

## **Reserved Names (RN) Working Group Teleconference**

**5 March 2007**

**18:00 UTC**

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<http://gnso-audio.icann.org/RN-wg-20070305.mp3>

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**Attendance:**

Chuck Gomes - Working Group Chair

Marilyn Cade - CBUC

Neal Blair - CBUC

Victoria McEvedy - NCUC

Tim Ruiz - Registrars

Caroline Greer - IPC

Dan Dougherty - IPC

Tamara Reznik - IPC

Greg Shatan - IPC

Mike Palage - Registries constituency

Edmon Chung - Registries constituency

Avri Doria - Nominating Committee appointee to the GNSO Council

Sophia Bekele - Nominating Committee appointee to the GNSO Council IDN  
wg Liaison

ICANN Staff:

Patrick Jones - Registry Liaison Manager

Tim Denton - Consultant

Glen de Saint Géry - Secretariat

Coordinator: Thank you sir, the recording is ready.

Man: Thank you very much.

Okay, the - as we always say, the meeting is recorded and transcribed, please identify yourself when you speak, remember if you're using a speakerphone to take it off speaker when you're speaking, it will come through clear.

Any - I've made a few changes to the agenda that will go through and I don't think I want to spend a lot of time on agenda changes, but I did move the other names at the second level up at the beginning because Caroline and both -- and Caroline and (Tamara) both requested that one being moved up, so that's been done.

Any other needed changes on the agenda?

Okay, found out just this morning that the Doctor (Kung Cheung Liu) - the Commissioner from National Communications Commissions, Distinct Economy of Taiwan is not a (GAC Liaison).

He is participating as an individual.

I did send his contact information around to the group.

He won't be able to join us because of the -- it's the middle of the night in Taiwan, but please feel free to, you know, e-mail him if you - if it's appropriate for your particular report that you're working on, if there's - if you'd like some input from him.

The - I sent him a lot of information or a lot. I tried to narrow it down. I tried to, over the weekend, give him enough information to help him come up to speed quickly without inundating him with an inordinate amount of stuff, but at this late stage, it's going to become hard.

Anyway, his email is on the new contact list that I also sent out, so everybody should have that.

Now, our main item today is...

Caroline: (Pat)?

(Pat): Yes?

Caroline: I'm sorry, I think we just need to have a bit of clarity. When you say we basically have, as I understand it, a government person that they are participating as an individual, and in their individual capacity?

(Pat): Right, right.

Caroline: Okay, so keeping that in mind, are they - we have not received a formal comment from the GAC on whether there will be a GAC liaison?

(Pat): That is correct.

Caroline: Okay.

(Pat): When I first heard of him, I responded, and that was I think on Friday, and of course, it would've been a weekend for him asking whether he

was a GAC liaison. I just got the response this morning that he was not.

He CCed, (Suzanne San) in our - in his response to me, I replied to both of them and said, you know, that (Suzanne) had already told us that she wasn't going to be able to do it, because she has suggested that she should be the liaison.

So anyway, that's where that is, so we really don't have a GAC liaison as yet, Caroline.

Okay, and it looks like we won't, so - we'll see how that works out and talk about that in our session on Saturday in Lisbon.

Okay, so our main agenda today is to review the reports and in particular, we want to focus on the role of the reserve names, what I'd like each person to do when you go over your reports, just to give a very brief report about any changes you made to the report, any new information -- background info - what resources, etcetera that you may have added, don't need a lot of detail there.

We can all go back and look at what you did or ask questions, I would like you to then - after that, focus primarily on the role and anything you've done with expert consultation, again, brief detail because we can go back and read what's in the latest version of your report.

I want the whole group to discuss in particular, the role, and see if we have any input for the writers of the report, because I'd like to get those in their final and - and then, if you have made some straw

recommendations and come to rough consensus on any, I would like you to go over those.

How much discussion we'll have on that today remains to be seen because we need to get through all of the reports, but we may have some brief comments from a total group in that regard as we have time.

So, we're going to start off with the one that's - the other names at the second level, as I previously indicated, and so - I would like Caroline Greer to start off there and other members of the sub group for that, which include Tamara and Mike Rodenbaugh, who I don't think is on unless he's joined since I last looked.

And if Caroline, you would start off please?

Caroline Greer: Yeah, thank you Chuck, and thanks for bumping us up the agenda.

I've already had three categories to review and I present to you the latest report and its been several reiterations of this we've tried to reach a consensus on each of them and having some difficulties in reaching flat agreements.

So - and I think to my - you might agree with me, but I think we've probably gone as far as we can at this stage in terms of consensus.

Woman: I think - that's right, we haven't really heard from Mike on all of the issues...

Caroline Greer: Uh-huh.

Woman: Like with Number 3, Section C, and I'm not quite sure what he can come up with.

Caroline Greer: Yeah.

Woman: But, as far as we've gotten been able to - you know, coordinating, but that's right.

Caroline Greer: Yeah, yeah, we've probably gone as far as we can with it, and you know, are not getting any further feedback from the entire group.

Okay, so looking up the first category, gTLD strings and this one we've discussed several times and the role of the reservation requirement seems to avoid market confusion in having double TLD strings and so (come.net) or (mobi dots) and that sort of thing.

And we changed the (straw) recommendation here and we've originally been saying that we should retain this reservation requirements and I'll confess that a part of that was my own concern, for me, (dot mobi) has had several - and market confusion is useless and some of our addresses, so - and that was my initial view.

