GNSO
Post-Expiration Domain Name Recovery (PEDNR) drafting team
23 November 2010 at 19:30 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 23 November 2010 at 19:30 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-20101123-en.mp3

On page:
http://gnso.icann.org/calendar/#nov

Present:
Alan Greenberg – ALAC – Chair
Jeff Eckhaus - RrSG
Cheryl Langdon-Orr - ALAC Chair
Ron Wickersham – NCUC
Berry Cobb – CBUC
Mason Cole - RrSG
Paul Diaz – RrSG
James Bladel – RrSG

Staff:
Marika Konings
Margie Milam
Gisella Gruber-White

Absent apologies:
Tatyana Khramtsova - RrSG
Shiva Muthusamy – At-Large
Ted Suzuki – IPC

Michele Neylon - RrSG
Karim Attoumani – GAC
Oliver Hope - RrSG

Coordinator: The recordings have begun.

Gisella Gruber-White: Lovely, thank you. Good morning, good afternoon, good evening to

everyone on today's PEDNR call on Tuesday the 23rd of November.

We have Alan Greenberg, Cheryl Langdon-Orr, Paul Diaz, Berry Cobb, James Bladel, Ron Wickersham, Mason Cole.

From staff we have Margie Milam and Marika Konings and myself, Gisella Gruber-White. And we have apologies today from Michele Neylon, Ted Suzuki, Oliver Hope and Siva Muthusamy.

Please can I remind everyone to state their names when speaking for transcript purposes. Thank you, over to you Alan.

Alan Greenberg: Thank you Gisella. All right, we made some fantastic progress last week. I'd like to try to continue. First we need to spend a bit of time discussing what will happen in Cartagena.

After the last week's meeting, a number of things changed. The geo - geographic regions working group has been moved. At large, on the other hand, seems to have moved, although I'm told it already had last week, but we didn't notice or I didn't notice, is now starting at 7:30.

But Cheryl has made arrangements that nothing will happen in the first half-hour or so that is crucial to us. So I'm going to propose that we change our meeting to a 7 o'clock meeting. And we'll try to arrange some sort of rudimentary breakfast, at least coffee and something to munch on.

And we try to get as much time, get as much work done as we can in an hour, or slightly an hour plus. And since that's happening on Thursday, I would suggest that we may want to try to meet informally some time prior to constituency day.

So that the registrars have something perhaps more to talk about on that day. How does that sound to people? Paul.

Paul Diaz: Thanks Alan. I'm sorry, I'm not following, what are the times now?

Alan Greenberg: We're now propose...

((Crosstalk))

Alan Greenberg: Thursday at 7 for let us say an hour to an hour and a half. We're - I'm not quite sure how, when Cheryl and I will have to bop out. But we can probably stay until a little bit after 8 o'clock.

So probably more than an hour, less than an hour and a half, starting at 7. And that's assuming Marika can convince the Gods of scheduling to actually make this change.

But since the building will be open already for a fellowship meeting and the rooms are not occupied, I'm hoping it will be not something that is controversial.

And it's not a public meeting. So it doesn't affect the general public to any great extent.

Marika Konings: Alan this is Marika. Just to know that it's published on the schedule as an open working group meeting so.

Alan Greenberg: Yes. No, it is open. But it's not something other people are counting on to participate in. So it's less onerous than a, you know, a session which is designed for public interaction, I'm hoping.

James Bladel: Alan this is James.

Alan Greenberg: Sure, go ahead.

James Bladel: Yes, I don't want to sound like a lightweight here. But 7 o'clock, for those of us who are staying, you know, no where in the vicinity of the, you know, the

venue location is, you know, translates into a very early start to what probably will be a long day and a long night previously.

So my question is how many folks are affected by, or unable to attend the originally scheduled time slot? And, you know, is this a case where we can go on at the original slot without them? Or, you know, I'm guessing at this point it's unrealistic to think that we could find another time slot on another day.

So my question is, you know, is our option to go at 7 or go at 8 with fewer people or cancel entirely? I mean what are the impacts of all those choices?

Alan Greenberg: Well there's an ALAC meeting starting at 7:30 which Cheryl and I are willing to be late for. But I don't think we, both of us can skip it unilaterally.

It is conceivable that I may end up with the board position from the At-Large election that's going on. In which case I don't have a clue what my schedule will be and how much of it will be under my control.

So, I don't think we have - and I'm told there is no chance we could change it to another morning. And changing it to another time during the day, both Heidi and Marika have basically said it's likely to be impossible.

So if we want a face to face meeting, the formal one as opposed to, you know, pairs of us meeting in the hallway, which may be the best choice at this point. I'm not sure. Thursday morning seems to be the only choice.

And I don't think any of us are staying near the conference center so.

Woman: (Unintelligible).

Alan Greenberg: So I mean we can schedule it and then we can cancel, you know, part way in I suppose. We'll get some flack from that. But it can happen. I don't think we'll

have a lot of observers at 7 if we schedule it for then. But I don't see any other option.

If we schedule it at 8, it's effectively, I think we're essentially canceling it. It will end up just being the, to a large extent, the registrars and perhaps Ron will be there or one or two other people. But that's about it. Ron are you going to be in Cartagena?

Ron Wickersham: No, sorry. Will that meeting be a remote participation?

Alan Greenberg: I hate to promise you, but I'm assuming it's requested.

Ron Wickersham: Okay thanks.

Marika Konings: This is Marika. Just to confirm that we'll provide a phone line for the members of the working, they don't, I presume it might be an audio conference as well. But there will be a bridge for the working group members to dial in remotely.

Alan Greenberg: Okay.

Marika Konings: And one thing I suggested on the last call and, you know, I'm not sure whether it would still be possible at this late stage. But there might be a possibility to change it to Wednesday morning because I see there are less meetings going on at that time.

If the people feel that, you know, 7 o'clock is unworkable, and I would need to check as well for the catering purposes if it can be done that early. And but I could try to see if 8 to 9:30 on Wednesday is an option.

And there are some closed meetings. I see there's a GAC program committee meeting. There's a GNSO breakfast with ICANN board that's closed.

