

**Registration Abuse Policies Implementation Drafting Team
TRANSCRIPTION**

Monday 13 September 2010 at 14:00 UTC

Note: The following is the output of transcribing from an audio recording of the Registration Abuse

Policies Implementation drafting team meeting on Monday 13 September 2010, at 14:00 UTC. Although the transcription is largely accurate, in some cases it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but **should not be treated as an authoritative record. The audio is also available at:**

<http://audio.icann.org/gnso/gnso-rap-imp-20100913.mp3>

On page:

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

Present for the teleconference:

Greg Aaron - Registry Stakeholder Group – Drafting Team Co- Chair

Mike O'Connor – CBUC – Drafting Team Co- Chair

Kathy Kleiman - Registry Stakeholder Group

Berry Cobb – CBUC

Faisal Shah – Individual

Fred Felman – Individual

Mary Wong -NCSG

Philip Corwin – CBUC

Elisa Cooper – CBUC

David Donahue – Individual

Joi White - Intellectual Property Interests Constituency

Lisa Rosaya - Intellectual Property Interests Constituency

ICANN Staff

Margie Milam

Marika Konings

Glen de Saint G ery

Coordinator: Please go ahead. The recordings have started.

Glen de Saint Gery: Thank you (Tim). Would you like me to do a roll call Chuck?

Chuck Gomes: Yes, please do Glen.

Glen de Saint Gery: Thank you. On the call, good morning, good afternoon. Good evening everyone. On this call the Registration Abuse Policies Implementation Drafting Team. On the 13th of September we have Chuck Gomes, David Donahue, Faisal Shah, Greg Aaron, Mikey O'Connor, Berry Cobb, Elisa Cooper, Fred Felman, (Lisa Rosea). And we have for staff, Margie Milam, Marika Konings and myself, Glen de Saint Gery. Thank you very much Chuck. Over to you.

Chuck Gomes: Thank you Glen and thanks to everybody on - that's joined the call. I'm calling in from Vilnius Lithuania. And so it's a little later in the day than it normally would be for me.

I want to complement everyone in this group for their responsiveness in submitting your statements of interest. That has been - I - my understanding is that everyone has done it. So that's very much appreciated.

I am - my role here is just to facilitate except for this very first time where I will take the lead at the beginning and explain what we're doing and be - and then lead an exercise where we can select a chair for this short term effort. I think it'll be short term, probably just a few - I wouldn't think more than a few weeks.

The - and that - and we would identify a chair for that exercise. So first of all let me just make a brief explanation in terms of what's happening. I think probably most of you understand it already. In case somebody doesn't I will, you know, do a brief explanation and answer any questions.

I'm just about - I'm hopefully going to be in Adobe Connect shortly. I just got back from a trip to a couple locations here in Lithuania for my verifying job. And so I am still connecting in.

The- first of all again, let me take this opportunity to thank the working group -- and I think most of you were members of that working group -- but to compliment the working group on the - the good work that you did.

And your - the way you laid out the recommendations was very helpful for the council in terms of recommending things where there was strong support and et cetera.

What will be very helpful now for the council is if this group then can take that report and the recommendations and then be, you know, come back with some recommendations in terms of which one of the recommendations you think would be good to start first, et cetera.

As you know, the GNSO has a huge workload on its plate right now. And it's not as if we can just work on all these things at once.

But so this group can come back and map out a proposed implementation plan that the GNSO council then can consider and act on and then take steps towards doing that.

The - that plan can be pretty much whatever you want it to be as this group like usual - I suggest that you use the rough consensus approach and try to reach a plan that most everybody if not all would support from this group.

And because this group will involve people from different stakeholder groups and constituencies in the GNSO, hopefully then when they get to the council it will have good support.

The - let me pause there. I am now in Adobe Connect as you can probably tell if you're in that. Does anybody have any questions in terms of the tasks of the group or the timeline or anything?

There's no set - let me say, there's no set time deadline. So this group can map that out. Again, I don't think this should be a long commitment because the report is formatted very carefully, although there are quite a few different items.

So the group itself can set a timeline and it would be helpful for the council to know once you've done that what your estimate is in terms of being able to complete the task.

Is there anybody that's not clear about what the task is for this group? If so if you would raise your hand in Adobe Connect or if you're not in Adobe Connect just speak up.

Okay, judging by the silence and by not seeing any hands raised, I think everyone understands the task. Let's move straight into identifying a chair for this exercise.

Does anybody have any suggestions in that regard?

