

GNSO
Post-Expiration Domain Name Recovery (PEDNR) drafting team
7 September 2010 at 18:30 UTC

Note: The following is the output of transcribing from an audio recording of the Post Expiration Domain Name Recovery (PEDNR) drafting team teleconference on 7 September 2010 at 18:30 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-pednr-20100907.mp3>

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

Present:

Alan Greenberg – ALAC – Chair
Jeff Eckhaus - RrSG
Cheryl Langdon-Orr - ALAC Chair
Ron Wickersham – NCUC
Shiva Muthusamy – At-Large
Tatyana Khramtsova - RrSG
Michele Neylon - RrSG
Berry Cobb – CBUC
Oliver Hope - RrSG
James Bladel – RrSG
Mason Cole - RrSG
Paul Diaz – RrSG
Mike O'Connor – CBUC
Ted Suzuki – IPC

Staff:

Marika Konings
Glen de Saint Gery

Absent apologies:

Avri Doria - NCSG
Karim Attoumani – GAC
Michael Young – RySG

Coordinator: Welcome and thank you for standing by. I would like to remind all participants that today's conference is being recorded. If you have any objections, you may disconnect at this time. You may begin.

Glen DeSaintgery: Thank you (Reggie). Good morning, good evening, good - good morning, good afternoon, good evening everyone. This is the PEDNR call on the 7th of September.

And on the call we have Cheryl Langdon-Orr, James Bladel, Mikey O'Connor, Michele Neylon, Paul Diaz, Jeff Eckhaus, Ron Wickersham, Oliver Hope, Mason Cole, Ted Suzuki, Alan Greenberg and Berry Cobb. For staff we have Marika Konings and Glen DeSaintgery, myself. And we are waiting to dial out to Tatiana Khramtsova and (Tiva).

Tatiana Khramtsova: Yes it's me.

Glen DeSaintgery: Ah, Tatiana. Welcome.

Tatiana Khramtsova: (Cool).

Glen DeSaintgery: Thank you. And (Tiva), are you also on the line? (Tiva) - I see (Tiva) is connected. Thank you very much. Over to you Alan.

Alan Greenberg: Thank you. And the only item on our agenda today is to start going over the comments that we received in the public comment period in detail and formulating our responses or our comment on it.

And Marika has prevented - presented a...

Woman: Facilitator.

Alan Greenberg: ...sorry. Marika has given us a view which hopefully will make the process a lot less painful than it might have otherwise been. And I will turn it over to Marika as soon as we hear from Jeff.

Jeff Eckhaus: Thanks Alan. I guess I - maybe I missed the last call. Maybe if you could just give a little detail of what the next steps are or like going ahead, further down the road, what - so we would - we're going to formulate the response and then what would happen after that? And once I guess maybe if we still have an end goal or is that too far out of the picture? If you could just give an explanation on what the next steps are and what we have ahead of us if that's possible. Thanks.

Alan Greenberg: I'm not sure it's quite possible. I can tell you what I would like to have - like to happen.

Jeff Eckhaus: Okay. That's a start.

Alan Greenberg: Talking to Marika, this is likely to take probably two meetings or so to go through these responses. And given that one of the comments made is ICANN doesn't listen to any comments and ignores them all, I think we have a requirement to do some level of diligence in doing this process.

And after that I think based on the results of the survey which we looked at broadly last week in parallel with Marika preparing this view of the public comments, a couple of us but primarily led by Berry have been starting to look at how we can present the survey results in ways that are meaningful and give us some indication of where we should be going assuming we want to follow the advice on that survey coupled with the results of our own survey.

And I would like to see some progress in deciding how we close out this process and either decide that we're stalemated and go back to Council saying we can't do anything or come to some resolution and make recommendations. That's not going to happen in a week or two but that's where I would like to see it go.

There's no point from my perspective of continually going around the merry go round if we're not moving somewhere. So we have several meetings worth of work to do to look at the public comment and look at the survey results and with hopefully a meaningful presentation. And from what I've seen from Berry, we will have that. And then try to make some decisions on where to go forward.

Jeff Eckhaus: Okay. Yeah. I was just - I was just - okay, I was just curious what the - were the response supposed to be towards a greater goal or just as a response to the comment. That's what I was just trying to figure out on that front.

Alan Greenberg: Well, if our response to any given comment is you're loony and this makes no sense at all in - with respect to what we're looking at or it's completely out of scope, it obviously doesn't impact the output. On the other hand, if people are making comments that are in line with some of the views expressed on this - in this working group, you know, one side or the other, then I think that just adds fodder to try to come to closure on these things.

Jeff Eckhaus: Okay. That makes sense. Thanks.

Alan Greenberg: I mean I'd like to be able to say with a straight face that we're taking the comments and using them in our deliberations to the extent that they are relevant to our deliberations. Otherwise the process is even more shammed than some people say it is and I don't want my part of it to be a sham.

Cheryl Langdon-Orr: Alan, Marika might be going to say exactly what I was about to say which was...

Alan Greenberg: (Unintelligible).

Cheryl Langdon-Orr: ...part of the answer to those questions is I would have thought (unintelligible) in the tool that is up on the screen now. It's the tool that was used I think quite reasonably and successfully in the PDP work team processes and it's that recommend an action column that we're dealing with.

Alan Greenberg: Yeah.

Cheryl Langdon-Orr: Or am I wrong?

Alan Greenberg: No, I think to the extent that was can put meaningful information in there, yes.

Cheryl Langdon-Orr: Okay.

Alan Greenberg: But remember the tool as we have it right now with answering one question - one issue at a time...

Cheryl Langdon-Orr: Yes. Yes.

Alan Greenberg: ...we're looking for patterns and, you know, the fact that one person says we should do X doesn't necessarily mean that's what we're going to end up doing. But yes, I - that's part of the process of coming out - deciding where we go. Yes. Marika.

Marika Konings: Yes. This is Marika. And I mean Cheryl made exactly the point that I was going to make on the tool and the way it has been used in other working groups where the working group response column and tried to capture a discussion that working group had around the comments.

And then in the recommended action column it might say none but it might also say, you know, update a report to reflect X, Y and this based on the discussion.

So it's a kind of tool to try to keep track of, you know, the comments that are made but also try to identify where the working group feels that maybe additional information needs to be added or a correction needs to be made or where nothing needs to be done because, you know, someone's maybe agreeing with a certain part of the report or a certain recommendation.

So that's the idea behind the tool and as Cheryl said, we're using a similar tool in other working groups where it seems to be quite productive but also results in substantive discussion on the issues that are on the table. So not only to comment but normally the comments drive, you know, to further debate that might help the group working towards consensus around some of the recommendations which is there's no other outstanding issues.

And just on that point as well, you know, at some point in time the group will need to decide as well as in the initial report didn't contain any draft recommendations as such whether we need to put out - you know, if we come to recommendations or draft recommendations that whether these need to be put out for another round of public comments so that the community has an opportunity as well to respond to those specific recommendations that might have more details and options we prescribe in the initial report.

Alan Greenberg: Yeah. It's just a personal opinion is based on the comments we're received and our original intent when we came out with this report which we know did not have any recommendations in it. I think we pretty well said in the report that should we come up with recommendations, it will be - it will go to another comment period. I think we actually said that although I won't swear to it.

Okay Marika, I'll turn it over to you then.

Marika Konings: So this is Marika again. So you can see the grid that's on Adobe Connect and it's also posted on the Wiki and circulated by email. Basically it's put together in - the first section is general comments and then it follows the different charter questions.

I think it maybe follows the summary that I provided as well. And then at the end you'll see it identifies as well a number of other issues that (unintelligible), you know, one of the charter questions, categories or the general issues common so (unintelligible) when we get to those where - where they belong or whether they indeed belong into another issues category.