Alan Greenberg: (CNS) workshop...

Marika Konings: (CNS) workshop...

((Crosstalk))

Alan Greenberg: Cheryl, you said you were occupied though?

Cheryl Langdon-Orr: Yes. Work Team B starts at 7:30. I have either 7:30 or 7 o'clock starts
                   every day.

Alan Greenberg: Well our (first really) it seems to be early when Thursday morning with the
                  option for cancelling. We'll get flack, but so be it, if we do. Or just decide we
                  will meet and, you know, we'll find an hour some time and talk in some
                  deserted room or corridors.

                  And that's not particularly open and transparent. But that seems to be our
                  only options. I'm willing to go pretty much any way. As I said, I may or may
                  not have control over my schedule at that point which is why I'd really like to
                  try to make sure Cheryl is available whenever we do it.

Cheryl Langdon-Orr: If it's not a scheduled meeting then the likelihood of me being there is
                   zero because believe me, if there is a 20-minute slot, it will get filled
                   somewhere. So it will have to be well and truly scheduled, even if it's going to
                   be ad hock.

Alan Greenberg: James do you want to - are we willing to schedule, try to schedule it for 7 with
                  the understanding we may change it or do something else as we get closer?

James Bladel: Yes I think, I mean it's possible. I'll have to check. But I mean right now it's
                  looking like I won't be able to make it if it's at 7.

Alan Greenberg: Okay.

Cheryl Langdon-Orr: Dial in.

Alan Greenberg: I know that sounds like an incentive, but.

Cheryl Langdon-Orr: James, I mean even if you're in the city, you can still dial in. You know, you don't have to be in the room to be there.

James Bladel: Yes that's possible Cheryl. I'll have to check my schedule for that, you know, sometimes we have breakfast meetings in the business development capacity, not in a policy capacity.

Cheryl Langdon-Orr: Sure, absolutely.

James Bladel: The only time we have for those activities is breakfast, breakfast and dinner so.

Cheryl Langdon-Orr: Well canceling is an option.

Alan Greenberg: Let's leave it for the moment at 7 and we're going to continue monitoring this.

Cheryl Langdon-Orr: I mean if there's going to be a lot of business development meetings, it seems bizarre to try and compete with, you know, those types of motivations aspects for people. You know, are we, you know, working to damned hard to make it happen?

Alan Greenberg: Okay, what's the will, cancel and do ad hock meetings and try to come to closure on issues that way? Or to try to schedule something knowing it may not end up with many people there?

I see there's been some discussion on the chat. I don't know what it's saying or whether it's relevant.

Woman: And yes Berry, I agree with you. We probably do need a working group day.

Alan Greenberg: Okay the will I'm hearing here is the chances of us showing up with a critical mass of people at a meeting at 7 o'clock for various reasons is approaching zero.

So my inclination is to cancel a formal meeting. And we'll try to conduct as much informal business as we can. And try to come to closure on this PDP. It's seems a shame that we really can't get around a table. But that's the way it sounds right now. Is that agreeable to everyone?

James Bladel: Yes this is James. I mean we'll, we've got to do our best I guess.

Alan Greenberg: Yes. (Jeff) you're on though? (Jeff) should be on. He's not...

(Jeff):   Yes, I just need to un-mute my phone. Yes, I am on. Sorry, I was on another call.

((Crosstalk))

Alan Greenberg: What we've been doing is trying to figure out is there any possible way of actually getting together formally face to face? And the answer seems to be no.

The only option for a formal meeting is very early on Thursday morning. And there are a number of people who think they will not be able to participate for one reason or another if that happens.

Cheryl isn't available any other morning, not early in the morning is essentially not available. So the conclusion we've basically come to is that we will meet informally in hallways or whatever to the extent we can get, you know, pairs or threes or fours of us can get together to try to hash out some of the issues that will still remain. But not to...

((Crosstalk))

(Jeff):   Okay I guess I was going to say is there any chance for a duel pole or something? But I think that's probably, it sounds like everyone's schedule is so cramped up that I think a doodle might not, we might have to do it ad hock.

Alan Greenberg: Well the problem is we might agree. But I don't think we could get ICANN to formally schedule it. And therefore we couldn't get a room and remote participation. So it becomes a group of people meeting in the hallway anyway.

(Jeff):   Got it, okay.

Alan Greenberg: And I think we all - I think if we all go into it knowing that we have to try to set aside some time to talk, hopefully we'll find it.

(Jeff):   Yes I think so. I mean I think I heard somebody say about morning meetings. And I think as, for somebody I know myself who has a team of people there. It's usually the only time we can meet is in the mornings ourselves to sort of catch up.

                   But, you know, as I said, it could be, you know, everything is caught up the night before. And then maybe that possibility happens. But I think, like I said, it would be really tough for me to plan for a 7 a.m. that far in advance.

                   But, you know, as we get closer it could be a possibility. But I think it would be very tough.

Alan Greenberg: Okay to the extent that anyone who is going to be there, can you sent a note to the list when you're showing up in Cartagena. And if you know what hotel it is, which hotel.

And we'll try to make, get some sort of get together going prior to constituency day. Okay, I'll send out a, or I probably will forget. Marika can you send out a reminder to the list asking people? And you have your hand up also.

Marika Konings: Yes this is Marika. So just to confirm I can go ahead and cancel the meeting that's currently on the...

Alan Greenberg: Reluctantly yes.

Marika Konings: Okay and so (I'm asked), will send out an email asking where people are staying and when they are arriving.

Alan Greenberg: And when they're arriving.

Marika Konings: Okay will do.

Alan Greenberg: Thank you.

Marika Konings: And I'm happy during the meeting if indeed we have a group of people together to see if there's a small room somewhere available if there's no quiet place anywhere. So I'm happy to try to coordinate that if that is needed.

Alan Greenberg: Thank you very much. All right, any more, anything more on Cartagena? Then I would suggest we go back into the document. I, although I did it late, I went through the whole recording and tried to document what came out of the last meeting.

And I specifically highlighted in yellow the issues that need to be discussed before we could say anything has reached closure. And I suggested in the email that we defer again the number of days to try to hash out the other issues first.