Fred Felman: I'd like - if Mikey O'Connor has time, I'd love for him to do it. That's Fred Felman speaking.

Chuck Gomes: Yes now Mikey's still chairing the VI Working Group. I'm certainly supportive of Mikey doing it, but I have concerns about overloading any one person in GNSO task because we have a history of doing that too often and it creates some complications.

But I'm not going to make that decision. The people on this call are going to make that decision. So is Mikey on the call?

Mikey O'Connor: Hi Chuck. Yes, I'm here.

Chuck Gomes: Hi Mikey. How you doing?

Mikey O'Connor: I'm fine.

Chuck Gomes: Hey, is that something you're willing to do? And how do you feel about, you know, chairing, you're co-chairing the VI Working Group and you're involved in other working groups as well. What's your response to that Mikey?

Mikey O'Connor: I have the same sort of caution that you do Chuck. VI is in sort of an interesting spot right now. We're sort of waiting for the outcome of the board retreat to determine what our future is.

And if the board retreat goes one way we'll turn in to sort of a traditional working group and take quite a while to do our work.

If it goes another way we may go back in to sort of hyper frenzy mode. And if we did that, VI then becomes more than a full-time job for me.

So I'm a little cautious because I don't really know my future. I wouldn't rule it out. I've certainly planned other implementation stuff and was a member of the RAP working group so I wouldn't say no. But if somebody else would like to do it I would certainly not throw my body on the tracks either.

Chuck Gomes: Thanks Mikey. I appreciate that and I appreciate you being honest there.

Does someone have another suggestion for a chair that considering the - let's - the reservations that Mikey just expressed?

Faisal Shah: Hi. This is Faisal, Chuck. I'd like to nominate Berry Cobb.

Chuck Gomes: Berry Cobb, okay. And I see - and I also see Berry's hand up. Berry?

Berry Cobb: Hi yes, this is Berry Cobb. I appreciate that Faisal. And I don't think that I'm going to be in a position to take on the chair role. And hence I was raising my hand and maybe I missed something.

But I really think Greg would probably if he's willing to step up to the plate again, I think he'd probably be the best candidate to act as chair for this just cause he's the most familiar with the - all of the recommendations and how the RAP Group works and move forward from there.

And...

Chuck Gomes: Thank you Berry.

Berry Cobb: And I'm just going...

((Crosstalk)).

Chuck Gomes: Greg, your hand's up. Is this something you would be willing to do?

Greg Aaron: This is Greg. I'll do it if there's no one else who would like to do it. I certainly - and I know the - all the history of course, but I also had my shot at leading things in the group and I'm very happy to have somebody else do it if someone is willing.

Chuck Gomes: You're willing to share. Okay. Thanks Greg. That's helpful. The - are there - and Greg, by the way was - you - I don't know if you raised your hand in anticipation of me asking you - about your willingness or whether you had something else to say.

Did you - were you able to interject what you wanted to say?

Greg Aaron: Oh I was just anticipating you calling on me, that's all.

Chuck Gomes: Oh, thanks Greg, okay. I wanted to make sure I gave you full opportunity. Are there any other suggestions or volunteers for chairing this group?

Okay is any - are there any objections to - oh I think I see a hand up. Mikey?

Mikey O'Connor: Hi Chuck. It's Mikey. In the long time honored tradition, I'd be willing to co-chair with Greg if that would take a little bit of the load off. And that

way I could maybe work hard at the beginning. And then if my life got complicated, Greg could pick up the slack. How about that?

Chuck Gomes: Greg, your reaction to that?

Greg Aaron: Oh, I'd be very happy to have a chair. I think we should always have a co-chairs or a chair and a vice-chair because that way we always have some coverage if someone can't make a call or something like that. I'm certainly always very happy to work with Mikey.

Chuck Gomes: Okay. And would there be - is there anyone on the call that would object to Mikey and Greg co-chairing this?

Faisal Shah: I would...

Chuck Gomes: Okay.

Faisal Shah: This is Faisal, Chuck. I'd be in favor of Mikey being the chair.

Chuck Gomes: And not a co-chair situation?

Faisal Shah: I'd actually be - I'll be okay with a co-chair but so long as Mikey is kind of the lead.

Chuck Gomes: Okay. Anybody else have any thoughts on that?

Mikey O'Connor: This is Mikey. I'm going to just jump in. I really want to take the co-chair role pretty seriously here. I do have to protect my commitment to VI.

And so Faisal if it's okay with you, I'd really like to just - I won't be junior co-chair like I am on VI but I don't want to take the lead either.