We did do some further consultation with the registry constituency, a couple of other people and I still have one or two small concerns, but in the interest of just consensus building and we've now reached the consensus that we should remove this provision completely, and partly, from looking at it from a pragmatic approach and that's given that there'd be new TLDs coming aboard, and in the future, and quite a

large number and this may become a manageable and perhaps overly restrictive.

So we recommend that we remove that reservation requirements.

Man: And everybody should understand, this wasn't a general reservation requirement anyway, this - or was it, was it covered on every agreement?

Caroline Greer: It was with the new agreements, and then out as a hyperlink.

Man: Oh, that's right, okay, my mistake, yes, that's correct.

All of these are blending together in my head, so...

((Crosstalk))

Man: So, okay, now, did you get any feedback from gTLD registries in regard to that recommendation?

Caroline Greer: We did, I mean a small amount of feedback partly because of the time constraints...

Man: Sure.

Caroline Greer: And when I did read the feedback, and was very varied, some people thought that we should remove it and some people thought that we should keep it and some people didn't really care enough of it.

So it's been a little bit all over the cliff, and - but, you know, these can kind of come to an agreement of subgroups back then...

Man: Okay.

Caroline Greer: Perhaps look to removing this.

Man: Okay, let me open it up to the full group to see if they have any comments, and please keep them brief because we have a lot to cover.

(Marilyn Shepp): It's (Marilyn Shepp), I just have a question.

Man: Go ahead.

(Marilyn Shepp): My question is why is there no need at all for consultation with experts and that maybe, you know, even - just the ICANN staff who are involved in this.

This says none required...

Woman: Okay.

Woman: Perhaps, go back to say that we did consult all the - in a small way with a (red beacon efficiency), and (Patrick) and I did over accommodation as well as (unintelligible) and (Patrick), are you on the line?

(Patrick): Yeah, I was on mute.



Woman: Yeah, you know, it was a fairly informal discussion, so there was no kind of formal...

Man: Please add that information...

((Crosstalk))

Man: Consultation with experts, that would be very helpful.

Woman: Yeah, my apologies.

(Marilyn Shepp): And I just want to note, you also should note that it is consultation with the registries as opposed to with experts, it isn't that they're not necessarily experts on this topic, but I think, up to now, we've sort of said technical experts.

So you may just want to be clear on who you have the informal consultations with.

Man: Oh, yeah, and (Marilyn), what are you thinking in terms of a technical expert in regard to this?

(Marilyn Shepp): I'm just thinking that at some point, Chuck was going to have to put this out for a public comment or the council will have to put it out for public comment?

Man: Uh-huh.

(Marilyn Shepp): And people are going to look at this and say who was consulted and just making it easy to understand will be more helpful on the questions

that get asked or whoever, you know, whatever further work is done, okay this has already been done or this hasn't been done.

Man: I understand that, what I'm asking is who would be a technical expert in regard to this? It is not clear to me...

(Marilyn Shepp): Or maybe the question is, is it really a technical question as opposed to a confusing, confusingly similar question.

Man: Yeah, and I think that's where I'm going.

(Marilyn Shepp): Exactly.

And that's where I am as well, its not necessarily a technical question, but it might be a concern about will this create a problem for users in terms of confusingly similar, and then the answer to that is probably something like - conversations with gTLD managers and with other ccTLD registry managers indicate that given the legacy names, we're not reserved, do you see what I mean?

Man: Yeah.

Woman: Yeah.

Man: And of course, we need also to keep in mind that many of the ccTLDs do have (com) or something similar at the second level right now.

Woman: A large number of them have the original seven where they could or some variation, that's right.

Michael Palage: Chuck, this is Mike Palage and not only is it if you will be original legacy names but also some of the 2000 Proof of Concept as well.

Just to note the, for example, (BR), actually has a coop.br that we've had, it's after the 2000 Proof of Concept.

((Crosstalk))

Marilyn Cade: And I'd like to add, it's Marilyn again, I think actually, maybe, it's a bit of this discussion might be summarized in your background if it's not covered elsewhere because it's valid information for, you know, the next round of looking at less than 40, your (straw) recommendation.

Woman: Okay.

(Patrick): Chuck, this is (Patrick). Can I add something?

Chuck Gomes: Sure.

(Patrick): The RSTEP Report on the GNR Proposal address this very issue of tld.tld and potential confusion, so I'll send a note to Caroline to add a reference to that report and the research that was done.

Chuck Gomes: And what is - can you give us a quick synopsis of what was that concluded there?

(Patrick): That there was - there's no technical issue related to tld.tld strength.

Chuck Gomes: Okay. So, that's very good information to have in the report.

Thank you for that, (Patrick).

That's good.

And Caroline, what I would suggest is that you send out to the registry constituency list since you can do that readily...

Caroline Greer: Uh-huh.

Chuck Gomes: ...you know, this - communicate what this recommendation says and just ask for feedback and not later than close of business on Wednesday so we can see.

And the reason I'm doing that is not so much that they're experts as they're the ones that may be directly impacted.

Caroline Greer: Yeah.

Chuck Gomes: And give them a little rationale if you can may, I just want cut and paste some stuff in terms of the work of your group in this regard and how you came up with this position and so forth.