If everyone's in agreement, I think you should all have control over your screens. And I think the first item that we have in yellow is the issue of best practice. And we were going to go back at the end of the last meeting to talk about what is meant by best practice.

Can we come up with something which is more than just words on a piece of paper to have some meaning to the concept? And I guess I'll toss it open. I, in my original proposal I suggested two possible mechanisms.

One is that the registry stakeholder group or some other organization that would coalesce with registrars in it. But that doesn't exist today, would come up with a list and, you know, to essentially get the gold star to be able to display and emblem or whatever. Registrars would have to agree to follow those best practices.

The other concept which I mentioned was perhaps there can be financial incentive to do it. I don't know whether ICANN would accept that kind of thing. But until we, if there's interest in it, until we ask, then clearly there's no way we're going to know.

And that is essentially things that are not mandated policy. But if you adhere to them then there's a benefit. Similar to signing on to the new RAA was in this last fiscal year.

And there may well be other ways we can do it. And I think the only, it's only going to have meaning to (deign) things to be best practices if we have some way of making it advantageous for registrars to follow them. Otherwise there is, it's hard to justify what it means.

Can I open up the floor? Anyone have any thoughts or comments how we could actually do this? Or are there other alternatives to pulling this together? Cheryl you have experience in Australia on the concept.

((Crosstalk))

Cheryl Langdon-Orr: We've kind of gone over this, you know, every which way but loose. So, you know, re-run the tape you've all heard before. We had made it work. It was industry-led.

It involved demand and supply. It has teeth. The regulator enforces the industry-agreed code of conduct. And it's a code of conduct. It's not a best practice.

So anything easier than that is not undoable. But it really relies on having the industry be the prime movers on it. Because without it being an industry agreed program, it just won't work.

Alan Greenberg: Any thoughts from our registrars on the call on? Is there any way we can imagine this will come into being? Or is this just pipe dreaming? Nobody? Berry?

Berry Cobb: Thanks Alan, this is Berry. You know, I don't really have anything to say specifically I guess as it relates to best practices as a result out of this working group.

I'll just add to the knowledge of the group that, you know, this is again, I can do this and then repeat it, something that the RAP group was struggling with as well.

However, I think that there is forward progress that relates to best practices and how the GNSO may start to, you know, look at a more formal program and how they get disseminated.

But the idea is that this best practices group out of the RAP would kind of maybe help define what something, how something like that might work. And

then try to garner the lessons learned out of that and see how effective they were or not.

Outside of that I'm not sure how much further we're going to go other than just like simple communications to through the registrar constituency and ask that, you know, they be pushed down or disseminated through that channel only. Thank you.

Alan Greenberg: (Jeff), sorry, (Jeff) had his hand up but it's gone now.

(Jeff):   Oh sorry, I just what I wanted to say is I think that that's really a question for if you're asking about per registrar, then you can (tell) them about, you know, because as I guess (unintelligible), you know, through the regulators (unintelligible) does that.

If not we, you know, there really is, I mean I guess to the regulator is ICANN. It's not something that, you know, as registrars we can go through. And I think, I don't know if that is something that we'd be able to respond on.

And say, okay yes, when we're not, you know, the actual regulators. We don't have a group or anything to regulate ourselves. We just have a stakeholder group.

Alan Greenberg: Well, I mean we can certainly say ICANN regulates it. That all we have to do is change the third column to consensus policy from best practice. And we have the mechanism for doing that.

But my understanding was that there were some of these things that we felt we did not believe should be as strong as a consensus policy. But we would nevertheless like to encourage registrars to do this.

And I'm trying to understand how we can use the term if there's nothing surrounding it. You know, once the report goes out, it dies sitting on a report or on an archive. And never has a life after that.

I'm not sure what the concept of best practice means. So, and since it was the registrars who were advocating that we have best practices instead of consensus policies in some cases, I'm trying to understand how we can flush that out and have...

(Jeff): And I think that still holds. I think there should be some of these items that we need to go, I think we're talking about it in a too general a sense. I think we should say hey, these are the ones.

Get their (RNE). That should be consensus policy. And say here are the ones that we believe should be best practice. I think we can divide those. We just need to work on those.

And see do we need any of these to be of consensus policy. You know, I'm not going to, you know, I have my opinions on certain things. But I think as a group we need to decide that and then move forward and say which ones should be or could be best practices.

Alan Greenberg: Yes but I'm trying to in my mind differentiate between best practice and just not even written in the report. You know, if there's no ration - if there's no motivation and no mechanism by which the best practice can be disseminated.

And registrars either encouraged or asked to consider them. Then I'm not sure they exist.

(Jeff): No, I think that we can, that there are methods. I think the difference between dissemination and speaking to them versus enforcement that there's a big difference there.

I think, you know, as the registrar and stakeholder group we could, you know, I'm going to go out on a limb and say we could send something to the members that aren't stakeholders, because not everyone is.

And talk and say this is what is a best practice. But I think the dissemination of it is possible. I think there's a difference between that an enforcement.

Alan Greenberg: Well I'm sure enforcement is a term, I mean we discussed last week, you know, when James or I don't remember who. Someone asked how could we - oh I think it was you actually. How could we enforce such a policy?

And the answer was we cannot enforce it by auditing. It might be forced by reporting that someone isn't following it. And I would think the same would be true here.

It's not - it would not be up to the stakeholders group to enforce it. But if a registrar says they are following best practices and, you know, puts the symbol of best, you know, registrar stakeholder group best practices on their Website.

And then our (deet) report and did we not following it, then you have an issue. I don't think it needs more enforcement. I don't think you need a compliance group to go and do audits of it.

(Jeff): Well, I think, I'm so sorry, I think I'm just using my headset here. I think the difference here is that we could as I said have no problems disseminating it. But I don't think that we're a unifying body where we could say we're going to get the best, you know, the seal of approval.

Or something along those lines because remember, not every registrar is a member of the registrar stakeholder group.

Alan Greenberg: Well and I suppose those that choose not to be a members aren't eligible to get it. Is that a problem?