So if go and look at Comment Number 1 - and again, this is just a summary of the comments. So I'm saying, you know, I'm assuming that everyone has reviewed the comments in detail and if there are - anyone feels that, you know, any important information is missing, to put the comment into context, I would just like to encourage you to, you know, send an email to the list or directly to me so we can update the (rising) comments.

So the first one is a comment from the Registrar Stakeholder Group that they see (safe) and the unintentional loss of a domain name is not a common occurrence and there is no data suggest - no data suggesting a registrant experience such problems.

Alan Greenberg: I'll put up my own hand if no one else

Cheryl Langdon-Orr: (Unintelligible) put up your own hand.

Alan Greenberg: Well I - as opposed to being the Chair, I'll try to give my personal view on it. There certainly were - if you look at the compliance data we got which is now probably two years old but nevertheless, there were a significant number of ones related to the topics we're looking at. And once could extrapolate and increase that number.

Short of requesting that compliance do a case by case study, which I gather involves taking out piles of papers and reading them or getting information from registrars where - which we have not done, we are stuck without any hard data. And I don't see how we can, you know - we can either address - try to address what are perceived as the problems by large parts of the community or throw up our hands and say we can't do anything.

I don't see any alternative since the data that we need is either very expensive for ICANN to achieve on its own or requires the cooperation of registrars to divulge information which in general they're going to view as competitive if nothing else and are unlikely to do. Jeff.

Jeff Eckhaus: Yeah. You know, I just wanted to just make a comment on this and maybe some clarification since, you know, part of - I'm part of the Registrar Stakeholder Group.

And, you know, if you read it says the unintentional loss of a domain name is not a common occurrence. You know, I don't think even with compliance data, you know, common - a common occurrence means that it is common. And what we're seeing here is that with - I don't know, you know, how many 80 million or so domains registered and with expirations and renewals of the process, you know, even if this happens 100, 200, 300 times out of 80 million that does not make it a common occurrence.

I just - so just to be clear on, you know, what the language is saying. And, you know, even what we were saying as individual registrars that participated in this and part of the stakeholder group, we had not seen this. This is our comment on this and saying that even - and there is not data. They're not saying we haven't seen this data even on ourselves that suggests registrants experience such problems.

And this is from the members of the group that have participated and that part of the Registrar Stakeholder Group. So, you know, it could be that there is - you know, that people are just - you know, are saying that this happened then from people that are not part of this. But when

you're saying the registrars aren't giving up the data, we're saying this is what we've seen as registrars. This is our comment and with our own data.

So it's - that's what the genesis of this comment is and where this came - and what this came from. So that's - I just wanted to clarify that because we're not - what you were saying is hey, the registrars aren't giving us the data. What we're saying is we looked at our data and this is our comment and what we're stating. Okay.

Alan Greenberg: Thank you. Thank you Jeff. Just for clarity, I don't think anyone is claiming that this a common occurrence that is happening 30% of the time. It's a tail - it's the tail - a tail event. And the general perceptions of being it's a tail event and not necessarily caused by the leading mainstream registrar.

Jeff Eckhaus: Right. Yeah. And what we're saying is - and as I said, this is - what I want to say is that this is - and I just - this is more of a general guidelines of how we go through this. You know, what comments are it's just someone's beliefs and I don't think we need to state this is true, this is false. I don't know.

Alan Greenberg: Yeah.

Jeff Eckhaus: I'm not even sure. Do we need to respond to every comment? That's just general - that's not for this one but I'm just saying for all. I'm just thinking about this process. I don't know actually the answer to that. That's actually a question I have.

Alan Greenberg: I think we'll go - well after Mikey, we'll go back to Marika and see if she can give us any guidance on the norms of to what extent do we need to respond to things (unintelligible).

Jeff Eckhaus: Okay. Thanks.

Alan Greenberg: Mikey.

Mikey O'Connor: Well I - this is Mikey. I guess the thought that I had when I read that was sort of the same reaction that registrars have had in the converse, which is well, okay. If you've - if you're making a database assertion, then share the data. But don't make the assertion without data to back it up. That's all.

Alan Greenberg: Thank you Mikey. Marika, to what extent do we really need to respond one for one and - or do you feel it is useful and think - in issues like this where positions are being reiterated that have - that are not new to the discussion?

Marika Konings: This is Marika. In my personal view but I think also in the context of the discussion on the (confidency) and the transparency, I think it's very important that at least they receive their comment is acknowledged. So indeed in those comments where working group feels there's nothing further to add and the position is no, it can just recognize that. Say well, we appreciate the comment and, you know, it's noted.

Alan Greenberg: Noted. Okay.

Marika Konings: And because I think it's, you know, I think we're trying to be more responsive to comments and as well be able to demonstrate to those

that take the time to submit comments what is being done with those. So if we can at least recognize that, you know, the group has reviewed the comments and, you know, not in every comment it's necessary to have elaborate discussions or make changes.

So some comments might just say well, we completely agree with that and, you know - or in these stated positions that have already been stated or are recognized as well in the report. Because I think there are, you know, we have to make reference to the fact that, you know, we don't have hard data and, you know, that that might be a concern.

So it is a question of the working group just recognize that and I think if we can just, you know, note that here and keep that as a record to the final report is a way for those that comment as well to see that, you know, the working group took the comment seriously and did something with them.

Alan Greenberg: Yeah. I would think if nothing else that the survey we did indicates that there are some people in the world who think this is a problem. It's not a problem where it's addressing an issue worth addressing. And I think the working group has to factor that in as well.

Berry Cobb: Berry.

Alan Greenberg: Berry, go ahead.

Berry Cobb: Hi Alan. This is Berry. Thank you. Yeah. And I'd just like to, you know, kind of pulling out and looking at, you know - and Jeff, you kind of touched on the - or underscored the common occurrence. And I agree

with you, you know, there isn't data to understand whether it's common or not certainly at a macro level.

And perhaps the quantity may be should just be tossed out altogether because I do believe that on a micro level or at some small quantity there is these types of events out there where a registrant does lose their domain unintentionally. I personally know of a couple of small instances where that's occurred, one or two.

And so I guess maybe it's more a question of is it, you know, are we trying to correct the chance of an occurrence versus realizing whether it's a true industry wide issue or, like I said, at the macro versus micro issue as well. Thank you.

Alan Greenberg: Jeff.

Jeff Eckhaus: Yeah. Thanks. Actually this question is for Mikey. I thought I understood it but now I'm confused. So if I can ask if he can clarify what he said which is what he was saying about the conversing that if we have the data should we present? I wasn't sure. And if I can just - I - if we - if you think it's a moot point, we can go past it. But I was just - I was just confused on what he asked and I just - some clarification. You can just send it to me offline if you guys think that it's, you know, too detailed and pointed.

Alan Greenberg: My understanding of what Mikey said was that you said that registrars did look at their data and they believe from that data there is - it is not a common problem. And you saying if you have data, share it. Mike is that a summary - quick - a valid summary of what you said?

Mikey O'Connor: Yeah.

Jeff Eckhaus: Right. So we - I'll just give you my - our personal piece. Is we looked through - we went through our compliance, our other group, all the groups that do renewals, other pieces. And we had - this is - I can only speak for ourselves, so. We had not seen that we had complaints coming in saying, you know, unintentional losses.

So I don't know what data - like I could, you know, I could present because we looked through and we were sort of through complaints, other issues to say okay, we haven't seen this as a complaint. We might have seen, you know - I said have we seen any - and I asked the group to go through it.

So I don't know what data - just I was just thinking about it and I was like - I would love to show data to say hey, here's my data to support it but, you know, absence of a problem or complaints, there is nothing to show. That was sort of what I was thinking about.