I think that would be helpful since they are the ones that are directly impacted.

Michael Palage: Chuck, this is Mike Palage.

Chuck Gomes: Go ahead.

Michael Palage: ...if I could just add one more, I think we're over data point on this discussion here with regard to confusion.

If you look at the original draft (WIPO2) second domain name report, okay, one of the original drafts called for a reservation of all the two letter country codes, they were basically and again, we're looking at this in other areas.

But they actually removed that from the recommendation.

Chuck Gomes: Remove what, Mike?

Michael Palage: The reservation, the two letter country codes only needed to be reserved.

Chuck Gomes: Oh, okay, at the second level.

Michael Palage: At the second, yeah, their final recommendation in Paragraph 293 is if they are to be registered in domain names, it is recommended that this be done in a manner that minimizes the potential for confusion.

Okay.

Chuck Gomes: Okay.

Michael Palage: So, now, what happens is with regards to two letters, I appreciate the (IANAM) report that says we probably want to reserve the two letters at the top space should there ever be a new country that's recognized but what I do think is - important is that the language, it talks about minimizing the potential for confusion.

And perhaps, if the recommendation is to allow the TLD to be registered, perhaps, there should may be some additional language that precludes them from being used in the way that would create potential confusion with the existing registry operator.

So, for example, if in fact, you were to allow, you know info.mobi to be registered. You know, there should be some prohibition, I think, of someone trying to setup if you will, a pseudo registry and provide third level domain name registration that might cause existing confusion with the registry operator.

Tim Ruiz: This is Tim. I'd like to be on the queue on that.

Man: Go ahead, jump right in, Tim.

Tim Ruiz: Well, you know, Mike, I appreciate what you're trying to do but I don't necessarily agree for a couple of reasons.

One, you know, do we want to get ICANN involved outside of - then now, we're talking about the events, I can involve at the third level which I don't think is a good idea and also there's already - I don't know how many of those that are already setup.

So, you've got us.com, you've got com. or, you know, org.uk, just numerous example of this in the ccTLD plus some in the gTLD, I don't see any evidence where they're causing any problems, confusion or - and I think that would need to be looked at further before we can say you should make that recommendation.

Michael Palage: Okay.

And if you want, Tim, I mean, the (inter-subgroup) on the International Trademark Association, our Internet subgroup is actually looking at some of those third level registration practices.

So, again, I think where we're looking at is somewhat along the lines of WIPO is doing and perhaps this goes back to Marilyn's question, is it a really technical thing or perhaps is it more of a legal issue.

And again, how these reservations originally came in the place, you know, back when nobody was drafting these contracts in, you know '99 - 2000 was within the context of some of the (CC), the uk.com, some of the confusion that arose there.

So, I agree that there are problems out there.

I guess the question I'm raising is we somewhat mitigated that potential problem from proliferating, if we remove these reservations, do we then create an incentive for that to happen.

Tim Ruiz: Okay. All right.

And we'll talk about the recommendations again.

Caroline, did you have any questions of any - regarding any other comments or (Tamara).

Caroline Greer: No, I think, I was trying to capture some of those things - the computation on the report...

Tim Ruiz: But...

Woman: Yeah, no just to Section A, I don't - it will be helpful to have it all captured on the report.

Tim Ruiz: Okay. And you'll of course, get the MP3 recording and the transcript to get the some of words that people said, so that should be helpful.

Let's move on to Section B of your report, the registry-specific names.

Go ahead, Caroline.

Caroline Greer: Okay.

Registry specific name such as dot base and dot info hatch in their agreement, and really like a Category A and B was in there, so Category A being words and phrases associated with day to day operations of a registry such as registrars.info and Category B being namely reservations relating to the actual entities name such as (affiliates.info) and we consulted with dot base and dot info, we still have to receive information about dot base, so that's still outstanding.

And otherwise strong recommendation, we did not reach consensus here, and last week if you recall, we recommend that and we should (desire) to the work of the - the PRO working group and Mike, that thing can be (unintelligible) views on this issue.

ICANN basically - I'm not sure that I see any particular problem with registry proposing these reservations as (dot base) and (dot info) did



during their contract negotiations on the appropriate common period applies there, I don't see any real need to as far as to the PRO working group, I don't see there's any real rights being infringed here and I know I've asked Mike to try to clarify and why he says, it's strongly in this matter and haven't got any real clarifications yet.

Man: Tamara, can you add anything there?

Tamara Reznik: Yeah. I mean, do you think that we should come to some, you know, a final recommendation on this and whether we settle on it or the TRO working group settle on, I don't know that it's something that should be left to contractual decision, things like this should be standardized.

Man: Why is that?

That's what, I guess, I'm not understanding...

Tamara Reznik: I feel like either it should be reserved because in overall decision group consensus is made to protect the registry or not. I mean, as a group, we should be able to decide whether the registry really needs this protection or not.

And if not...

Man: That makes us...

Tamara Reznik: ...then why should anybody be able to contractually reserve it and if there are strong reasons as to why it should be reserved and why should anybody be able to contractually not reserve it.

So...

Man: Yeah.

Tamara Reznik: I think part of the problem, right, was that nobody could find the historical reason as to why this should be reserve and if this is reserved, why other names wouldn't be reserved?

Marilyn Cade: And Chuck, can you put me in the queue?

Chuck Gomes: Yeah, go ahead and jump in, Marilyn.