(Jeff):   Well there's nothing that we have that would could say to the group and say hey, we've given, you know, the registrar and stakeholder group seal of approval.

We don't have that mechanism or that piece of, you know, of anything at this moment.

Alan Greenberg: Oh I understand that. The question is is it something that could be created? I mean we're starting off from the basis that we don't have a mechanism for building best practices right now.

(Jeff):   I mean that's something that I would, if that was something that came out and we said hey, it would help, you know, bring this to conclusion. It's something that we could circulate to the, you know, I would circulate to the (X com) and then possibly to the stakeholder group.

I don't think, I'm not, of course I would always bring something like that up and bring it to the group.

Alan Greenberg: I think that's the kind of answer I was hoping for, Berry.

Berry Cobb: Thanks Alan. This is Berry. I was just curious, you know, what would, and you guys don't have to answer this right now. But what would the registrars feel as though about it if there was a page on ICANN under the section of registrar information.

Where registrars go to access information on ICANN.org. But that there was a best practice section there within ICANN. And it included some things like this.

And I know, and I'm trying to separate how a best practice is disseminated and where it's populated, you know, are disseminated out to registrars versus what the content of those best practices are. Which is really, you know, the question that we're trying to answer here, the charter question. Thank you.

Alan Greenberg: Certainly just the presence on a Website that could be pointed to has more impact than just sitting on a PDP report that doesn't get opened again. Anyone else want to chime in?

The chair of the registrars stakeholder group is on the call. But being amazingly silent. Mason do you have any insights for us?

Mason Cole: Well, yes I agree that there's no real mechanism for implementation of best practices because it's not necessarily how, you know, ICANN is oriented.

You know, that said, it's probably a good idea to have something because it seems to be a viable avenue for a growing number of issues.

On this, I don't know that I have any objection to the idea that, you know, there's documentation of it here. And it's the certain practices on ICANN's site or whatever.

I mean if end users and customers are looking for that kind of information, presumably it could be found and, you know, registrars could attract additional business that way.

It seems like it's a concept that is untested. But, you know, I wouldn't dismiss it out of hand.

Alan Greenberg: But one that keeps on being mentioned in various venues so.

Mason Cole: Yes, I've heard it. I've heard the idea. I mean it's, the idea is employed in multiple ways right? I mean there are all kinds of associations out there that

give some sort of seal that would be presumably attractive to a consumer who's looking for a set of services. That makes them feel like they're dealing with an organization that's takes some sort of extra steps to provide clear service.

Or, you know, higher quality products or what have you. I, you know, I just don't, I don't have any evidence for how effective those can be.

Alan Greenberg: Nor do I other than the prevalence of them seems to indicate someone believes it has some merit. I mean Cheryl.

Cheryl Langdon-Orr: Thank you. And I'm afraid the Adobe Connect Rooms (appender) is now totally white. I just put my hand up hoping someone might see it. But I have just white on all of the parts.

So I'm also in another meeting at the same time as this. So maybe I've got too many (IC) rooms open at once. Anyway, you at least got the telephone bridge conversation with me.

Look, I would make a strong claim to say that exploring something that end users can easily identify in whatever method it is, theater, you know, a check, a square, a whatever, it doesn't matter.

And who gives it is probably not as important as, in other words if it's a self-deployed and industry-based self-deployed or an industry sub-group self-deployed or a regulator one is not as important as having what it means clearly understood.

And accessible for an end user who wishes to go and see what that means. That's the important part from my perspective anyway. It also allows the outreach and the education that we have continually discussed during this workgroup's activities to be more meaningful.

Just the same as standardized conditions of contracts are in assistance. We haven't gone that far. But certainly in other industries such as the Telco world that has been a boom to both industry and to end-users when we've been forced into that.

We haven't found, indeed found that there's been great benefits. I think this something that is well worth exploring. I think it's something that may or may not be a first step in a number of different developmental processes.

But you're going to, with a new group of end users and registrants coming into the world of gTLDs, going to be getting more complex, not less. There may be considerable advantage for those in the industry who have the experience and skill sets being able to say, you know, trust us because.

And if that's something that an end user can understand, that's a very useful thing indeed. For example, we have sites here in our ccTLD which are independently run, which continually rank and give a running price comparison and services outages comparison on all of the registries and (results).

And there are a number of times when advice is given to, for example, not domain name industry groups, you know, the accountants and the lawyers and the people who are interested in assisting their client base to get domain names registered.

That the advice is look to that site and make your choices from there, I mean there all possible mechanisms, they're certainly worth while looking at.

Alan Greenberg: Thank you Cheryl. I guess I'll very much take off my chair hat and put on my user hat now. And say we've been talking all along about what should be a best practice and what should be a policy.

And on any given item, I am inclined to say policy because it's hard to attach a concrete meaning to saying something's a best practice. If indeed there is a mechanism and a meaning to the term best practice, it's going - it would be far more acceptable to, you know, to accept something not being a policy.

But being a best practice because it is still believed that users will be able to benefit from it, whereas if it's a completely empty set of words, there's no way to attach a value to it. James.

James Bladel: Hi Alan. And sorry to come in late for this conversation, but it was that last bit that kind of just put some thinking over on my side here. But, you know, I think if we think, the way I've always treated this is that, and maybe it's just an oversimplification on my part.

But that consensus policy was the stick and best practices is the carrot. And, you know, that in a (fish), in a way that the, you know, defining and distributing and following best practices should be a feather in the cap of the registrars who do so.

And, you know, I think that if we're looking for more sticks here, well then this is not the animal that we need. But I think that, you know, we need to keep a balanced approach in incentives versus sanctions, you know, to I guess to sort of (hand out) registrars that we want.

And, you know, I think that there are other intangible benefits, you know, for a registrar to following best practices. In the same vain that, you know, none of us gets paid to come to ICANN meetings, but we participate in good faith and to maintain good will and an active - a visibly active profile within the community.

And I think we determined that, you know, while we can't necessarily put a dollar value on those things, that we value them and that we want to

participate and be seen, you know, as a force for good out on the Internet or something like that.

So, you know, I think that, you know, it's not, it's - I don't accept the idea that there's no value to best practices. Or that, you know, because we can't enforce best practices.