Alan Greenberg: But of course our premise from the very beginning is the people participating in this call are not likely the ones causing most of the problems.

Jeff Eckhaus: Oh no. No, I know that but that was sort of my response but I wanted to say to Mikey - I just wanted to make sure that's what he was asking and just to say hey, if you don't have complaints, then it's tough to show that there are no complaints.

Alan Greenberg: Noted.

Jeff Eckhaus: Okay. Thanks.

Man: Yeah. Just to reiterate though what Jeff's saying, it sounds almost like we're being asked to prove a negative. I mean we have instances where we recovered names that people have accidentally deleted or determined later that they wanted and then we helped them to recover.

But, you know, but from a registrar's perspective, a name that is unintentionally lost due to expiration versus a name that is intentionally not renewed, it's kind of hard to tell the difference. And so I think that, you know, putting data together that distinguishes between the intention of the registrant is a challenge.

Jeff Eckhaus: Understood.

Mikey O'Connor: This is Mikey. Let me jump in. I think it's the fact is that you can't tell. Then that's a different statement about the data than you have no data that suggests it. And I would suggest that then we need to figure out another way to find - to get to the bottom of this. Because I mean we all know people who've accidentally lost their names.

I've worked with some of you directly on the phone to recover them. So it's not as though this is total - unless Berry and I are the people that know the six total population in the universe of folks who accidentally lost their names, which is probably. It's just not very likely.

And it seems to me then that the data that you have isn't capturing the question that we're trying to answer. So my only reaction is to this comment which is it's not common and we - and there's no data suggesting that it is. And, you know, it sounds like we are at the nub of

this puzzle, which is are we proving a negative? Are we looking at data that's not capturing the issue? And there's a whole boatload of statistics theory that we could get into. But I don't want to let this one go unchallenged. That's my main point.

Alan Greenberg: Michele - oh, you're not up anymore.

Michele Neylon: Well I kind of was. I mean...

Alan Greenberg: Go for it.

Michele Neylon: Yeah. Well I think in some respects the entire discussion around this common is probably, you know, look; from the registrar side we don't see a massive problem with this. I mean from our experience, sure, we do see some people who have issues but most of the time it's well, literally the case of people not checking their email for six months; not using their domain for six months then wondering why it vanished.

But I mean, you know, is that unintentional or is that just sure kind of lackadaisical. I don't know. But I think we should really just move on. I mean we should note the fact that there is a divergence of opinion with respect to this comment and move on to the next one or else we're going to be here for the next two hours and it's not going to change anything.

Alan Greenberg: Sage advice I think. Marika.

Marika Konings: Marika again. So I'm moving on to the second comment that's from the Registrar Stakeholder Group. And the working group should balance the expected benefits from potential recommendations with the

Registrar Stakeholder Group's position. There's no quantifiable harm in issue and that risks of unidentified consequences arise from any policy change.

Alan Greenberg: Do we need any answer to that other than noted? Then this will be considered when and if we decide on policy change.

Man: Alan, as a register, I'll just say that that was just - yeah. The perfect response there is just noted. In fact please note that that there's no expected response on that.

Alan Greenberg: And until we come to talk about policy change, we don't have to worry about the unintended consequences. And when we do talk about policy change, we should consider it.

Man: Exactly. Perfect. Thanks.

Alan Greenberg: Number 3 Marika.

Marika Konings: So now moving on to Number 3 and I think we probably covered that (over there) a discussion earlier. It's from the Registry Stakeholder Group and reading that as the initial report doesn't provide any recommendations at this stage, it would welcome that once these are agreed upon by the board can be - and included in the report in updated version as opposed to public comments.

Alan Greenberg: A reasonable request. And I believe one that we already - we suggested in that initial report. Michele.

Michele Neylon: This is just part two of a kind of a process type thing just to clarify. I mean if a working group after an initial report at some point further down the line comes out with recommendations, wouldn't it be kind of expected that these would be put out for public comment?

Alan Greenberg: I think the only issue is that if you look at the PDP process, there's an interim report. We have chosen to put out an interim report, which did not include recommendations. But the implication is by some that we have fulfilled our interim report requirement and therefore don't have another one.

My position is the intent of the interim report part of the PDP bylaw was to give exposure to the recommendations to get comments on them before casting them in concrete. And therefore it is reasonable that indeed we come up with a second interim report or whatever name even though the bylaws do not call for two of them.

I think there's just a fear among some people that because we came up with the interim report we may not feel obliged to come out with another one even though we missed the nicety of putting recommendations in this one.

I don't believe there is anyone in this working group who believed that was our game plan that is to make recommendations in secret and pass them on to the GNSO without asking for comment first.

Shall we proceed?

Marika Konings: Yeah. This is Marika again. So then we move on to the charter question comments on Charter Question 1, Comment 4; a comment

that was made by Blacknight, Michele and by the Registrar Stakeholder Group basically responding to the question saying that yes, there is adequate opportunity for registrants to renew their expired domain names.

Alan Greenberg: Do we need anything other than noted? No hands. Noted it is.

Marika Konings: And moving on to Charter Question 2 coming from Blacknight, Michele and the question he's suggesting that the question should be reformulated to ask whether registrants are aware of what can happen and will happen to their domains if they don't even - noting this is a matter of education.

Alan Greenberg: I guess I'm not sure - I think it's too late to reword our charter questions right now unless we really want to go back to the GNSO and ask for a revised charter. But I thought that the question that is being suggested was one of the things we were focusing on.

Cheryl Langdon-Orr: Yeah.

Alan Greenberg: And that is do registrants really understand what they're letting themselves in for and what to expect. So I think we're addressing the question even though I don't believe there's any will at least among some of us to go back and redo the charter. Michele, am I missing part of that?

Michele Neylon: Not really. I mean the reason - I can't even remember what I wrote. So I actually should look at what the hell I - what the hell I posted. But I mean the key thing with a lot of this is, and I think - I can only speak for myself but I'm sure at least one or two of my fellow registrars would

probably agree that most of the problems are that seem to be there are down to what is intentional, what is unintentional. People not being aware of what happens.

I mean if you look in the chat there, I just posted the kind of example of that kind of a silly type of dialog that we would have with the registrants. They contact us, please cancel my account. We go are you sure you want us to do this? Oh, yes, yes, yes. Sometime later they come back and they go, you know, why is my domain not working? Why is my email not working?

You know, this kind of thing it's not uncommon. And so I think in some respects, you know, a lot of the questions that we're being asked to answer are pretty hard to answer whereas the reality is that the perceived problem is that. It's perceived more than real. And the only way to actually address this is through education.

Alan Greenberg: And no amount of education is going to relieve you from having to deal with people like that I'm afraid.

Michele Neylon: Well I could just change our telephone number to be a premium rate number but hey.

Cheryl Langdon-Orr: Hey, that's not a bad plan, Michele. Not a bad plan.

Alan Greenberg: The deal is they just have to pay for the privilege.

Michele Neylon: But that's okay. That's okay.

((Crosstalk))

Alan Greenberg: I think we're going off track. So I think the answer to this is a charter rewrite at this point is not in our future plans. But the issue is noted.

Marika Konings: Moving on then to Comment 6 from the Registrar Stakeholder Group saying that as part of the requirement under the EDDP terms and conditions are maintained on registrar Web sites and these appear in (unintelligible).

Alan Greenberg: Part of the requirements under the terms and conditions. EDDP said that about some very specific issues but I don't think made that statement about the, you know, sort of all of the termination or expiration related issues. Am I wrong on that?

((Crosstalk))

Marika Konings: It does affect the side that is the renew and expiration but I guess policies need to be posted. I think it's in a conspicuous place. I think that was the - together with the information on the fees for RGP. I think they were the subject of the audit that was conducted by compliance.

