drove me to the conclusion of what I just said.

Avri Doria: Yeah I would like - and I'm going to turn the floor over in a second. I would caution people on using that as a definitive list. We talk about 500 applications, there's 100 or some odd in that.

We're talking about how to provide help to people who may need help to even decide that they can do this and that they can come up with the funding. We are talking about a lot of things. So I would not presume that is an - also I would caution people against necessarily following PBW's lead on how to do this. I had Evan and then Richard.

Evan Leibovitch: I was just going to expand on what Alan had said and maybe take it a step further. Rather than making the use of examples the result of something, maybe one of the things that can help focus the type of groups, you know, the types of categories that should be considered is to try and from the very beginning try and identify specific examples because otherwise we may be running around on what are the criteria. And whereas if we can focus on a couple of very specific examples of groups that we know of that might benefit from a reduction, you know, let's identify who they are.

You know, there are some that are already well known as wanting to do this that at the same time, you know, could benefit from exactly what we're talking about. I'm just thinking of rather than making the examples at just the very end of the process that even at the beginning they might be helpful.

Alan Greenberg: That is what I was suggesting.

Avri Doria: I have three people left and two minutes left so I have got Elaine your hand is still up but I assume that's from before. I have Richard, Sébastien and then Tijani but Tijani will have the last word on this for today at this meeting. Go ahead Richard.

Richard Tindal: We're out of time, I'll just lower my hand then.

Avri Doria: Okay Sébastien.

Sébastien Bachollet: Yeah, one problem with trying to have the list is that I know first of all applicants will want - don't want to put their name in public because as it's already happened, some organization will steal the idea, steal the project, and then it will not be a help, it will be really against this project.

And we have to be care how we can do that and I can give you some - not now but example of organizations who went against already people, organizations who say that they want to have such domain names. And it's not easy to have that. Thank you.

Avri Doria: Okay thank you, Tijani.

Tijani Ben-Jemaa: Yes.

Avri Doria: Go ahead, we can hear you - or we could.

Tijani Ben-Jemaa: Do you hear me now?

Avri Doria: Yes.

Tijani Ben-Jemaa: Okay Avri. I think that Alan and Evan, they spoke about examples. I think they need lists, not examples, because examples would not be existed and we can get some examples if you want. And to put a list is not possible now as said Sébastien because not - we don't have all the applications known.

Avri Doria: Okay thank you. Elaine you still had your hand up. Did you wish to make a comment?

Elaine Pruis: Yes thanks, I just want to make it clear that I don't believe that we need a definitive list. I'm suggesting that we look at the lists that are out there for ideas of who we're trying to help. And I certainly understand the idea of not publishing an intended strain but I'm also in agreement that in the black hole we don't know who we're helping or what they might need.

Avri Doria: Okay thank you. I think it's been a very good discussion. I suggest that the discussions continue on the list. One thing I'd like to recommend is people have started the habit of creating - prefacing their subject with WT1, WT2. If you can remember to do that I think it's really good so it helps people, you know, just sort of catch the thread.

Before I close, does anyone else have anything they need to add in the other business area? If not, okay next time on the agenda we'll switch, start WT2 before WT1 and do that I think from then on so that we always have a balance of time. I thank you all for this meeting and talk to you again on the list.

Man: Thank you Avri.

Woman: Thanks Avri.

Woman: Thanks everyone.

Gisella Gruber-White: Thank you (Louise), enjoy the rest of your day.

Coordinator: Thanks Gisella, you too. I'll speak to you soon.

Woman: Thanks.

Woman: Bye.

Coordinator: Bye-bye.

END