I think that there are many intangibles and good will and (unintelligible). And in some respects I think, as has been said before, in some respects it puts, it draws some dotted line boundaries if you will around certain registrar behaviors.

So that the registrars who don't participate in ICANN and don't join the stakeholder group can look at the best practices and say here's where the other folks and going.

And I'm not participating or following these practices, then I shouldn't be too surprised when consensus policy comes down, you know, the road three, four, five, six years later and, you know, affects me in some way that I hadn't anticipated. Because, you know, it's right there, the signpost with a marker in the road.

So anyway, that's just my little...

Alan Greenberg: I think that's a very apt description. And certainly it matches the kind of thing I'm talking about. The challenge is to figure out how we do the design of the feather so people know you're wearing it in your cap. Invisible feathers in your cap probably don't impress people nearly as much.

James Bladel: Well no, don't worry about that. I mean honest, no honestly, as a registrar that's, we will tell them. We'll make that case through or marketing and our PR and our outreach.

And I think that it would be foolish for ICANN to try to take that on Number 1, because it's so freaking expensive. And Number 2, because, you know, there's no way to do that without naming names and being too take favorites.

So I think, you know, put the burden back on the registrars. We'll be happy to tell that story about ourselves. We love talking about ourselves.

Alan Greenberg: Well I'm, I know but anyone else? That's what I've been waiting to hear. That registrars are interested in branding this as something which is good for registrars. You don't have to follow it.

There's a price to pay in terms of reputation or whatever if you choose not too. And there's a benefit to doing it. And I think that's exactly what we're looking for when we use the term best practice.

So the challenge is how do we actually make this happen other than just on today's call. If it's something that the people on this call feel they can take back to the stakeholder group and discuss and maybe come up with some concrete plans out of Cartagena.

But at least a will to go forward on it. Then I think we have a more of a mechanism to use in addressing some of the issues we're looking at within the PDP.

So I think we've talked, Cheryl, your hand is up. I don't know how long it's been.

Cheryl Langdon-Orr: No, just, I just wanted to follow up to some extent to that last point with the carrots and the sticks, et cetera, et cetera. But look, this is not something that is going to suddenly happen just out of the output of this particular workgroup.

This is something that would have to very much go back to the various stakeholder groups of the GNSO. There is, as I said earlier, if - regardless of what level of it is going to be, it needs to have a very broad buy in for it to work, even if you were going to a more stick-based code of practice.

And just so you know, really what (John) said we, in the (facer) world here have chosen not to date but may review in the future to go into a marked system because of the cost of order.

We found an implementable industry agreed code of conduct is enough. And there is a, you know, option for name and shame if people do not fit in with that code of conduct.

But it went to the code of conduct level because we had some particularly bad actors in this space. And it was in the industry's best interest to be able to differentiate the majority white hat wearers from the, well in the beginning case, one particularly destructive black hat wearer that was damaging across wholesale to what consumers and registrants were believing in the industry.

So it's certainly not something that needs to make life more difficult. In fact, it should be something that makes life a great deal easier for both supply and demand.

That said, it also probably needs to be considered as something that may come out as we explore other process in the RIA and also the yet to be dealt with aspirational document for registrant rights.

Registrants might very well believe that they have a right to have clear understanding and sign posting about who they can trust and how they can differentiate best practice applicants versus those who will simply do what they can to get your dollar.

That (cheating people) is fine, as long as you know it's (cheating people).

((Crosstalk))

Alan Greenberg: I would hazard to guess it may also show up in as a result of the who is review. Because that's another area where there's probably going to be a minimum everyone has to do and a level significantly, or somewhat or significantly above that which people should be doing.

And so there's a whole bunch of things which are coalescing with me saying the time is right for it. What I'm hear - go ahead Cheryl.

Cheryl Langdon-Orr: Perhaps we could explore that a little bit more seeing as we won't be having a formal (PEDNR) call or meeting in Cartagena. Perhaps we could pop this on our agenda for our (ILAC) At-Large and registrars' meeting.

Mason, I don't know whether you want to consider that as a worthy agenda item. But I think perhaps some time spent might be interesting. If you're interested, I think Alan would be.

Mason Cole: Yes, I'm sorry Cheryl. Somebody was talking to me offline. What was the idea?

Cheryl Langdon-Orr: Well we've got our little get together in Cartagena. Perhaps we could revisit some of these issues around the table rather than in the call now?

Mason Cole: Sure.

Alan Greenberg: Cheryl what day is our meeting?

Cheryl Langdon-Orr: It's also Thursday.

Alan Greenberg: Thursday, okay. So it's after constituency day.

Cheryl Langdon-Orr: I believe so, yes. It might be Wednesday. But it's certainly after constituency day.

Mason Cole: Okay no, it's Wednesday at 1600.

Cheryl Langdon-Orr: Wednesday, yes.

Alan Greenberg: Okay. Well I think it's worth trying to continue a little bit, not necessarily today, but it would certainly be very interesting to both this PDP and to the (ALAC) discussions.

And I suspect some other activities if the registrars could sort of get a sense of the - of their community, whether there was some interest in doing something like this.

Without trying to say whether it's a gold star or a simply, you know, allowed to put the statement on saying we follow the registrars code, you know, best practices or whatever.

If there's some interest in going in that direction then it's going to be a lot easier to use the term in an outcome of this PDP certainly. So I will ask if you could consider that. And we'll be talking about it I guess when we meet on Wednesday or Thursday.

I see no other hands. Let us assume for the moment that there is some concept of best practice, which has if not teeth then carrot value or feather value, we should perhaps be using now.

And look at the items which were suggested as a best practice in our document. The first one is Number 9. And James, would you like to summarize that for us? Or do you want (unintelligible)? I'm sure you don't want to hear me reading it.

James Bladel: Actually I would ask if you could. I just stepped away from my computer for just a moment. I'll be back there in about four minutes though.

Alan Greenberg: All right, if you want to listen to my delta tone.

Cheryl Langdon-Orr: There's a symbol for stepping away James. You should have been able to flag that you were leaving the room.