Marilyn Cade: So, let me see if I can identify with everything has been said so far and make a comment.

Originally, when I first started during research on the issue of reserved names, I was startled to see the disparity between the names that are registered by the registry and did not - it kind of did not make sense to me and I'm not sure that it does.

I do think there needs to be at a minimum, a standard approach to how names are put into reserved status, that includes a public comment period.

And I don't think it's just as an idea, I don't think that names that go into reserved status are to be releasable by the registry, so they shouldn't be able to be converted.

And I'll make a comment later about why I think that creating something called premium name is actually not the same thing as the reserve list.

So, as I understand reserve list unless it's specified that there's a process to release it, it can't be released.

So, then there comes a question of should the registry be able to reserve names that would normally be in the marketplace and available for registration and used by others and I would say there needs to be some kind of a process to make sure that that is understood, it's visible and it's accepted. But I think it could be a framework that includes posting the list for public comment.

Chuck Gomes: I guess, one question I have is the - I think in each of this and Caroline, you can correct me on this if I'm wrong, but each of these cases were not this list of names apart of the original proposal for the registry operator and we're subject to public comment?

Caroline Greer: That's right.

Chuck Gomes: What's wrong with that process?

Michael Palage: Chuck, this is Mike.

That's - I don't think that's accurate. I mean, let's just...

Chuck Gomes: What's not accurate, Mike?

Michael Palage: Well, the context of the premium name reserve process was that...

Chuck Gomes: We're not- okay, let's not talk about premium names...

Michael Palage: Okay. Well, let's just - okay, let's (list) it there and look at this in the context of (.coop), okay?

Chuck Gomes: Okay.

Michael Palage: Now, later on, in this group, you can see the statement regarding some of the registry reserved names, okay?

When the contract was approved by ICANN, there was no specific reservation of what a reserved name was. Okay?

What the Coop Board did was in connection with sectorial within the cooperative community and within the list of a geographic regions in which there is a strong coop present, the Coop Board in connection with the authority bested to it, delegated to it under its charter, reserved these names.

And what it does, since it reserved these names, it has been - if you we're allocating them within the process which is (straightforward). It was not - if you will specifically enumerate it, here are the list of names that we are proposing to reserve or such and as part of the application process.

It just not - so what happens is I just want to correct that what I think is an important fact.

Getting back to Marilyn's comment, I agree with her on a couple of points. If you recall our very first call, I questioned the very legal interpretation of what is a reserved name.

To me, a reserved name is something that ICANN state as a matter of contractual law should not be allocated, prohibits the registry from allocating those names to third party.

If you look at the mobi premium name process, if you look at the community sector name process within .coop, ICANN is not telling us that we can't do this.

What the registry is doing is the registry is making a determination of how to allocate these names in the process by which the community which it is (opposed) the service benefit while at the same time recognizing that it is entitled to make certain business decisions which are not prohibited under contract by ICANN.

That's so I agree with Marilyn and part of this if you will, the affiliates names, the fact that they are prohibited under contractor of these names is kind of an anomaly.

To me, you know, I think it would be much cleaner from a contractual interpretation standpoint to just allow the registries, you know, if they want to reserve those names, let them go ahead and reserve it.

But they could do that within the course of their business operations not as part of the mandate through our contract with ICANN.

Tim Ruiz: This is Tim. Can I get in the queue?

Chuck Gomes: Go ahead, Tim.

Tim Ruiz: Yeah. I guess, I kind of agree with Mike, I think, to the most part. In fact, info, you know, in their statement and the report and then their distinction between two types of those names.

One is the name that stays with the registry operator stay with ICANN, how ever we want to put it, if they should - if the operations info should move someone else and then our listed names will stay with affiliates because they're more specific to the business (unintelligible) affiliates.

So, I always kind of wondered how those - why we call those reserve names anyway, the latter one, they're basically - I mean, affiliates were basically the (registrant) of those domain names and can use them in their business.

And so, I guess, my question is should they just be - you know, somehow, not considered reserved name and these are just names of affiliates registered for some use for this business operation and not refer to those as reserved name.

Man: Is that the way these are handled, Caroline, are they - in this category, are they actually registered by the registry?

Caroline Greer: No, and for affiliates that they're going to (unintelligible) but (Scott) did not think any (unintelligible) of the (registrars)...

Man: Okay. But that could be done, I suppose. By the way, that's the way it works for .com and .net and originally with .org, we were allowed to

register some names that were business specific and we just had to identify those, and we did.

We show them in a report every month, you know, that we did that.

So, there are other options and that may be away of handling this category differently and does that deal with the concerns though, Tamara, that you and Mike have?

Tamara Reznik: Well, I can't speak for Mike.

I will say that, you know, as of last week and all through this week, the recommendation that was on here was that the TRO working group handled it.

And so I think Mike was working out that assumption last night at 10:30 pm my time which is, you know, 1:30 am East Coast people time. Caroline sent out this new version.

Woman: Well, I did sent email on Friday, I was taking input from you and Michael on Friday evening and...

Tamara Reznik: Yeah, but I'm just saying Mike, I'm sure, hasn't been the person.

So, you know, I can't speak to Mike. I'm sure he's operating under the assumption, not being in the call that it was going to the PRO working group.

Marilyn Cade: Chuck, it's Marilyn.

I think we have to make a distinction.