Alan Greenberg: Yeah. The RGP one I know. I wasn't sure that it made reference to all the terms. That's something we need to look in and perhaps talk to compliance about.

Marika Konings: And actually this is Marika. I just pulled up the EDDP and it basically says like if the registrar operates a Web site for domain name registration or renewal, details of registrant's deletion and auto renewal policy must be clearly displayed on the Web site.

Alan Greenberg: Let's make a note to talk to compliance about whether they've ever done an audit on that part of it.

Marika Konings: And this is Marika. They have and I'm happy to share that information again.

Alan Greenberg: Okay. My...

Marika Konings: As I recall they did a - they did an audit and I think they did find - I'm here - I think it was around 20% that was in non-compliance but they followed up with most of them and I think that we reduced the number to a very minimal amount.

Alan Greenberg: Yeah.

Marika Konings: But I think it was more a question of people not being aware of that as requirements.

Alan Greenberg: Yeah.

Marika Konings: But I'm happy to re-circulate that information.

Alan Greenberg: Okay. If you could. My recollection was that was - what they audited was only the RGP part. But I...

((Crosstalk))

Marika Konings: They did two audits.

Alan Greenberg: Okay.

Marika Konings: The first one I think was on the availability of the information. And I think the second one was on the information on the feedback. Like I said, I'll (unintelligible).

Alan Greenberg: My mistake then.

All right. Shall we go on?

Marika Konings: Jeff has his hand up.

Alan Greenberg: Oh I'm sorry. Jeff.

Jeff Eckhaus: Yeah. I have a question is that I know that you're curious about ICANN, you know, compliance in that group. But I don't think that was the nature of the - you know, I think - I don't think if registrars - not that I'm - but the compliance end with that is - I don't know if that's germane to the comments and to this charter question and to the comments.

I think we're just - the whole idea was saying A, it's that for this charter question - I mean, sorry, for this piece that it's already in there and that there's no need to make changes for that for - on charter questions too. I don't think hey, are people in compliance with that. I don't think that's relevant to that unless I'm, you know, reading this wrong.

Alan Greenberg: No. No, you're right. I'm just trying to satisfy my own curiosity but you're right.

Jeff Eckhaus: Okay. Thanks.

Alan Greenberg: Number 7.

Marika Konings: Moving on going to Charter Question 3, comment that was shared by both Blacknight and the Registrar Stakeholder Group knowing that there's adequate notice as multiple notifications are sent by most registrars.

Alan Greenberg: And I guess my personal response to that is I'm not even sure we know what is most. It's certainly by the registrars for most domains. And I would have thought the issue is not whether most do it but whether all are required to do it. Again, with the premise of this from the very beginning that we're looking to address the outliers, not the norms.

No other comments? Then let's go on.

Marika Konings: Moving on then to Charter Question 4, Comment 8 from Blacknight and so we got then some peer indication in WHOIS of a domain's current status would help avoid confusion but he expects exact form and methods for implementing these is probably beyond the working group's (agreement).

Alan Greenberg: Again that comes down to what we do when and if we start to act. So we will take it under advisement. Marika.

Marika Konings: Yeah. This is Marika. Maybe just something to add. If then indeed - once the group started discussing specific recommendations, indeed there's an option to, you know, provide some guidance principles. And I know in the past there have been GNSO Council implementation teams that have for example worked out further details before those

recommendations are moved further up the queue to board approval and then to staff implementation.

So then something for, you know, the working group to take into account like these kind of issues that, you know, might, you know, add some technical limitations or implications to the discussion that there might be a need to indeed recommend that the issue is further considered but might be, you know, better done by a specific implementation (feedback).

One narrowly focuses on the specific recommendation and any guiding principles that the working group might provide.

Alan Greenberg: Yeah. I think that's pretty much a given. I mean unless we want to bring in expert panels on specific subjects and try to have, you know, subgroups or a satellite group do the actual design, I think all we can do in a case like WHOIS which is - has all sorts of technical issues associated with it is make a recommendation of intent of what we want to have come out of it. And not try and design the interactions between the registrars and the database and the registries, which caused it to happen.

I for one think that's way past the level that we have confidence to do properly. So I'm agreeing - I think I'm agreeing with what you're saying. Michele.

Michele Neylon: Now just to reiterate that Alan, that's why I worded this the way I worded it. Yeah, to get into the actual implementation of it is it opens up a massive can of worms and it's complicated. But at the same time, I do still - I still that something needs to be done. I don't know how.

Alan Greenberg: Yeah. I mean I think our job is to state clearly what we want the end product to be, not the format of the words, but the intent so that we are no longer in a position where a typical registrant or their advisors are misled by what WHOIS says. Does that capture what you think we want without trying to be too specific? He's gone. He has a tick mark. Thank you. Let's go on.

Marika Konings: The Comment 9 also from Blacknight. If a holding page is used following expiration, it should contain a notice that the registration has expired and information on how the registration can be renewed.

Alan Greenberg: I think that's another noted. When we get to the point of - when and if we get to the point of writing policy. I certainly support what it's saying.

Man: (Unintelligible).

Alan Greenberg: We have Michele, yes.

Michele Neylon: Just to clarify on that. Just that - I'm not looking at the original comment that I made. I mean being the information on the page doesn't actually have to be on the page. It could just be a link if you know what I mean. So the page itself could just contain a link to something else.

Alan Greenberg: Again I -we're not worried about the exact details as long as - I mean if it was just a link with no title and you had to guess what the link is for, I wouldn't say it satisfies your requirement. But...

Michele Neylon: No. On no level.

Alan Greenberg: Assuming it's someone who has moderate capability of reading would understand they need to click on it to fix their problem, I agree. Grade 3 reading perhaps. Let us continue.

Marika Konings: Moving on to Comment 10 from the Registry Stakeholder Group. A classification of WHOIS output might be helpful but in addition one, the cause of this issue applies to both thick and thin gTLDs. The working group may want to consider not restricting its focus in this regard to only thick registries; two, a technical point to keep in mind is that auto renew and in grace period is not and EPP status. So if it is reported in WHOIS output, it should not be shown as a status.

And three, if this is recommended, it may be worthwhile to consider recommending that the same be done for other similar periods. And four, if it is recommended that registries do this, it should also be recommended that registries do so as well.

Alan Greenberg: I'm a little - I think the second and third one - the second one I think is passing the point where I feel comfortable talking about it. And it probably goes back to the issue of the comment that was made by Michele on let's talk about the intent but not the - necessarily the implementation. And I support that.

The first part mystifies me because I don't think anywhere in the report did we say this should apply only to thick registries. I don't - Marika, we talked about this very briefly at one point and did - have you looked anymore into it? I guess just the word for the - a search for the word thick might tell us whether we mentioned it or not. I don't think we said...

((Crosstalk))

Alan Greenberg: ...and I don't think we - we certainly didn't intend to imply it.

Marika Konings: This is Marika. I would need to check. I don't recall either that we specified as such.

Alan Greenberg: Certainly based on our discussion, we never differentiated although the implementation might well be very different. Michele.

Michele Neylon: Whether it was - whether it was mentioned or not I think it would go to the implementation. Because obviously a thick registry, the - any changes are going to be - have to be handled on their end whereas in a thin registry that wouldn't be the case. I think that might be where they're coming from.

((Crosstalk))

Alan Greenberg: It might be. But I don't think we differentiated it implemented only on one and not the other.

Michele Neylon: No but I think that's what they're getting to is that if it's - if you're saying - if we were to suggest that the registries were to change something and they would interpret that as being related to thick which is why they would also have to...

Alan Greenberg: Oh, okay. Okay. So if we implied that it is the registries who must do it, that would only apply to thick.