Chuck Gomes: Okay. Is that okay with you Faisal?

Faisal Shah: Yes, that's fine.

Chuck Gomes: Okay. All right, any other comments on this? Is there anyone that objects to a co-chair situation with Greg and Mikey?

I see Fred, thanks for doing an indication of support in Adobe Connect. I appreciate that and Berry. I'm not hearing any objections. Let's go with that.

Now in terms of - for - this is a question for Mikey and Greg. Are you guys comfortable with deciding who will take the lead in any given meeting or whatever to the extent that that's necessary? Is that - I assume that's something you can both work out together. You're both in the US so your time zones are fairly close I think. So that should work.

Either of you have a comment? Is there any need to identify a lead between the co-chairs? You guys have worked that out. Can we assume that?

Mikey O'Connor: Yes, this is Mikey. That's fine.

Chuck Gomes: Okay, all right. And Greg, that's (fine) with you?

Greg Aaron: That's fine.

Chuck Gomes: Okay and now I want to turn this meeting over to the co-chairs. So I will let you take it from here and I will contribute if I can be helpful on anything throughout the rest of the call.

Mikey O'Connor: Greg, I'm thinking of a number between one and ten. Pick a number and if it's closer to my number or not you can chair today.

Greg Aaron: Wow.

Man: Sounds like...

Chuck Gomes: Greg...

((Crosstalk)).

Greg Aaron: That sounds like loading the dice my friend.

Mikey O'Connor: You want to do it?

Greg Aaron: Not really.

Mikey O'Connor: Okay, I'll do it. Sorry about that. I - this is like a busman's holiday from VI I'll tell you.

Thanks all for suggestion my name and I'm sure Greg feels the same way.

I haven't done a whole lot of homework in terms of the rest of the agenda. But I think it would be good to step into the number two

agenda item which is introducing the members. We sort of skipped that.

And I think it would be helpful. There some folks on the call that I don't know and I imagine there are others as well.

If we could just quickly kind of run our way down the Adobe Connect list and then at the end we'll pick up folks who weren't listed there. And just a few sentences about who you are and why you're involved and what you'd like to, you know, in very real sense what you would like to contribute to the effort. This is really kind of trolling for skills and interests.

So let me start. I am a sort of avid retired guy that did a lot of project work in his career. And I just coincidentally got a gaggle of really good domain names back before the Web.

And so I got involved in ICANN mostly as almost a hobby but to keep an eye on the domain name space.

And over the years my role in ICANN has evolved sort of being a utility infielder mechanic in working groups.

The reason I'm interested in this one is partly because I was on the original team and partly because I've done a lot of project planning and so I thought I could contribute some of that project planning to the effort.

Berry you want to go next?

Berry Cobb: Thank you Mikey. My name's Berry Cobb. Like Mikey I too was a part of the original RAP group.

Personally for me my interest into the working group was being my first working group and kind of introduction into the whole ICANN model.

So part of my interest in continuing my involvement is just to see this through to the end and kind of take it all the way down to closure.

As for me I'm a small business owner and also a member of the business constituency and have been involved with ICANN for a couple of years.

But more importantly I'm very interested in the outcomes of this working group because I'm looking forward for the community to get together and really be able to prevent and attack some of these major issues that we're dealing with. And I'll stop it there. Thank you.

Mikey O'Connor: Thanks Berry. Chuck you want to chime in? I don't know how active your planning to be in this drafting group but why did you tell us about that?

Chuck Gomes: Sure be happy to Mikey, thanks. First of all well I think most of you know the different hats that I wear but let me describe those first.

I am an employee of VeriSign so I am a part of the registry that - for .com and .net and .name. I am a GNSO council member for the Registry Stakeholder Group. And I am currently the chair of the GNSO Council.

My intent on participating in this group is to just be - just assist you in your work if you need me.

And I'll let Greg represent and any other registry members that represent the stakeholder group with regard to issues on their concern.

So my - the hat I will primarily - I primarily intend to where in the stakeholder group is the hat of GNSO council chair. And that's strictly to assist you in understanding or maybe providing guidance that would help refine the recommendations so that it's most helpful to the GNSO council and will make an easy transition when it goes to the council and then the council acts on it.

Mikey O'Connor: Thanks Chuck. Elisa?

Elisa Cooper: Hi. My name is Elisa Cooper. And although I've been going into my ninth year with MarkMonitor, I'm really fairly new to ICANN although I've been marginally involved in a couple different working groups.

But I'm really looking to become more involved and we thought this might be a good place to start.