I mean, looking at the long list, there's a difference between a registry reserving a name that they're going to use for registry purposes and the registry reserving a long list of names that are not going to be used and are not going to be released and are not going to be used for the registry and...

Chuck Gomes: I understand that.

Marilyn Cade: And I'm not raising a big objection to anything other than an effective public comment process because registry, you know, I for instance, see that a registry wants to reserve 5000 names and it makes the hair on the back of neck raise, what those 5000 names are reserved for?

Woman: Yeah.

Marilyn Cade: They may be reserved for very good reasons, you know, but what?

Michael Palage: Marilyn, this is Mike.

Man: Hold on a second, Mike.

Michael Palage: Sure.

Man: So, what you're saying Marilyn is that, you know, in cases where there should be a public comment period on the names that they want to reserve, they should explain their rational for doing that and then have a public comment rate and I suppose that could be part of the



application process or if some subsequent suggestions for reservations happen, it could occur later.

Is that what you're saying?

Marilyn Cade: No, I think that's going in the right direction.

If every - we just talked about not reserving the name of the yet the legacy proof of concept round, the next round and future gTLD at the second level.

Man: Right.

Marilyn Cade: So, why does it make it sense then that we would let a registry reserve every form of word that has the name of their registry in it at the second level?

Man: Uh-huh. Yeah, now, I hear you.

It sounds like there's a recommendation that should be able - we should be able to develop out of this to come up with something that may not be - may bring both sides together if there are two sides.

This doesn't sound like two hard thing to deal with.

I, you know, think we have - be careful to make sure we stay within our statement of work and I'm not sure we're dealing with any big problems on this one, so I hate spending too much time on this particular issue, but at the same time, we need to come up with the recommendation that the group can support.

Let's - how can we work towards that?

It seems like some things have been suggested that might be - and is it actually combine elements and I'm not sure we're protecting the rights of others, do we really know that - I guess, some of these are protecting our registry's rights of their own name.

So, in that sense, if they just registered unlike everybody else has to do, they can do that.

And it seems like allowing them to do that upfront, you know, it certainly happened in the past but it's got to be communicated and the public comment.

Mike Palage - I'm sorry...

Tim Ruiz: This is Tim I would like to get in the queue too.

Man: Thanks, Chuck.

((Crosstalk))

Man: Okay.

Man: And this is(Greg) I'd like to get in the queue also.

Man: Okay. Okay.

I think again, we're struggling here with reservation versus if you will allocation.

The - again, let's look at (Dot coop) with the community sector names. It is not (coop's) - (dot coop's) intention not to release these names. We just to make sure that when these names are released, they're released to an entity or organization that will best serve the intended purpose of the cooperative community, okay?

Now, to me, that's, you know, as I said that's dot coop. As someone who worked, you know, (dot Moby) and their premium name allocation as well, it was along those same lines. They were a group of names that were - if you - as Caroline's statement said that we're intended to be allocated in the way best to serve the community.

Now they're obviously there will be some cynics, that will say, well, it's also putting money in the registry's pocket.

Sorry if, you know, that's...

Man: That just seems, you know, most of the things you said to me are business model issues.

Man: Well that's - that seems - I guess that's exactly the case is. They aren't business model issues.

And what happens is I agree with Marilyn, if a registry wants to reserve a name prevented from being allocated, yes there needs to be a process, okay. I do not disagree.

But if it is just a business case of how a registry, the message processes of how they are going to be allocated, I don't think that falls within the context of this reservation.

Now where I will agree with Tamara and Mike on this is that in any allocation of the name, there needs to be suitable protection to prevent abuser registration and that's, you know, in the sunrise, you know, that dot Mobi premium names.

There was a process with WIPO whereby there were mechanisms to make sure that the rights of others were protected not only that but in the case of all ICANN gTLD domain name registration. The UDRP is a mechanism that exists.

So there are multiple layers of protection to protect the rights of others in the allocation. So I guess that's what I struggle with this that unfortunately, names that a registry seeks to allocate within its business model somehow had been brought into this event horizon of the black hole known as reserved names and that's - that provides struggle with - from the very first call and continue to struggle with.

Chuck Gomes: Okay. All right, good.

The - let's ask (Tim Ruiz).

Man: Yeah, and then Chuck I want to ask a follow-up question to Marilyn.

Chuck Gomes: Okay.

Go ahead, Tim.

Tim Ruiz: Okay. It was this, you know, as far as recommendations are concerned couldn't we - I mean do we have to get to the (unintelligible) and couldn't we instead, you know, one of the recommendations is that names used within, you know, that are specific to the registrar's business or for business use from that - perhaps we recommend that the pressure would be looked at that perhaps that's the an area of that maybe that - maybe need some policy work and then that the pro-working group outcome might affect how that proceed.

But I'm not sure just kind of...

Chuck Gomes: I think you're on the right track.

Tim Ruiz: So side step in the issue by referring it to the (PR). I'm not sure they would appreciate that and I'm not sure that's the right route to go.

Chuck Gomes: Yeah. And then also I'm - I confess that I personally I'm having troubles connecting the pro-working group with reserve name.

But certainly, as it gets into protecting rights of others, if that's the purpose of some of these, something could be related but I think your points well taken, Tim.

And I think that this probably is an area a recommendations going to have to be - it's not going to be a final one but rather one that further work be done on this and point out some of the issues that we grappled with and that we would encourage another working group or policy group or whatever it might be to pursue this beyond what we were able to do.