Michele Neylon: If you're talking about an action from the registries alone, then yes.

Alan Greenberg: Can we agree that we intended it to be both? And if we need to change words, we will.

Michele Neylon: I'd push back to the - if this is more kind of details of implementation and go yada yada what you were saying earlier.

Alan Greenberg: Yeah. But our intent - our goal I don't believe differentiated between thick and thin. We were talking about what...

((Crosstalk))

Alan Greenberg: A registrant shouldn't feel radically different because it's .org instead of .com or vice versa.

Michele Neylon: Which I think we're - and I think we've discussed this in agnostic with respect to the TLD.

Alan Greenberg: Exactly. Okay. Did we cover all the three aspects? I'm not sure about the third - Number 3. Number 3 I think goes back - goes beyond our scope. Anyone? Michele.

Michele Neylon: Again stand to an implementation, you know, further work, other group's problem type scenario. I mean they're talking - the registry response there - I mean they're talking about the tactical implementations and, you know, to actually push some kind of change through would require a lot of different things to work together, et cetera, et cetera, et cetera.

So, you know, that would be noted but obviously it's not - it's beyond our arena to - at this juncture.

Alan Greenberg: But Number 3 is saying make a change to the other periods, which may have nothing to do with expiration. And I would think that is outside of our scope. It may be a natural thing to do all at the same time but it's...

Michele Neylon: (Unintelligible).

Alan Greenberg: ...but it's out of our scope to recommend.

Michele Neylon: It's possibly interconnected. But I think, you know, we're making a recommendation that wouldn't be that specific anyway.

Alan Greenberg: Yeah. Okay. I think we're all violently agreeing. And Number 4 says if we recommend registries do it, then it should be recommended that registrars do it as well. And again, I think we are talking about the end result and we were not trying to be specific as to who had to make the changes if changes are to be made. So I think we're agreeing with that. Marika, did we cover that enough so you know what to write?

Marika Konings: Yes I think so.

Alan Greenberg: Okay. Let's go on...

Marika Konings: Again, I'll send it back to the list so...

Alan Greenberg: Okay.

Marika Konings: ...everyone can have a look and see if I didn't cover it well.

Alan Greenberg: Okay.

Marika Konings: So moving on to Comment 11 by the Registrar Stakeholder Group stating that no additional measures are needed as sufficient notice is already provided.

Alan Greenberg: I think that's another one that we decided on Number 1, the answer is noted.

Marika Konings: Moving on to Comment 12 also from the Registrar Stakeholder Group. There's a potential for confusion caused by WHOIS output in relation to renewal and the Registrar Stakeholder Group intends to work with the Registry Stakeholder Group to further examine this potential problem and propose potential solutions.

Alan Greenberg: My personal answer is thank you. I'm not sure if that's too glib for a formal report.

Michele Neylon: You can count this nice flowery language if you want Alan.

Alan Greenberg: Flowery may be as good as you get out of me on my I think fourth conference call today. Next Marika.

Marika Konings: So moving on to Charter Question 5. First comment from Blacknight. No transfer should be allowed during RGP.

Alan Greenberg: Okay.

Marika Konings: Noted?

Alan Greenberg: Noted.

Marika Konings: The next comment is from the Registry Stakeholder Group. Current there is no guarantee that the registrant of record during the RGP process is indeed initiating original registrant of the domain name - domain registration which raises a number of questions such as who has the right to redeem the registration during RGP; the current registrant on record or the originating registrar or some interim holder of the registrant record?

Who has the right to initiate the transfer? How can a registry identify the initiating original registrant if they are not the current registrant of record? And which registrants the one on record are initiating, would a transfer be reversed to following the restoration of a name in RGP if the transfer was successfully contended?

As a result the Registry Stakeholder Group would support to keep the RGP and transfer separated and serial in execution.

Alan Greenberg: I think this is another one that - should we decide on policy change, we'll factor this in. Michele.

Michele Neylon: Well actually I have to disagree with you Alan.

Alan Greenberg: Oh, okay.

Michele Neylon: I mean if you look at the three comments - the three comments there, I mean, okay, ours was very short and to the point. The registry went

into it in more detail. And the registrars the following one have said, you know, said that it's a complex issue.

But my understanding is that it's one of our charter questions is whether there should be a (K) allowed, whether RGP - a transfer in RGP should be allowed or not. So I mean if we're going to actually answer that question with a simple yes or no, I would be pushing for a no.

Alan Greenberg: And I suspect you won't find a lot of objection to that at this point. And what I said was should we decide on policy, we'll factor in the details that you mentioned, the complexities.

((Crosstalk))

Alan Greenberg: If I had to predict outcome, we will not recommend policy change there.

Michele Neylon: Oh, I see what you're - I see what you're getting at. Okay. Sorry.

Alan Greenberg: Okay. But if the world goes such that we're - we all have a change of mind and we decide transfers must be done, then we will make sure to factor in the various details that they have mentioned.

Michele Neylon: Yes. Sorry. I - yes, I understand what you mean. Sorry.

Alan Greenberg: Okay. No hands. Let's go on.

Marika Konings: So the next comment is Comment 15 and Michele already alluded to it. It comes from the Registrar Stakeholder Group knowing that this is a

complex issue and maybe more appropriate for examination by a future working group assembled to address this specific issue.

Alan Greenberg: I think the answer is the same thing.

((Crosstalk))

Alan Greenberg: Both 14 and 15 are giving advice should we decide on a policy change. And we will factor that in should we decide on a policy change. Sixteen.

Marika Konings: I do have a question on the registrar...

Alan Greenberg: Okay.

Marika Konings: ...comment because I think the other two basically say well, we think it's a better idea, you know, to keep them separate. But does the registrar constituency think that it should be further examined because there might be value in exploring that option? Or is it such a complex issue they do not have an opinion on that yet?

Alan Greenberg: I guess I - I'll let a registrar speak for their - speak to that. But I read that as saying not dissimilar from what the registry group said. That this is a complex issue and take appropriate action if you decide that you really need to look at it. And the registries listed some specific issues. The registrars simply said convene a group of people who are competent to address the issues. I don't see them as being very different. Anyone? Jeff? James?

Jeff Eckhaus: Yeah, it's Jeff. I'll just say that - I just want to clarify that. I know that you're just saying now so I'm not - but it's not - we didn't say, you know, it's not a group of people. It was specifically - and it's capitalized for a reason - a future working group. So just - I just wanted to be clear on that.

And, you know, it's one of those that I can go back and, you know, think about some clarifications but I think that the comment does speak for itself that it is complex and what we're saying is by a future working group that there should be a working group convened to address - to specifically address.

And that's - I think that's all the comment is saying exactly what it is there. I wouldn't go deeper into it or - you know, you guys you can make an association if it's similar to the registries. But I think that's what it's saying right there. And I wouldn't dig deeper into it. But the working group is specific that it is capitalized and we would want a working group. Thanks.

Alan Greenberg: Okay. And unless I hear differently, this is another noted that we must remember when and if we look at this.

Marika Konings: Moving on then to the next category with is titled desired outcomes. As we see a number of the comments indicated outcome they would like to see from the activities of the working group.

So Comment 16 is from the ALAC noting that a level of predictability and security must be provided to gTLD registrants.

Cheryl Langdon-Orr: Well duh.

Alan Greenberg: Do we need anything other than noted?

Cheryl Langdon-Orr: It's another noted.

((Crosstalk))

Alan Greenberg: Since I was involved in approving these, I don't feel I want to give the formal rebuttal but I think it's - I think it's a noted.