Obviously having worked for MarkMonitor for so many years have been closely involved with helping our clients identify and working with them to help them remediate different kinds of domain name abuse. So this is really of interest to me.

Mikey O'Connor: Thanks Elisa. Faisal?

Faisal Shah: Hi. I'm founder of MarkMonitor. And obviously, you know, as Elisa just said, MarkMonitor represents larger - large corporate grant holders that are interested in the outcome of this working group.

So I think it's a really critical task for us to sit on this working group and contribute to the outcome.

I was also on the previous working group. And like Berry, you know, I want to make sure that this - I want to see that this - see what the fruits of this working group are going to be and see it to the end.

Mikey O'Connor: Thanks Faisal. Frederick?

Fred Felman: So Fred here. I was involved in the original group as well. And I don't think I can add much more than Elisa or Faisal did except I think that we're especially interested in really the elements of the work that we did with respect to abuse and use and also making sure that the UDRP continues to be a strong and helpful measure for resolving disputes such that it protects brands and consumers. So that's it.

Mikey O'Connor: Thanks Fred. Greg, go ahead.

Greg Aaron: Thank you Chuck. I work at Afilias which operates the .info registry. And I handle daily operations for .info. And I also handle our security and anti-abuse programs.

I chaired the RAP and worked with a lot of the other folks on this call. It was a lot of work. It was a broad mandate that the group had and so there - we were - had a lot of recommendations.

And my interest is especially in helping with the follow-up. There's a lot of good work done and I want to make sure that the council looks at everything and hopefully can move some of these recommendations forward. So those - that's my main interest.

Mikey O'Connor: Thanks Greg. My batting average may go down on pronouncing your names. (Joy)?

(Joey): It's (Joey) actually.

Mikey O'Connor: I debated for the last ten seconds, sorry.

(Joey): Oh no I'm so sorry. Yes it's (Joey), nice to meet everybody. I'm an attorney in private practice law firm. And I work in the area of trademark.

I'm also a member of the IPC. And I have been working with and following domain name issues for many, many years.

Everybody in my firm calls me a techie geek so, you know, I have a personal interest in this too.

And I am in particular of course interested in the UDRP and have been, you know, working with and watching that for many years so looking forward to this.

Mikey O'Connor: Thanks (Joey). (Lisa)?

(Lisa Rosea): Hi. My name's (Lisa Rosea). I'm also in private practice and I'm actually a member of Internet - Internet Committee with (Joey) and have been working on domain name issues for a number of years.

And like most of the people on this call are probably looking at what's been recommended in terms of the working group and how that's going to be implemented and making sure that it's done in a fair and even matter.

Mikey O'Connor: Thanks (Lisa). (Mary)?

(Mary): Hi everyone. And it's good to see everybody and meeting friends on this group. I'm an Intellectual Property Law Professor and a Council Representative for the Noncommercial Stakeholder Group although my participation on this team will be mostly in a personal capacity.

I do hope however to bring, you know, some perspective to it that may be either sometimes different from others or that might be more focused on representing the interest of those who might not always have the chance to participate.

Having said that I want to echo what Greg said about the good work that was done by the working group itself. And I know a few of you on this team.

When reading the report in Brussels I was particularly struck at how many of the consensus proposals really called for quite a lot of follow-up as Greg has also said. And I look forward to participating in that process.

I should also say by the way as some of you who have worked with me before know, I actually liked drafting and parsing language. So to the extent that that is helpful to this group I am happy to offer that. Thank you.

Mikey O'Connor: Thanks (Mary). And thanks for also noting the skills to be contributed. As the last few folks went by I was thinking oh I should remind people.

I think before I go on to (Phil), let me just take a detour and say that I think probably what we're going to wind up doing is thinking up an approach sort of project management style and then writing it down.

And I'm sort of mentally dividing the group into thinking it up type people and writing it down type people.

And it's helpful to see that we've got an awful lot of good solid write it down type folks here. Phil, go ahead.

Phil Corwin: Yes hi, Phil Corwin. I'm a partner at Butera & Andrew's in Washington DC and Service Council to the Internet Commerce Association which is a trade group of domain investors and developers and is a member of the Business Constituency.

I was a member of the original working group and ICA, was generally supportive of all the recommendations and want to think I'm fairly good at both thinking and writing, happy to contribute whatever I can.

And terms, don't have any particular goal for this group other than to see that - to hope to see that any proposals for altering the UDRP are

balanced in their approach and take legitimate rights of registrants into consideration while targeting the bad actors.