I think that Caroline, that that's probably as much that's been said on this but that's probably the kind of recommendation that's going to need to come out of this one.

Any disagreement on that?

Caroline Greer: No, no, no.

Chuck Gomes: Okay, (Greg)?

(Greg): I guess I just wanted to point one that this go beyond these two TLDs and into the other - for - in the Appendix X to the older version of the registry agreement.

So in dot names or rather dot pros Appendix X, they've reserved about 300 names that would stay with the registry in event of reassignment and then another 96 that would stay with the registry operator.

Chuck Gomes: Yeah.

(Greg): ...in the event of reassignment including Baltimore.

Chuck Gomes: Yeah.

(Greg): So they may not - I guess the relationship to the pro-working group is that in some cases, they're protecting the rights of others by which in this case, they mean themselves, but for some of the other ones, it is not clear that these are protecting anybody's rights but perhaps just

taking names out of circulation for trying to be a wide variety of reasons.

And one of the things I thought that we could do here is put some sort of parameters around those reason obviously within any parameters, different results can occur and be negotiated.

But right now it's kind of a "tabula rasa" each time a registry approaches this type of issue and that's - it's just that kind of "tabula rasa" that I think I for one would like to see avoided...

Chuck Gomes: Yeah, I understand that.

(Greg): ...at least in our framework.

Chuck Gomes: I understand that, but I also understand that we want to create innovation and competition.

And the more parameters and the more guidelines and the more things we - the more ways we standardize everything - and I'm not talking about cases where there's really a clear need for standardization, but less innovation, the less creativity, the less competition you're going to really have. Everybody - all of them are going to look alike.

And I don't think that's healthy for the industry either but let's go on to Marilyn.

Marilyn Cade: Chuck, this is I'm not going to debate Chuck on this - that point but Chuck, from a business user perspective, I think we're looking for a

framework of appropriate consistency and I use that modifier purposely.

Chuck Gomes: That's okay.

I think - that sounds okay.

(Greg): Okay.

Chuck Gomes: I just wanted to balance that though...

Marilyn Cade: I hear you but, you know, I'm just saying that I'll go on to the point I was going to make.

I think that we need to be careful not to lead the group either.

So explaining the consequences that to some, having too many parameters or guidelines, there's a fear that it would result in less innovation.

There's another aspect and that is in fact, without some parameters and guidelines, there can be no innovation if two larger groups of names are locked up.

Chuck Gomes: Yeah.

Okay.

Marilyn Cade: So I - you know, what I'm - and I think I agree with your idea that further work is needed. I agree with I think (Greg's) suggestion that



looking for parameters of, you know, the general framework, and I also think that there has to be a process identified if the name is on a reserve status, then there has to be a process agreed on how it gets on reserved, not just that the registries initially put it on reserve and then they decide to release it by whatever mechanism they want to release it as opposed to a business model which says part of my business models is to have a set of premium name.

Chuck Gomes: Uh-huh.

Marilyn Cade: It's clear from the beginning I'm going to have a unique approach to allocating and releasing those names.

Chuck Gomes: Right. And that's part of the overall proposal and the public comments to go into that et cetera, and they probably build their own financial model around that.

Man: Exactly.

Chuck Gomes: Yeah, yeah.

And I think that's a very good distinction.

Let me ask everybody a question with regard to definition of reserve names, now, Mike Palage said that it's name I think - and Marilyn, you may have said this too that aren't - that can't be released.

And yet we really have probably two categories of reserve names if we really eliminate the business model ones.

One of them is names that unless we change the contractual terms, they can never be registered.

And then we have another category of names that can be released under certain circumstances.

Man: Right.

Chuck Gomes: The two-character second level is one example of that.

Man: Uh-huh.

Chuck Gomes: So, are we okay with accepting both of those as reserve names or do want to distinguish between those?

Marilyn Cade: Well can I add another category?

Chuck Gomes: Sure.

Marilyn Cade: Because you - it's Marilyn.

What I see is that there are actually three categories. One is - three categories of reserve name.

One - and maybe categories is the wrong word, but there's the idea that it's reserved and it can never be released, right, Chuck?

Chuck Gomes: Yeah. Never - understanding that never could always be changed.

Marilyn Cade: Right.

Chuck Gomes: But, yeah, that's the basic understanding.

Marilyn Cade: That's right.

Chuck Gomes: I think so.

Marilyn Cade: They're the category that is on the reserve list but if there is - but it says on the reserve list that if you jump to the following hoops and get the following agreement, this name - this category of name can be released, right?

Chuck Gomes: Yes, that's correct.

Marilyn Cade: Thirdly, they're the category of names that are determined to be in reserve status via being identified in an (OFC).

Chuck Gomes: Okay.

Marilyn Cade: And...

Chuck Gomes: How is that different in the first category?

Marilyn Cade: I have - well, it maybe the same to you because you're very savvy. But I don't know that it is visible or transparent to the non-sophisticated ICANN (unintelligible).

So the process for how it made it into reserve - so if I am a new registry applicant and I am looking for a single approach to figure out what names, what labels are going to be problematic.

Right now, I'd have to read a bunch RFCs, read Appendix 6 and link to the IANA link I think.