Marika Konings: Okay. So moving on then to Comment 17 also from the ALAC. The following outcomes will be supported. One, consensus policy requiring that all registrars must allow renewal of domain names for a reasonable amount of time after expiration. Two, consensus policy explicitly stating the minimum requirements for pre-expiration notices. Three, consensus policy requiring clarity of how messages will be sent. Four, consensus policy requiring that WHOIS content should make it clear that a domain name has expired and has not yet been renewed by the registrant.

And five, consensus policy requiring that notices be sent after expiration. Six, consensus policy requiring that Web sites Port 80 no longer can resolve to the original Web site after expiration. And seven, consensus policy requiring that other uses of domain name email, FTP, et cetera, no longer function after expiration. Eight, consensus policy requiring clarity in the expiration terms and fee offered by registrars. And nine, consensus policy requiring that the redemption grace period be offered by all registries including future gTLDs and that all registrars.

Alan Greenberg: Jeff.

Jeff Eckhaus: Yeah. Thanks. This is actually a question I had for - when I first read the comments. And could you - and this is for Alan and anybody else ALAC (unintelligible). How do you reconcile Number 5 and Number 7? Because it says consensus policy that notices be sent after expiration and then it states Number 7 that uses of domain email no longer function after expiration.

So I was trying to figure out how does that reconcile because you're asking two things that sort of seem to be in conflict with each other.

Alan Greenberg: Well I'll give my version. Maybe someone else wants to give theirs. Number 1, they're not necessarily in conflict. It depends whether the email addresses you specify use the domain in question.

Cheryl Langdon-Orr: Yeah.

Alan Greenberg: That's Number 1. Number 2, notices can be sent by a means other than email. And in fact some registrars explicitly offer that. Some as a service. Some as a free service. Some as a charge service. And I suspect there are some registrars who will take a taxi to your door and knock on your door to tell you your domain is about to expire. So...

Jeff Eckhaus: Right. But here...

Alan Greenberg: I don't see those two as (unintelligible). If you're saying if there is a - if there is a registrant who has only used their own address and the registrar does not use any other means to notify them, yes, they're in

conflict and you - it's an unfortunate situation. And someone's going to suffer from it.

Jeff Eckhaus: Yeah but the person that suffers would be the registrar because they're not in compliance with consensus policy.

Alan Greenberg: No. On the contrary...

Cheryl Langdon-Orr: Can I...

Alan Greenberg: Sending notices...

Cheryl Langdon-Orr: Let me help. Let me help.

Alan Greenberg: ...does not mean they're received.

Cheryl Langdon-Orr: Let me help. A number of people would use an email address that's not related to the name. And if that's the case, then you're not going to be.

Jeff Eckhaus: Right. Oh no.

((Crosstalk))

Alan Greenberg: How would a registrar not be in compliance if they met both of those?

Cheryl Langdon-Orr: Yes.

Jeff Eckhaus: No. No. Here's the thing. Say I extend it - what happens is say the registrant sets up, you know, that they use their own - that the only email that's applied is the one for that domain.

Alan Greenberg: Okay.

Jeff Eckhaus: Right. That expired. So what I'm saying is that there's a requirement that they send a notice.

Cheryl Langdon-Orr: Well then it's a post.

Alan Greenberg: Yes.

Jeff Eckhaus: Well the notice is sent after expiration. That's Number 5. So what happens is - what you're saying is that if that is then the registrars must use other methods. So that consensus policy requiring them to use other methods either postal or other methods requiring them to do that.

Alan Greenberg: That's not what I'm...

Cheryl Langdon-Orr: (Unintelligible).

Alan Greenberg: That would be a nice touch but that's not what I'm saying. The requirement in that particular suggestion says you must send it. It doesn't mean it actually makes its way all the way ends read. I send plenty of mail that bounces.

Jeff Eckhaus: Oh, so you're saying it doesn't matter if it actually gets to the person as long as it's sent. That's what you guys are saying.

Cheryl Langdon-Orr: Well not - Alan I thinks gone a bit too far there. I think a number is the people in the ALAC were - came to have, you know, well there is mail as an alternative.

Yes there's a layer of if the only email address is the one associated with the now defunct domain then this is one of those times that a letter might have to go.

But that would be a discouraged system to have, you know, the only email contact to be the one that's associated with the domain that when it expires is then going to not resolve.

Alan Greenberg: Right. Jeff if you go back to our surveys there were questions about should the registrar warn a registrant about something like that?

Should a registrar use multiple method? Should a registrar clearly tell the registrant ahead of time what methods they will be using?

And all of these all of these together...

((Crosstalk))

Cheryl Langdon-Orr: Or have them elect what method.

Man: Right so here's the thing. I think those are all good ideas. And I - the point is I'm not against any of these or anything like that.

What I'm saying is I want you to just take a step back from, you know, the actual uses of saying because you guys - the ALAC had said you'd want it to be consensus policy.

So what - the way I look at it is if that registrar doesn't send out let's say the, you know, physical snail mail, physical mail -- whatever you want to call it, if they don't send it then they are in violation of their RAA.

So I'm thinking about it that way like this would cause people to be in violation of their RAA.

So I want to, you know, when we were thinking about, you know, what are the consequences, what happens when, you know, if the email is the only one in if you're saying hey just send it, it doesn't have to be received or is it hey they have to get that notice, I don't want to go into that...

Cheryl Langdon-Orr: I did say that Alan had gone too far with his example.

Alan Greenberg: No, no I know. I'm just using that as an example. But what I'm saying...

Cheryl Langdon-Orr: And I'm just saying that's not an example that's valid to use.

Man: Okay.

Alan Greenberg: Let's go through the queue and then we can come back again.

Man: Okay I'll - go ahead.

Alan Greenberg: Michele?

Michele Neylon: Yes I'm kind of somewhere around where Jeff is. I don't have any issue with somebody saying that we have to send a notification.

But - and forcing us to send a notification by a means other than email or whatever means we happen to be using in two years, five years time or whatever I would have an issue with.

So if for example - well okay have - in the current state of affairs where people register domain names and take out hosting accounts and God knows what else using all sorts of crazy email addresses they even invent domain names.

We have seen people sign up using gmail.ie which for those of you who are Google experts you know it doesn't exist or if it does it doesn't work.

Mandating that we send the notification is find. Mandating that we - but we also make sure that it's received which is what some people seem to be suggesting here I would see as highly problematic -- highly, highly problematic.

Because if you're - if I'm selling a domain name with per year with a very, very in marked and my entire operation that's set up in a particular manner expecting me to start sending out snail mail notifications to registrant's is like you might as well just send me a letter saying look you're - you are now out of business.

So please send - please shift all your domains elsewhere and I'll go back to doing something completely unrelated to the Internet industry basically.

Cheryl Langdon-Orr: And Michele if I can respond to that please Alan. There is no I would think reasonable person who would say anyone has to guarantee that something is received.

What the ALAC has said is do send. I was concerned with Alan perhaps setting up a precedent in some people's minds that there is an intent to encourage no care that it is a likely to be received method.

It's a matter of in a best efforts world you have sent a reminder, a renewal, a notification. If you can send paper and it - but you can't guarantee we're going to open the envelope. You know, that's ridiculous. Of course you can't guarantee receipt and you can't guarantee, you know, in recipient reaction to it when it gets received.

Alan Greenberg: Thank you. Ron?

Ron Wickersham: Yes I have two areas that I want to cover. One area is is that within our purview to require that the registrant be allowed to present two email addresses, a primary one and an alternate one?

And just by providing that that is - you don't need to education that. That helps the reliability in case one email has been forgotten and dropped which is a poor thing to do for something as important as a registration. But it can happen within a larger companies if the email is to a particular person and they leave employment. The person reading their email may not have any authority or understand the mail.