James Bladel: Yes I don't have, I need the go get caffeine symbol so.

Cheryl Langdon-Orr: Oh but why you step away isn't obvious. But you can just step away.

Alan Greenberg: Okay, a registrar will design and host a neutral content site with important information about how to properly steward a domain name, properly prevent on to - and prevent unintended loss.

Registrars should provide on its Web site and send to registrant in a separate email to registrant immediately following info registration, a set of instructions for keeping the domain record cur - domain name record current. And for lessening the chance of mistakenly allowing the name to expire.

I'm not quite sure James why you are suggesting that it be a registrar hosting the site as opposed to the stakeholder group or something. I'm not sure it matters, I'm.

James Bladel: The registrar does host the stakeholder group. I mean...

Alan Greenberg: Okay.

James Bladel: Usually, you know, just donate its services.

Alan Greenberg: Okay. So some kind sole will put it somewhere which is accessible. I certainly have no pra - no problem with that what so ever. Any reason not to say we have consensus on that? Done.

And let me make notes this time so we don't have to, and I presume Marika is also so we don't have to listen to the whole MP3 again.

Next item with yellow on it. All right, this was the one on renewal notices. And we went around a little bit about what the (rest) best times are. And do we need exceptions.

Have there - has anything come out (Jeff)? And you were one of the ones who were objecting to the very firm times. In your mind, does the concept of exceptions qualify - address that? Or do we need some other mechanism?

In my mind we clearly need something to make sure that the extreme (ends) are not what is used. In other words, you're sending two notices nine months ahead of time with an annual renewal is not what we're looking for. Nor is only a day ahead of time. And how do we delineate that?

(Jeff):   Yes, I'm going to, you know, Alan, you know, I'm in agreement with you on that. I, you know, I, in general I don't like exceptions as processes. But I think that in this one, it would be necessary if we decide to go that way because I agree.

We don't want to do, you know, you have people, I, you know, I don't believe people would be trying to like, you know, have their two notices 11 months out or whatever it is.

But I don't have an answer to this. But I still, my position is still sort of the same on it that we do need to think about what those exceptions would be if we have to put something in place on the number of days.

But I'm still not for the, you know, still have not figured out or for that specific number versus a range or something along those lines.

So the answer is no updates from the last discussion on what would be the right way to do that. I haven't sort of crushed that out yet.

Alan Greenberg: All right. The two sets of windows on the table are the ones that James put out and the ones that I put out. James' ones were focused to a large extent on the particular five-day new, five-day grace that we were talking about.

And the ones I put in were the ones that we had thrashed out several months ago as probably being reasonable given, you know, typical one-year renewals.

My inclination is to say for as the placeholders right now, we use the one-month and one-week ones. With the understanding that once we identify the number of days and we understand the business better, we may will want to change that. Is that agreeable?

They were the ones that we had general consensus on earlier in the PDP. Using our method of seeing no Xs and no one screaming, we'll presume that that is acceptable. Let me make a - okay.

Next item we have is Number 15, who is. And the comment I had there is general consensus, this is a good target. Possibly it should be differed to some other who is implementation or discussion.

So we deferred for the moment. I am inclined to again leave that one for the end. But in parallel perhaps we should initiate a discussion with registries to try to understand is there indeed an implementation which is viable. You know, that we may be able to mandate without too much level of pain.

Do people agree to that? And if so, I will approach (Michael) who is our only registry contact, but has taken on the challenge of presenting these issues to them. And see what they say.

And I'll copy you people - copy the working group list on the - on those issues, on those messages rather. Sixteen, this is the post message and there was a significant objection from Michele.

It might have been due to poor wording on my part. Or it may have been due to substantive issues. And (Jeff) said he needed to think about this one. This is the one saying you need one post message - post expiration message if the name hasn't been deleted or renewed.

And with the (proviso) that you could not use an email address which is known to be shut down by your own action, James.

James Bladel: Hi, James speaking. I'm just taking another look at this with exceptions. And I think that what I see as the problem is that, you know, I think the root of the problem is that someone might put convergence email contact field in that isn't associated with the very domain that it is attached too.

And I think that, you know, while registrars possibly could, you know, screen for that and check for that. And it doesn't have to be an expiree issue. I mean maybe they should just check for that on an ongoing basis.

You know, I think that really the burden of keeping that straight, you know, falls back to the registrant to a large degree. And this gets into a little bit of protecting registrants from themselves a little bit.

So that I guess the question is we could certainly I think, I don't know how expensive or how much time it would take. But we could certainly put logic into our domain control systems that would block someone from using an email address that is attached to that very same domain name.

I don't know what we're calling that. It's self-referencing domain name or something like that. But I still, you know, I don't know what the backlash or the potential consequences of that would be.

And, you know, someone might say well, you know, I'm the registrant. I should be able to put whatever information in there that I want, as long as it's valid.

So I'm not sure, I think we confuse this recommendation by trying to solve that problem as well as the notification timing problem. So maybe if we do anything with that, with the self-referencing domain names, maybe we need to tease that out of this recommendation and put it as a stand-alone somewhere? I don't know. I'm just thinking out loud now.

Alan Greenberg: Well, I can answer that partially because for those of you with a good memory, you may remember that my original recommendation associated with this was that registrars must insist that you have at least one email address that is not the domain you're registering.

And there was a loud outcry at that point that there are many, many domains registered where it's the sole domain that anyone is ever going to love - going to own. And they are getting it to a large and for the email, you know, he vanity email address as it were.

And that, you know, that is the email address they plan to use. And don't have any other one that they're going to be checking. And therefore, it would be impacting a significant part of many registrars' business to force people to do that.

And therefore we should not force them. And we should allow them to do it. Therefore I modified it to say okay, fine. You know, I think I put somewhere

that it may be a best practice to warn them about it. But that's about as far as it goes.

James Bladel: Yes, if I could respond to (unintelligible).

Alan Greenberg: Yes.

James Bladel: No my concern is that if we were to do something like that, again this is very relatively simple to do in terms of, you know, developing the logic to do it.

Alan Greenberg: Sure.