Chuck Gomes: Yeah. Okay. And of course one of our (pass) of course is to make some recommendations as what should be reserve, which would include those and so an applicant for a new TLD would no write upfront what those are.

Marilyn Cade: But, as I read the RFC and Patrick is going to have to help me with this. I think some of the RFCs implied categories imply that categories are reserved as oppose to explicitly saying they're reserved.

Chuck Gomes: Yeah, of course, RFCs typically are not law, they're standards or guidelines depending on what level of RFC it is. But, yeah, I guess I'm not seeing the advantage of the third category more than just the subset of the first category, Marilyn. I don't have a problem with it.

Marilyn Cade: No, Chuck, I'm happy as it is. The subcategory of the first category., I just think it needs to be explained.

Chuck Gomes: Yeah, that's good. I - to that. I agree with you. Okay. Making that clear would be very helpful.

Okay, Caroline, do you have enough direction on this one you think?  
You and Tamara?

Caroline Greer: Yeah. I think tomorrow, we'll rework on that.

Chuck Gomes: Good. And, you know, it's I think it's going to be one of these were hey just one needs more work, okay.

Caroline Greer: Uh-huh. Uh-huh.

Chuck Gomes: Okay. All right, going on then to the Category C which is other names reserved at the second level. And here's where the premium names, the (dot name) reservations to (dot coop) reservations, (dot travel) and (dot jobs) all have some - some of the discussion I've heard it sounds like this maybe a category that really doesn't fit our statement of work.

Now I'm throwing that out and I walk a reaction to that but it's just a category that is very closely related to the business model. There whole financial model may have been built on this or as they grow like (dot names) are good example.

They've learned a lot of things as they've gone along so there's been some changes over time. But they're very closely business related and I think they all were subject to public comment at some time.

Is this maybe a category that doesn't - is this that third categories are - that's wrong terminology, Marilyn. You were suggesting - you were talking about this as being kind of a separate ballpark than all the rest we're talking about.

So I heard on that correctly?

Marilyn Cade: I don't think - yeah, I don't think that if a premium name category is decent is a - is a within our statement of work.

Chuck Gomes: Right. That's what I was thinking.

Marilyn Cade: I do think that the premium name category deserves explanation and a statement that we don't think it fits within our statement of work.

Chuck Gomes: Oh that's a good suggestion.

Marilyn Cade: And then I think we would want to say, you know, we would want to note somewhere that reserved name is different than a business model where a registry proposes unique - a unique approach to release an allocation of a particular category of name and then use this as the two examples.

Chuck Gomes: Okay. Sounds good.

Marilyn Cade: Something like it.

Woman: And then in that case we'll we be recommending that they do examine premium names and just form a different working group to work on that?

Chuck Gomes: Is that really? Why would we do that? I guess I'm not sure. What are you trying to accomplish?

Woman: I guess I still think that recommendations need to be made regarding premium names whether we make them or another working group examines then it makes them.

Chuck Gomes: Well first of all the premium names is unique to one registry model that I'm aware of right now, okay? So - but keep in mind that direction given

to regarding the (February '06 TDP) by ICANNs and all council was, you know, you don't focus on one particular registry. We need to be talking about issues that go across the board that gTLD registry.

And so focusing on one that's unique to - one or two - in this case one specific registry, I'm not sure that's really in our so-called work.

Woman: What do you mean it's only specific to one registry? What one registry would that be?

Marilyn Cade: (Dot Moby).

Chuck Gomes: No, in this case - (dot Moby).

Woman: It's not specific to (dot travel) or (dot coop) or (dot name)?

Chuck Gomes: Do they have premium name?

Woman: Yeah. (Dot travel) definitely does. And they haven't released any of them for years so they've effectively become reserved name.

Chuck Gomes: Okay. And what is the problem with that?

Man: Can I ask (what please) (dot travel)?

Tim Ruiz: Tim would like to be queued.

(Greg Chatman): This is (Greg Chatman) always in the queue.

Chuck Gomes: You know, I'd like Tamara though to help me. I'm asking these questions not be difficult, Tamara. I'm having trouble understanding myself.

Tamara Reznik: I guess I'm just - well first I was surprised by the statement that you felt that's just one registry, the premium names have so many do.

Chuck Gomes: So many do, I've heard (two) now -- travel and (moby), is there another one?

Tamara Reznik: (Dot coop).

Chuck Gomes: (Dot coop)? Mike, could you speak to that? Is (dot coop) have premium name?

Mike Palage: Put it this way, if you want I could just read the statement. It's rather (unintelligible). We have what we call community names that have been reserved. I - in my statement - in this section, I actually specify how we went about if you will initially allocating them how some of those names were then re-released and what we do in allocating them. So it's right there.

Unlike other entities that if you will choose to make - if you will a premium i.e., (egg) value above what a normal registration would cause. (Dot gov) just provides the name at the base line cost.

So that's, you know - again that's if you will a non-profit business model with in accordance with the 2000 round, (dot coop) was required to be versus the other for profit entity registry operators that, you know, they're allowed to make (profit).



And just to be sure, I mean I would like to just sit there and read the following -- is - and this is containing my statement -- successful adoption and utilization of key names are the building blocks of (unintelligible) which the long term success are branding of any registry is based. Outside those to main names were explicitly reserved from allocation by ICANN. (Dot coop) believes it is important that each registry is to be provided the flexibility to make business determination in connection with registry or sponsored reserved names precise - provided that such process is fair or equitable.