Mikey O'Connor: Thanks Phil. I know that David is on the line and isn't in Adobe, so I'll call on David. And then if anybody else is on the phone but not in Adobe let me know after David talks, David?

Oh David may have dropped off or you may be muted. Oh Chuck has his hand up. David hang on a minute while I call on Chuck.

Marika Konings: David is disconnected I see in Meeting View.

Mikey O'Connor: Oh okay. Chuck go ahead.

Chuck Gomes: Thanks Mikey. I just wanted to share a couple cautions for the Working Group. And I doubt this is even necessary but it's probably better to say it then assume it.

And that is is that please keep in mind that this group shouldn't be revisiting any of the recommendations.

People on the Working Group did a great job. We've gone through that. This is not the time to revisit them.

The task as we - as I talked about earlier and as I think all of you understand is to develop a proposed plan of implementation for GNSO council consideration.

Now and keep in mind each of you, once it goes to the council level, your various constituencies and stakeholder groups will be able to

provide input into that plan at that time. And hopefully you will consult with them throughout this process so that they're involved well before that time.

So just want to caution that this should not be any revisiting of things that have already been finalized in the report but focus on the Implementation Team. And I assume that probably was not needed for any of you but as council chair I just wanted to remind everyone of that. Thanks Mikey.

Mikey O'Connor: You bet Chuck. Let me just, because that's a pretty good segue I think into our next agenda item, but before I get there I just want to make sure that there aren't other folks on the phone who aren't in Adobe that haven't had a chance to introduce themselves.

If you are on the phone and aren't in Adobe this is the time to speak up.

Okay. I think Chuck is - sort of took the words out of my mouth but let me say it another way. And Greg feel free to start chiming in at this point.

But my understanding of what we're going to do is we're going to spend a few meetings not very many, I hope, basically coming up with a sequence a recommended sequence for the sort of panoply of (PDPs) the RAP working groups suggested.

So it's my sense that this is sort of an ordering exercise, a sequencing exercise and sort of a work load exercise rather than in any way making policy. It really is just teeing up which things go first. And if my

understanding is wrong this would be a good time to get corrected and I see Marika's hand is up so maybe I'm going to get a little correction right now, Marika go ahead.

Marika Konings: I just wanted to point out that the different recommendations that are not only for (PDPs), I think there are actually a few; there are also a number of items that require further work. And I think there as well the -- I think that the (unintelligible) as well that some next steps might be recommended and I guess that might mean indeed creation of working groups or other teams that indeed would work out the further details of each of the recommendations.

And you are absolutely right on the sequencing part; I think that's very important as well. And what Chuck said the things to come. The work load is an important item and one thing I did want to point out and you see on the Adobe connectors -- we see the chapter that summarizes it is an overview of the conclusion recommendation and the next steps and the way it has been ordered here is the recommendations that have received unanimous consensus is the ones put up front.

And something the group will need to take into account as well, how to deal with the fact that not all recommendations received unanimous censuses, there are a few that have strong support or few where there is no censuses at all so that is something that the working group will need to or take into account as well and in it's deliberation.

Mikey O'Connor: Thanks Marika and you're absolutely right, I totally forgot about that. But I think the basic notions still stand which is what we've got and Marika has got the exact part of the report I was hoping to see up on

your screens in adobe. Is that in the RAP report there are a whole series of things to do, either as PDPs or as other kinds of activity.

And it's my understanding that it's our job to decide which of those things should go first and which of those things sort of naturally go together. And this is and sort of takes me back to the drafting team that put together the sequence for the never ending (IRTP) saga.

Where we tried to clump the work both by importance, but also by the nature of the work itself and I think that is something that we will try to do here too. Chuck go ahead.

Chuck Gomes: Sure I just want to corroborate much of what you and Marika have said Mikey. I think you're right on in the approach you are taking. What I thought I would is just give a little bit more sense in terms of where the GNSO is in terms of capacity to add additional work.

I think it's fair to say right now although the counsel has not finished our work on prior position, but I think it's pretty safe to say that both from a staff resources prospective and GNSO resources prospective, that if this group was to come back and suggest that the first step (unintelligible) a (PDP) that would probably be put off for a little bit where we stand right now.

Now, I don't think that will last indefinitely because there are several efforts that maybe completed in the next couple of months. So recourses may become to a point where they are not stress quite so thin.

One of the things that I'm happy about and just looking at the list of people on this call, is that there is several new names at least to me. And I always like it when constituencies and stakeholder groups are getting some new people involved to spread the work load around, that helps all of us a lot. So I really welcome those that are jumping in and willing to make the commitment.