James Bladel: But if we were to do that, I wonder what percentage of folks would then go out and put, and I don't mean to knock on things here. But, you know, would put a Yahoo or Gmail or a Hotmail account in there in its place.

                  And here we were in IOTPA. And I think some of the (S SAC) reports pointing to that as a security vulnerability that causes people to lose domain names through hijacking.

Alan Greenberg: Yes.

James Bladel: So I think we, you know, we need to make sure that we're not - the cure is not worse than the disease here. You know, if we're trying to cure loss through expiree, that we don't open folks up to loss through hijacking.

Alan Greenberg: Yes. I mean this is an area where real data would be useful. I mean I don't know how many domain names expire. And, but - and the only address you have is the domain name in question.

                  It may be a small fraction. It may be the vast majority. And I have absolutely no way of measuring it. So it's hard to understand what the right answer is given that we don't have any data.

If any one of the registrars would like to provide us with some data on this, that may help us come up with a more rational solution that at least applies to that registrar. And probably is generalizable.

I mean right now we're sort of feeling in the dark for what we think the situation is without any real concrete information, (Jeff), (Jeff).

(Jeff): Sorry, just trying to get my mute off.

Alan Greenberg: Okay.

(Jeff): I think that, by the way, that piece about an alternate email address, I was the one who was enforcing it. But I think about saying hey, that's a best practice or something like that.

I was probably going to get this - I think that horse already left the barn. I think ICANN already came out with that in a recent, I don't know if it was in an (SS) statement or an some (unintelligible).

They had recommended that they use, that they have an alternate email address. I think it was in the last week or two. I cannot find it. I've been looking for it while we just discuss it.

I'm thinking it was a public comment now, something up for public comment, but I need to find that. But they released that and saying that that was something that they recommended.

I may be able, I'll try and dig through to see in my notes. But that was a recent thing. If somebody else can help me out and say - and maybe say well, you know, help me out, where that came out.

But that was already a recommendation given. So I think if we want we could say...

((Crosstalk))

Alan Greenberg: Paul just posted a URL. And Ron has his hand up. Ron, why don't we go to you first Ron.

Ron Wickersham: (Unintelligible).

Alan Greenberg: If that's Ron, his voice has changed.

Cheryl Langdon-Orr: My, hasn't Ron changed.

Alan Greenberg: Ron's been breathing helium.

Cheryl Langdon-Orr: I was going to say, yes.

Ron Wickersham: (Unintelligible).

Alan Greenberg: Is he even still on the call? Can we try to get it? Okay, do we know who it was? If that was Ron talking, we have a problem. Ron can you...

Cheryl Langdon-Orr: Or he has a problem.

Alan Greenberg: Well yes.

Ron Wickersham: (Unintelligible).

Alan Greenberg: I wish we...

Cheryl Langdon-Orr: I think it is Ron. And obviously there's a communications problem of a technical nature.

Gisella Gruber-White: I think Ron just put us in the, but he's not on the Adobe. He is on the Adobe.

Alan Greenberg: Ron is on Adobe and he also shows on meeting view. So now he's viewed it. Ah, someone is turning the mute on and off on Ron.

Cheryl Langdon-Orr: It is Ron's line.

Alan Greenberg: Okay. Ron, you're trying to talk and you're sounding like a modified chipmunk.

Ron Wickersham: (Unintelligible).

Cheryl Langdon-Orr: Sorry that's Ron's line.

Alan Greenberg: Ron maybe you want to try dialing in again.

Cheryl Langdon-Orr: Or hey, we should dial out to Ron if that...

Woman: He's just disconnected. So we'll be expecting him back in a few seconds.

Alan Greenberg: Okay. Does anyone remember where we were?

Man: That was hilarious.

Cheryl Langdon-Orr: I was going to say that's one for the books. I've heard a lot of interesting technical issues, but that's the first chipmunk environment.

Man: And when Ron returns, we need to tell him we're not laughing at him. Just go listen to the MP3 Ron.

Alan Greenberg: One hour into the call.

Cheryl Langdon-Orr: Oh, dear me.

Alan Greenberg: No, seriously does anyone remember what we were talking about? Oh we were talking about a security report that Paul gave us a URL for.

Cheryl Langdon-Orr: Ron's back.

Alan Greenberg: Ron, can you try talking?

Ron Wickersham: Okay, I'll try again. Is this...

Cheryl Langdon-Orr: So much better.

Alan Greenberg: Okay we better let him talk before he goes bad again.

Ron Wickersham: Okay, looking from the registrant's point of view, I - the primary point of communication and is before it expires, before a domain expires.

So from my point of view, it's not essentially important that the mail work any more after it expires. Mail from the customers also doesn't work.

So there, you've got email addresses not - is not the way that you communicate after a domain expires. So I think concentrating on that gets us off the mark of things that really matter.

What sort of matters is that from a registrant's point of view is that the domain work while it's being registered, while it's active and paid for, and then that the domain stops working so that they get attention to take care of it by directly communicating with the registrar.

So I think the issue of whether it works to receive a notice that it's already expired is kind of not important to the registrant rights and ability to get it reworking again.

Whether they can receive that hot mail message after it expired doesn't really, if they didn't receive the notice before it expired, I don't think they're going to pay much attention to a notice after it expires.

It's the fact that it expired and stopped working that brings the attention. So that's the important thing. So I think that mechanism of stopping working is important from a consensus point of view and not a best practice.

It's not a best practice to say oh well, you know, we think it would be good for our customers not to let it expire until it goes to the point where it's unrecoverable.

That's what's dangerous to the registrant. And that's what I'm hoping that we can protect.

Alan Greenberg: You know, I think we have agreed that things should go dead at some point. The problem I have with this situation is not where the domain is also used for the Web.

But because that breaking is visual and we've already agreed that it should have a notice on it saying it's broken. It expired. This is what you do.

It's for domains that are used only for email. And you said that the outgoing mail will be broke in two. And that's not necessarily true.

Ron Wickersham: Oh, I'm sorry. I, then I misspoke. No connection that the outgoing mail will work, it's the fact that incoming mail breaks is the notice. They're not getting - they won't get the message from the registrar that the domain has expired.