But also the issue of whether within a domain name and to send the specific thing of after expiration you can have your primary contact with

it but by providing the opportunity for the registrant to do two email addresses, an alternate email address in case the primary one fails then assist with that without going into all the stuff about it's a best effort or stuff like that.

But my main point is it within the purview of PEDNR to require that every registrant be allowed the opportunity to register a primary and an alternate or two or if you don't want to say primary and alternate, two email addresses?

Alan Greenberg: I'll try and answer that. And the answer is I'm not 100% sure that that falls within the areas that we're allowed to set consensus policy on.

One would have to check. And I don't really know the answer to that. Is that...

Ron Wickersham: Okay and then...

Alan Greenberg: And if anyone can answer that specific question yes or no then chime in. Ron, go ahead then.

Ron Wickersham: Okay then the other thing is on consensus policy. I'm not - this desired outcome consensus policy and then people bring up the mechanism or the red - the RAA I believe it's called. Is this - if we do a consensus policy than that automatic - that's accepted by ICANN, then that automatically gets appended to the requirements of these agreements? Is that the case?

And are - in all of the listed comments from ALAC, are all of those within the allowed set? Are all nine things allowed within our charter?

Alan Greenberg: I'll try to answer that and anyone who disagrees can chime in. There is a global in the original RAA and which was used for EDDP.

There is a provision saying ICANN can set the details of post-expiration issues. I don't remember the exact word. So yes I believe most of those are within that boundary.

In terms of what happens, if a consensus policy is passed for something that is deemed to be subject to consensus policy that is within what is called the picket fence, it de facto changes the RAA.

You don't have to sign a new agreement. It - at the moment it is put into effect which is typically some period of time after the board approves it factoring in implementation issues. It becomes part of the requirements of the RAA.

Things that are not within the picket fence need to be negotiated with registrars. And that's the part of the subject of the other PDP, the other working group that was looking at RAA issues.

Ron Wickersham: Okay and this contrasts with best practices which does not get incorporated within their - within the existing agreements. Is that correct?

Alan Greenberg: Best practice is...

((Crosstalk))

Alan Greenberg: Best practice is not a formally defined term. So what happens with it will depend on how the registrars or a Registrar Stakeholder Group or register association chooses to use it.

Ron Wickersham: Okay. Thank you.

Alan Greenberg: All right, my - I put my hand a formally to comment on some of this. Certainly if a registrar sees that a domain which is being deactivated is being used for the email I would think that they should attempt to take other means of notifying the registrant.

Just sending email out blindly knowing it's going to bounce I don't think is a particularly interesting thing to do.

However, when we start talking about other ways of contacting people there are mechanisms that work.

Snail mail was referred to. Automated phone calls are something with which many people use very well.

And even in terms of snail mail remember we're predicating this whole discussion on the registrar's statement that very few domains get to this point.

Well if only one in 1000 domains get to this point, then even if it costs \$5 dollars to send out a letter mail that's only a 1/2 a cent per domain in terms of affecting your overall cost of domains.

Because we're not talking about sending out paper mail to everybody. We're talking about saying maybe you only have to do it for the

extremely small percentage. And I don't know how small it is because we have no data that get to the point of expiration.

So we - I think we need to take all this in perspective. And the other issue is that there are some other questions that we talked about in our various surveys about should the RAA specify what means are used?

That is you shall use email and letter mail and a knock on the door. Or another option that isn't quite as draconian is to have a requirement that the registrars say ahead of time what mechanisms they will use. So people can make reasonable judgments in deciding who their registrars should be.

So there's a lot of options and the ALAC put together a one-page document because it wasn't trying to be prescriptive in terms of the details.

And, you know, that was probably summarized even slightly more. I'm not sure in what Marika has. So there was no attempt that the ALAC was writing the policy there. It was a shorthand to give the intent.

Michele?

Michele Neylon: Right, a couple of things. First off Alan I'm very, very concerned by your comments with respect to sending out snail mail to registrants.

Your back of the envelope economics don't really hold up when you're (unintelligible). And to suggest that it will only cost in your example I think it was \$5 or something like that, et cetera, et cetera, et cetera, I'm - actually I find that quite offensive.

It's for - we are a much smaller registrar than some of the other registrars that participate in this working group.

But even for us it's not so much a matter of scale or anything else but just to do with our entire operations whilst to start sending out paper invoices cost significantly more than that and would have a very large and quite negative impact on our entire business process. And I find your flippant and (comments) with the disrespect quite offensive.

Alan Greenberg: Well but do note I wasn't suggesting you do that. I was simply saying that the economics are not quite the same as the cost of a letter - or an invoice -- whatever it is to all applicants as opposed to the ones who only...

Michele Neylon: Alan...

Alan Greenberg: ...reach that stage.

Michele Neylon: ...implement paper invoices in a business which is 100% electronic costs significantly more than \$5 or \$10 or \$50 or even \$100.

They're actually going from a system which is completely electronic to something which involves equal putting on the - putting pieces of print out - the print go into envelopes and then assuring that those actually get to people at the other end it is much, much more complicated than that.

And when we're talking about consensus policy it is something which is binding under contract. This is not something can be entered into lightly.

Alan Greenberg: I'm not sure why we're having this discussion today.

Cheryl Langdon-Orr: Michele if I can Alan, doesn't it come back to the primary objective which is predictive, you know, that ALAC was calling for and that was predictability?

If you've got a system that is operational and dependent only on electronic interchange with your clients that's great, that's fine, that's certainly I understand the economics of switching out of that.

Then is that not one driver to say in the process of establishing your relationship with the client.

You say if you are using only an email address that is associated with this domain name and this domain name expires then the notices which we will send you will not resolve once it expires because your email's not going to work. So buyer beware.

Is that not going to make those the same desires that ALAC has put in its request and not compromised, you know, from an operational or a contract set point of view?

Michele Neylon: Cheryl I fully appreciate that and I think you know from dealing with me that more often than not we generally tend to agree.

I just was - wanted to make the full point quite forcefully that Alan's suggestions are of, you know, oh but it only affects a certain number and doing it by snail mail - yada, yada, yada - I just whether that was echoing his own personal opinion on things or an ALAC position or otherwise I keep on wondering...

Cheryl Langdon-Orr: I can assure you Michele the ALAC has not discussed the macro or microeconomics of the variation of paperless as other forms of outreach and information sharing between contracted and their clients.

Alan Greenberg: Yes I should point out we've continually talked in this group about different business models. And each registrar has its own business model. And that's fine.

There are registrars who send out paper. So that might be an appropriate mechanism for those who have that capability and want to do it or perhaps charge for doing it.

So I certainly wasn't with my flippant comment trying to say everyone should do it. I was just pointing out that the cost model is not the cost of the letter per domain name but some factor - some fraction of that.

Michele Neylon: Alan if you were to say that it might (get) some registrars to do this and for some registrars this might not be an issue or whatever, that's fine because obviously for some registrars doing that is fine.

But saying in blanket terms what you did that the cost model wouldn't be an issue...

Alan Greenberg: No I didn't say it's not an issue. I said the numbers have to be looked at from that perspective.

And I was not advocating anywhere and I never have that every registrar should advocate building and sending out snail mail.

Michele Neylon: Okay and just the other thing with respect to Ron's comments about the second email address, I think what Cheryl was saying probably makes a lot more sense generally.

I mean unfortunately a lot of billing systems they simply don't allow for multiple email addresses to be set up easily.

So while the idea of - the better idea would be just to encourage people to be aware of, you know, choice of emails...

Alan Greenberg: And if you go back in our minutes and questionnaires we've been talking about that warning about this email may not work has been talked about for probably close to a year now so...

Michele Neylon: Yes. Right.

Alan Greenberg: James, thank you for being patient.