So, one more comment and that is that right now it's probably not too realistic to the extent that it requires full staff and GNSO resource unless it's totally new resources that very much work could be done in parallel because of how many things are going on. And so, Mikey's approach of looking at it linearly right now it probably right on target. That doesn't mean that won't change, over the next few months as some of the major projects that people have been involved in come to completion state at which time it might be possible at some time for something's to be done in parallel.

So I just through that out to you so that you have a sense of where we are at now and that will probably change, hopefully change. I'm sure Marika and Margie are hoping that as well because we have been working them really hard.

So just keep that in mind as you are doing your work, hopefully that's helpful.

Mikey O'Connor: Thanks, Chuck and I think that factors into what our work looks like. As you were talking one way to structure this would be to basically make pile a stack to use a computer term and say to the GNSO okay, here is the stack and it's in order - take the first one off the top of the stack and do that one as soon as you can. And then take the next one off the top

of the stack and do that one as soon as can and not try and do any of the work load scheduling kinds of stuff that you're talking about. But essentially, leave it up to the counsel to pull these in a sequence off of a single stack.

Is that sort of what the counsel is looking for, is the sequence of this list so -- I mean, one approach would be to say that the list and I'm not proposing this I'm just making a hypothetical would be to say well the list that is in the report is in order, this is ordered by the degree of agreement and we can just had this back to the counsel and say, yep this is the order we want and take them as fast as you can. Is that the sort of deliverable that you are looking for or is there something else that the counsel is hoping that we will do?

Chuck Gomes: Well, and again I'm speaking more for myself now because we haven't discussed this specifically on the counsel so I want to qualify it in that regard. But yeah, that would be fine. At the same time, I don't think you need to be too - put yourself too much in a box, okay.

What I just communicated in my last interjection was to give you a little context so if you were to come up right now and take to start something right now or to do several things at once I wanted you to have sense that that is not going to - I'm sure that is not going to fly right now, okay.

But, that doesn't mean you know you can look a little bit to the future too. So don't feel overly restrictive in terms of your creativity in terms of who best to implement the recommendation of this project. As long as you understand the work load and (unintelligible) understand the work load very well including you know, (Mary) is on there as a counselor

and others who are very happy in following counselor activities etcetera, I think you will have enough guidance to understand that.

And of course, at any point and time if you want to test it by me or have me test it with other counselors I would be more than happy to do that.

Mikey O'Connor: Great, thanks Chuck. Let's pause right here and let other folks quiz Chuck sort of the way I am. You know, I'm quizzing Chuck the way a project manager would quiz his customer and say you know, what are the limits, what kind of deliverable do you want us to produce etcetera and I'll keep doing that, but I don't want to dominate the conversation either. So if other folks have questions along the lines -- we are really solidly into the review of objectives part of the agenda and I think that's you know this is a big needy part of the call.

And so, if folks are feeling like they want to chime in this is good time I mean, I'm an Irish guy so I'll keep talking if you don't, but I also don't want to hog the stage here.

So Chuck if we did a stack and said, okay this is the sequence if it's linear, if there is only one path. But if you have - you, the counsel have more resources opening up here is a second path that you might be able to launch in parallel. Should we get that carried away or should we just put them in order and then let you guys sort out when you launch them?

Chuck Gomes: Let me respond, personal myself and then I'll - since (Mary) on the counsel let her respond too, but I think that stack is a helpful thing but I wouldn't stop there I think its better if you -- it would be even more

helpful if to the extent that it becomes possible to do something in parallel here is what we would recommend in that regard.

So don't restrict -- My suggestion would be not to restrict yourself just to stack of things, don't assume it is going to be linear forever. What happens when you do that is that the thing will stretch out over a years.

Mikey O'Connor: Yeah, well we know that.

Chuck Gomes: Hopefully we will get to - it doesn't have to be totally linear, okay?

Mikey O'Connor: Okay and then the sort of follow-up to that is there is sort of two ways to do these stacks. One stack - one approach would be to put them you know like things in a stack. So you know, UDRP is first and I imagine there is some UDRP intellectual property trade mark kinds of things further down our recommendations.

We could stack them by subject and put them in order, or we could stack them so that our first stack has the most important one first and then our second stack has our second most important one first irrespective of subject suite, do you know where I'm headed there?

Chuck Gomes: I do and I just assume not tie your hands - feel free to group like things together because I think that that increases efficiency and so I personally would strongly support that.