But they also won't get any email from customers who are trying to contact them so.

Alan Greenberg: Right. But a lot of people use email relatively sporadically. And that may not be noticed very quickly which is why I feel it's important for the registrar to at least try to notify them through some other hit on the head in that kind of situation.

Ron Wickersham: But they have tried to notify them before the domain name expired.

((Crosstalk))

Alan Greenberg: And it may have well gone into a spam file.

Ron Wickersham: But so will the notice that it has expired. I don't see anything gained by these post expiration, a lot of concentrating on it. Unless you offer the registrant perhaps a change to put two email addresses, and the second one is only used after expiration.

But then that's kind of iffy to know whether it's working or not. I'm not strong on that. I just don't think it's very important from the registrant's point of view. So I'm not opposing it strongly, just suggesting that the important thing is that it - that the - their not in the dark that it's expired by the kindness of a registrar keeping it working during that - during the period that it's expired.

So my concern is that we don't run up into the non-recoverable time before it stops working.

((Crosstalk))

Alan Greenberg: The stops working is a different issue from the one we're talking about now.

Ron Wickersham: Right.

Alan Greenberg: It is presumed it is stop working, or the whole if section of this would not apply at all.

Ron Wickersham: Okay.

Alan Greenberg: James.

James Bladel: Hi Alan, James speaking. And, you know, I think just the volume of discussion that we've had about this particular aspect, when really Recommendation 16 is about, you know, more about notifications scheduling.

It really I think supports the idea that we separate out this idea of what to do about self-referencing domain names. And treat that as a stand-alone recommendation in my report.

I really feel like we're doing both topics a disservice by just kind of shoehorning it in here with the talk of notification scheduling.

Alan Greenberg: Good point. Done. It will appear as a separate item in the next version. I would like to find out from Michele though what his issue was because it's not - it may lend some light on this.

Man: Well I don't want to speak for Michele, but I remember he did say something about just, you know, the uncertainty that comes along with having exceptions to, you know, you have a consensus policy and then you have exceptions. Then it becomes difficult...

Alan Greenberg: You know, his comment was it would be difficult to identify, if I remember correctly, difficult to identify a self-referencing email address. And that was the part I didn't quite understand.

But I guess we're going to have to perhaps ask him directly since he hasn't been able to be on the calls recently.

All right, next item is Number 21. So we'll keep that one open. But we will split it into two different discussions.

Next one is 21 which is, that was another best practice. Okay, that was sort of the definition of best practice, which is what we've been discussing. And if I can summarize, there certainly was some interest in the A version, although it's not clear what form that would take.

And I heard no interest whatsoever in the B version. That is give registrars a financial incentive to implement best practices. And therefore I think we can say the consensus on 21 is A, is the way to go.

Exactly how that will work is not clear. Registrars will be looking at it. And B is not an option right now. I'm not seeing any objection. I'm assuming that is what, I've reflected what people feel.

Twenty-two, auto renew grace period, re-naming the auto renew grace period. I guess I feel moderately strongly that given that some registrars got the two confused when we did our original survey that this is something which we can deem to be confusingly similar, to use the expression used in new GTLDs.

And I can't see re-naming the expression that's used between registrars and registrants of an auto renew capability. You know, (I'll a), if you deposit a credit card with a valid date on it, then we will renew and bill you.

And therefore if we're going to rename one of them, it has to be the one that's the grace period between the registrar and registry. Which doesn't have any real meaning from the registrar's point of view except it is used to delineate the 45 days in some registrar/registrant agreements.

Other than perhaps a long phase in period because agreements have to be changed and things. Is there real - is there a real problem in changing that name to something which does not sound like the registrant auto renew capability?

The silence being no, or are people thinking? This is certainly one which I think we need to discuss with the registries. But I don't think they really care what the name is from a point of view of the concept.

Okay Paul says need registry input. James agrees. Then let's go to registries against it. I'm not hearing any strong voices against the concept of renaming it other than to make sure that we don't put unreasonable timeframes with the process.

Okay. And the last item is the exception process. And do we want to talk to ICANN, get ICANN compliance involved in the, in this discussion since I'm not sure it would be compliance who would be doing it?

But I suspect it's in their general domain. Marika have you had any discussions at all about this with anyone? Or are we hiding it from everyone else?

Marika Konings: This is Marika and not yet. But I would be happy to. No, I was waiting for the list to become a little bit more and more final to share...

Alan Greenberg: Well I think we have general acceptance on at least some of the areas that it would be hard to implement them without an exception process. Given that in, certainly in other countries the registrar practices may be significantly different.

And we heard at least one case in Brussels where a registrar claimed that their whole business was built around something which would not work if we tried to impose this. And that was the early black out.

So if you could start talking to them, I can put some more words together if you want. Or if you don't think there's enough in the document I've already written.

But I'll let you, if you want more from me, I can certainly put something together. But it would be useful to have a discussion, either a brief discussion perhaps next week or in Cartagena.

But it wouldn't be bad if we could have a brief insight on just what the initial reaction is.

Marika Konings: Okay. That's fine. I'll take it back.

Alan Greenberg: Okay. We have come to the end of this. I think there's a couple of things that we want to revisit before we leave for Cartagena. So I would suggest we have a meeting next week. But plan on it being a short meeting. Is that acceptable to people?

Using our standard practice of, oh Paul puts his hand up. Yes, go ahead.

Paul Diaz: Yes sorry Alan. I had already, I've already booked something because I thought that the group had said we weren't going too. So I can't get outside, I don't think I'll be available next week.

Alan Greenberg: Okay. As I said, I don't think we have a lot (to thing). But I think we want to tie it up so we can have a document that we can all be looking at before we get in Cartagena.

And I don't think we're quite there yet. But I think we'll be close. It's possible we might be able to do it on the list and cancel at the last moment. But at this point I'd like to schedule the meeting.

And probably not have to have more than a half an hour or so. Not hearing any other objection. Then I thank you all. We're ten minutes early. And again we've made really good progress.

And I'm quite satisfied. Thank you all for your cooperation and for your good ideas.

Woman: Thanks bye.

Alan Greenberg: Bye bye.

END