James Bladel: Yes, you know, I just had something occur to me here. I wanted to first emphasize that I agree with Michele for the most part.

I mean, you know, in the days before ICANN's domain names were both complicated and expensive and we've really dramatically reduced the, let's say the overall average price, the - made it much more

convenient, much more useful and made it something that everyone should be able to have not just a, you know, sophisticated IT corporation.

And I'm afraid that, you know, some of the things we're talking about here when we attach consensus policy to them we will almost want to take a step back to that era.

But, you know, I think more importantly I'm just kind of reading and reacting to some of the ALAC comments here. And I think that we may have missed an opportunity as a group.

You know, I think that we have said on multiple occasions that the registrars on this group and in fact probably the registrars who participate in ICANN are not the problem.

And I think that we've said that...

Cheryl Langdon-Orr: That's right.

James Bladel: ...quite a bit. And I think that we perhaps missed an opportunity to communicate that to ALAC and to work together to say okay, we've identified, you know, this batch of folks that are, you know, for - maybe not perfect but are doing the right things.

How do we model what they are currently doing and apply that to the whole so that it is, you know, minimal to zero impact on the folks who are already, you know, playing by the rules and on the straight and narrow and only has an adverse impact on those folks who aren't?

And so I just think that maybe, you know, I'm just looking through these, I see that the ALAC comments maybe are missing that key piece of information that the registrars on PEDNR are not the ones that we're aiming this stuff at.

Alan Greenberg: Can I answer that James?

James Bladel: Yes sure.

Alan Greenberg: It's no secret that I was involved in writing this. I'm not going to pretend that somewhere in ALAC there's someone else who cares passionately about this but is not on this group and has never spoken before.

Yes I have a part in this. And part of the discussion in presenting this to At-Large was exactly what you just said.

That is the largest registrars, the ones who represent the bulk of the registrations will have to change virtually nothing or maybe some cosmetic things to meet a consensus policy if one was developed to address these issues.

That was a core part of the discussion to say this is not a radical change for everyone that's going to cause huge amounts of turmoil. For the bulk of the good players they won't notice or they may have to change a few parameters in what they do or to look at the screen that they flash up on, you know, on an expired domain.

So that wasn't lost on ALAC and At-Large. That was one of the core issues that gave a level of comfort to people saying that this was

something that could be requested. Nobody wants to see us go back to \$30 domain name, you know, floor pricing.

James Bladel: Yes and maybe it's my takeaway from these comments or maybe it's just not apparent from, you know, the summary but it's captured in the - in a larger document.

But, you know, I just - I think that, you know, that just - that needs to be what - where we start to close these gaps.

Alan Greenberg: Yes I mean...

James Bladel: That's all.

Alan Greenberg: ...if you from a Go Daddy perspective look at this and say how many of those items if they became consensus policy would be really troubling to you, I think you'll find none.

James Bladel: I wouldn't say that.

Alan Greenberg: Okay we can debate that. And if and when we ever get around to writing policy, then that's the discussion to have. And I will point out there's another item that we haven't discussed yet below that.

Can we go on on this one? Ron you still you had your hand up.

Ron Wickersham: Yes I still have my hand this is back to Michele. One that I was fairly silent or totally silent initially on because I again bring up the issue of comments from individuals who took the time to participate in

the public comment having more weight than those same comments made within the working group itself.

But that aside, when it's brought up that there could be a significant change in the business practices of your particular registrar, like I - it seems to me that it's fair for me to ask the question because it's been brought up that there's no data.

So from the point of view of Michele's company how many domain names do expire and are withdrawn? That is data that should be made available to the working group so that we can assess from a small registrar what percentage of domain names actually break.

We don't - we can't tell whether it was unintentional or intentional. But certainly it's fair to ask how many of the domain names do expire and are returned to the pool of available domain names.

Michele Neylon: So are you asking me would we share...

Alan Greenberg: Could I add a modification before you answer? I guess the number I would have liked to see years ago at this point is how many expire and are renewed sometime in the ensuing period is all...

Man: That's...

((Crosstalk))

Alan Greenberg: Very important points, yes.

Michele Neylon: So Ron just to see if I can clarify your question. You asked me specifically if I would share the data on how many names expire in our registrar?

Ron Wickersham: Yes. Yes because that has come up in the discussions as something we have no data on. Yet we have people participating who would have such data. So can we share that information with the group?

Michele Neylon: Right well I'd have to look and see exactly what data we are recording. I mean we record a certain amount of data.

And after that we would be willing to share is another matter entirely. So if you want to send me an email with kind of outlining what you're actually asking specifically I can discuss it internally.

I'm not - in common with most registrars I'm not going to start sharing huge amounts of data about our internal operations. But it's an interesting question.

Ron Wickersham: Okay thank you. I'll send an email.

Michele Neylon: Send it to me directly. You don't have to send it to the entire list.

Alan Greenberg: Marika let's go on to the next one.

Marika Konings: We're already past our 90 minutes. Do want to continue?

Alan Greenberg: Oh my God, I didn't even realize that. Let's just do this one because as part of the previous one and actually is a balancing part to it. So let's do that one and then go on - and then we'll stop for the day.

Marika Konings: So comment 18 also from the ALAC, there might be a need for some limited exceptions to the outcomes identified in the comment above.

ALAC also recognizes the role of best practices may play above the minimum set of requirements as identified above.

Alan Greenberg: The salient part of that is we understand that some of these things may not fit all business models and there probably need to be a way to factoring that in.

So it goes back to what I was saying to James of I don't think the ALAC and At-Large were oblivious to some of these issues when we tried to formulate these very general statements and keep it under a page.

Any other comments? Someone is typing furiously.

Cheryl Langdon-Orr: Me.

Alan Greenberg: Oh okay.

Cheryl Langdon-Orr: I'm typing furiously and not to the...

Alan Greenberg: In the absence of any other comments I will thank you all for your dedication and we'll see you in two weeks.

Marika Konings: Alan can we - can you just stay for...

Alan Greenberg: Yes?

Marika Konings: ...we want to meet in two weeks, not next week?

Alan Greenberg: I'm willing to meet next week. We had said we're going to meet every two weeks unless there's extraordinary need. What do the other people who are still on this call feel?

Marika Konings: This is Marika. Because I think at that point I raise the comment as well that the deadline for Cartagena is approaching rapidly. And there's still quite some work ahead. And personally I would prefer if we can, you know, finish early, you know, and have time before Cartagena then, you know, maybe realize...

Alan Greenberg: Okay.

Marika Konings: ...later on...

Alan Greenberg: Okay thanks.

Marika Konings: ...that we are running out of time. But I appreciate that there are many other things going on.

Cheryl Langdon-Orr: Yes, it's the other things that are going on particularly next week that I would be hesitant about.

Alan Greenberg: Yes I'm just worried that the MAPO is going on because we're talking about three to four meetings a week at this point.

Cheryl Langdon-Orr: Yes.

Alan Greenberg: And...

Marika Konings: Yes I am aware so, you know, I completely understand if the group prefers to...

Alan Greenberg: I think given that we didn't talk about it earlier in the meeting I think we'll stick at two weeks right now but we may rethink that next week.

Glen Desaintgery: Alan sorry, this is Glen.

Alan Greenberg: Yes Glen?

Glen Desaintgery: Just to say that remind you next week is the IGF week which you've already been asked by another group to change a call around for that.

Alan Greenberg: Correct. I don't think a lot of our people are at IGF, but yes.

So let's keep it two weeks from now and at that point we'll rethink it.
But let - Marika if you can just remind me that we should do that earlier in the meeting not later.

Marika Konings: Okay.

Alan Greenberg: Okay? Thank you all for your dedication. Bye-bye.

Cheryl Langdon-Orr: Bye. Thanks.

END