I want to add another caution, you mentioned the UDRP. I know there have been some concerns expressed in the community with fears that you know people want to throw out the UDRP and so forth. I would really like to make sure they understand there should not be any intent

to do that. Every policy and practice within ICANN is supposed to be reviewed periodically.

So for any that might have some of those fears that GNSO wants to eliminate the UDRP personally I don't think that's ever going to happen. But, are there some places where it can be improved that should be the view towards the UDRP and to the extent that anybody in this group has those fears, feel free to express them. But that should not be looked at in that way, okay?

Mikey O'Connor: Thanks Chuck I've got a little queue. I'll start with Marika.

Marika Konings: This is Marika one idea that that group might explore as well is maybe identify for each of the recommendations what kind of resources are needed or the impact it might have on a community or staff and carrying out the recommendations. Because for example if you look at recommendation two of the - who has access, you know that is basically passing on a request to I can comply that doesn't require starting a (PDP) or creating a new working group.

So there are a number of elements where the group might take into account as well what efforts are required or resources are new from community and actually implementing a recommendation. Well, for example, the top priorities in the (unintelligible) come from the top of the list but of course that requires a new PDP which might need a lot of resources that are currently not available. So that kind of balance a group might want to take into account to in developing its lists.

Mikey O'Connor: That reminds me of one of my favorite phrases low hanging fruit which is clearly if there are some things that are very important and easy to

do that would get a thumbs up from me. Early success blah, blah, blah, all that good stuff, so that is a great idea Marika. (Mary) go ahead.

(Mary): Yes thanks. And I just want to echo what Chuck said earlier from the point of view of the counsel. And everybody knows there is a whole bunch of things going on throughout the GNSO and beyond it right now. So speaking as a counsel I think what we would appreciate is really guidance. Whether it's a linear stack with priority or and I particularly like what Marika just said, I think some sense of maybe resource allocation or timing.

In other words more specific guidance as to how do we move from the big stuff that they report to actual implementation, what and how long will that take, and as Chuck also said, beyond that I don't think the counsel wants to tie anybody's hands or would prefer one approach over another. Thank you.

Mikey O'Connor: Thanks (Mary). I am going to chime in with one little editorial comment and that is that it really hard to predict how long things will take in a consensus base process environment. Having just lived through fairly aggressive time line what's the eye - six time frames tends to break consensus so I think we can give sequence, I'm not sure that we can give real precise estimates or even suggestions as to how long these things take, because you get into murky water there.

But, that said, you know I love Marika's idea of figuring out where the lowing of fruit is for sure. Berry?

Chuck Gomes: And Mike not taking away from what Marika suggested but this group isn't task with trying to estimate how long each one of these things

would take at the same time. Marika's suggestion is very good, if there is low hanging fruit that could be done that's fine, but please don't anybody under think that one of your deliverables needs to be (unintelligible) how long do you think it will take. That would be an impossible task.

Mikey O'Connor: Yeah, I think that's right, right. Thanks Chuck for helping me out on that. It makes me nervous when I have to predict timing on consensus. Berry go ahead.

Berry Cobb: Thanks Mikey this is Berry. Yeah, I would have to agree and definitely be very difficult to try to size the duration and effort of each one of these. Although it's very tempting because it is kind of the million dollar question is how long are we going to be out to the end of this thing.

And also the reason why I raised my hand is I also like to kind of piggy back up what Marika was saying. Personally I guess I'm a proponent of the linear stack method - don't think there is much other way to go about this. But with respect to looking at all the recommendations and those recommendations that recommend a (PDP) and developing some sort of order for those, those are the easy ones.

But, kind of like I think what happened in fast flux were challenged with our second most popular recommendation and that is the malicious use of domain names. So I guess what really I'd like to ask Chuck from the counsels prospective you know this one is definitely outside the realm of (PDP) rules and process and procedure. I'm really curious how we can go about recommending to the counsel on how to implement the malicious use of domain names and specifically we are getting into the best practices realm and how we are going to try to

move that forward and what and how that is going to vary in our prioritization stack if you will versus the formal (PDP).

Man: Very good question. I'm really glad you asked it. Please understand that the counsel is not looking for you to solve the implementation issues. The counsel is looking to you to deliver a proposed implementation plan and that please don't get into -- each of these things whether it is a (PDP) a best practices group or whatever it might be that and how to do it - the details of how to do it is another exercise.

What we are looking for right now is a suggested plan which includes order, includes you know things like that. Does that make sense? It is really important - you should not be getting into the details you just described in terms that are going to be much more work. That is either going to happen through a (PDP) or some other process when we get there. I hope that's clear, if not please let me know.

Mikey O'Connor: Berry what do you think, does that answer your question?

Berry Cobb: Yeah. It's fairly clear. Again, in terms of how we you know, I consider the best practices portion as a puzzle piece to the greater plan and I guess knowing about -- we know how a (PDP) is executed, what we don't know is how best practices are going to be executed and I guess if we had some understanding about that that may influence our implementation plan.

For instance, can we run a best practices platform and parallel to UDRP, (PDP) review going on at that same time? And that is where I'm I guess challenged and where are we going to get the recourse time and effort and control behind something that is outside of a (PDP)

realm that the counsel is used to. And the only reason I'm bringing this up is because I think it is one of the most important recommendations that came out of the working group and I think a number of participants that are even on this call is probably one of the most important areas that their focusing on as well.

Man: And I think that is going to be a challenge for the counsel to answer that question. But if this group comes back and says we recommend that this effort even though it's not a (PDP) be at the top of the list then it is going to be up to the counsel consulting with the various organizations in the GNSO to make a decision whether to except that and if so, then to decide how we get the resources for that.

Mikey O'Connor: Great, go ahead.

Man: Thank you Mike. It might be appropriate in some of these cases to provide some thoughts to counsel on implementation. Not solve those problems or get perhaps to deep into the details, but using this one example. The group had recommended that a basically working group reform to formulate some best practices. So it might be appropriate for our team here to say this is what the working group recommended. It would involve probably a working group being formed - that would involve the following it would probably need some staff support and that kind of a thing.

However, and also - it's different from a (PDP) so it might require less work than a (PDP) it will not require an issues report for example. So there might be a few things we can say as far as scoping that would help the counsel understand approximately how much work might

need to be done. And that might be useful for them in their prioritization exercises. What do you think of that?

Mikey O'Connor: I think this is all kind of jelling in my head as the flushing out of Marika's really good idea which was to - if you imagine sort of a matrix where we've got all of our recommendations as the first column. Another column is what order do we want that stack in. Another column is how much work is this going to be and what's the nature of that work. And that matrix could well wind up being our report. So I think we are all pretty much on the same wave length.

We have an hour for the call right or are we on the hour and a half schedule, I can't remember?

Glen de Saint Gery: This call is scheduled for an hour, correct.

Mikey O'Connor: Okay so we are drawing to a close. Why don't we really quick decide whether we want to meet just weekly until we are done? It seems to me like we can probably get through this pretty fast and you know if we met once a week kind of committed to a month of this and see where we wind up. Does that work for everybody on the call as an approach to the work? (Basil) is that yes, we got a yes from Berry. I'm hearing no cries of anguish so why don't we all put three more of these on our calendar.

Greg and Marika why don't you and I start putting together the first draft of the matrix and we will push out to the list to let people start thinking about the contents and maybe what we can do is next week fill it in. And if we did that, maybe we will be done in two weeks...I'll put

the marijuana cigarettes down now it's probably a little early in the day for those...Marika go ahead.

Marika Konings: Just to confirm, we continue on the same schedule as we are meeting today?

Mikey O'Connor: Yeah.

Marika Konings: Same day.

Mikey O'Connor: Yeah, just an hour you know I think an hour is fine.

Okay I think we've done our agenda, good for us. I see nobody's hand up - (Cathy) gives me a hard time about my wishful thinking but hey, what the heck. Anybody got any final thoughts before we drop off for the day and see each other next week?

David Donahue: This is David Donahue I just wanted to apologize for dropping off from you before. I lost cell phone service so it was probably right before I was supposed to say who I am and address myself to the committee.

Mikey O'Connor: Yeah, I'll tell you what let's pick that up as our first agenda item next time. I'll give you a little less pressure on the time.

David Donahue: Sounds good.

Mikey O'Connor: And we will hear from you on hopefully on a call that stays up.

David Donahue: Yeah, from my office next time.

Mikey O'Connor: I'm not seeing anybody's hand up so I think we will call it a day and
Greg and Marika do you guys want to stay on the bridge for just a
second and carry on while everybody else drops off?

Greg Aaron: I'm happy to.

Marika Konings: That's fine.

Mikey O'Connor: For fifteen minutes. Okay you can certainly listen in on our super
secrete matrix conversation, but other than that we will see you next
week.

All: Thanks everyone, bye.

Glen de Saint Gery: (Tim) can you please stop the recording in the mean time? (Tim)
are you there?

Chuck Gomes: You guy's don't need me any longer do you?

Man: No, I don't think so.

END