And as I stated before, you know, there is a (UDRP). We do value - protecting the rights of others but we believe that a registry should have some flexibility and how they want their business.

I don't think a one size fits all is important...

Tamara Reznik: And I don't think that I proposed the one size fits all at all. But I mean regardless of whether, you know, (dot moby) and (dot travel) - let's not even gone into discussion of right now whether there's more than two or not. I mean we're not putting this committee together in making recommendation because (unintelligible) was all ready been done, right?

Chuck Gomes: Right.

Tamara Reznik: We're making the recommendation regarding what will happen going forward and there could be 100 more that proposed some premium names going forward.

So I don't think that we're...

Chuck Gomes: Okay.

Tamara Reznik: ...really - now is necessarily relevant issue.

Chuck Gomes: But help me understand...

Marilyn Cade: Chuck?

Chuck Gomes: ...what the problem is with that?

Marilyn Cade: Well, Chuck, it's Marilyn. Can I make a proposal though? You say I think that what Tamara has done is identified for us that we are all learning in this process.

And so what we've learned is that there actually are a number of registry to have a form of other name reserved at the second level for different - but four different reasons in each of the registry.

Chuck Gomes: Right.

Marilyn Cade: Tamara, is that right? Would that be right?

Tamara Reznik: Yeah, that's right.

Marilyn Cade: Okay. And so...

Tim Ruiz: Yeah, I would argue that they're reserve. I don't - I wouldn't call them reserved names and I don't see them following into our statement of work.

Marilyn Cade: I hear you Tim but here's what I'm hearing and this is what makes me nervous. I'm all for flexibility for the registry. I'm not pre-random this and I don't like surprises.

So if in fact, these are (unintelligible).

Tamara Reznik: That's (insane), Marilyn. I'm (often) like...

Marilyn Cade: (Grow).

Tamara Reznik: ...(grow) which is why I propose some...

Tim Ruiz: So I don't disagree. I'm just asking whether that's within the preview of this working group or is that something that should be taken outside of this.

Marilyn Cade: And Tim, my proposal is in fact I think that this does reserve just a little more work that as Tamara has proposed to add. Id a number of - and so the question is really there -- is the second category - the used - the presented as the reserve category and the names are never going to be allocated or in fact is it something else and there needs to be a further process.

So I think it's fair to say example mining that question can be done by this group just a little work by Tamara's group, the - yeah, I you see, I'm going to go again come back to what I said before. We want

innovation and we want people to do things differently and yet we want to tie their hands, and it doesn't make sense to me. But that's as of...

Woman: But that was...

Man: As of - if the group wants to recommend that more work to be done on this, we obviously will make that recommendation. I - nobody has convinced me yet that there's a need for that but that's my own personal view.

And I'm just one person on...

Woman: Sure. Chuck, but - and by the way the recommendation of the group have to complete and the rest of the work should be, the use of the phrase (Reserved Name) should not be applied to the following kinds of examples.

Chuck Gomes: Yeah. And I guess that's where I'm troubling.

Man: And I would agree with that.

Man: And that's - thank you Marilyn and that's what I raise on our very first call.

Man: Yeah, that's very well said. So, the - again, it seems to me that when new TLDs are proposed, when they proposed this special categories of names that we won't call reserved name, okay?

That should be on their proposal and there should be - and there will be public comment period. It sounds like what some are asking for is more than that, is that correct?

Marilyn Cade: Well, it's Marilyn, so what I'm looking for - I wouldn't know at the time the proposal is made if the names are ever intended to be allocated...

Man: Yeah, that's right.

Marilyn Cade: Or if they impact our in the special category that I think a lot of the (.info) names therein.

Man: Yeah, yeah that's different, I agree with (you) and that's different. But I think in this various categories, .jobs, .coop, .moby, .travel, that I think they did proposed what their going to do with them that they were going to allocate them. Caroline, you guys actually...

Caroline Greer: Yeah.

Man: ...wasn't that upfront in your proposal?

Caroline Greer: Absolutely. I mean, the (auction model) is in our contracts, yeah.

And maybe...

((Crosstalk))

Man: And Marilyn, what maybe what you're saying is we just thought I guess you suggest some guidelines to make sure when they have these groups of names that they provide adequate information including why

they're doing it, how they're going to allocate them if they are et cetera and like that, is that correct?

Marilyn Cade: Yeah, I think this is correct. And I'd ask Tamara if that generally it's...

Woman: Yeah. I mean I would say, you know, it's interesting Chuck you just asked Caroline Greer, hey don't you have a way for (unintelligible) and you allocate them and then...

Chuck Gomes: No, what I was asking was, did she - was that on her proposal upfront?

Woman: Right, but...

Chuck Gomes: Yeah.

Tamara Reznik: Exactly. But the interesting thing is Caroline's answer would be very different than (Cary) answer for dot travel and that's where there's no consistency, .moby they had a procedure proposing names that were reserved.

They did explain how they were going to allocate the names and they did. They are going forward in allocating those names, is that correct?

Dot travel, they have no idea how they're going to allocate those names, it's been two years they haven't allocated any names, they still have no plans to allocate them, they still don't know how they're going to allocate them. And there was no procedure for opposing names.

Chuck Gomes: And so what you're suggesting maybe our thinking is that in cases like that where they didn't communicate it upfront, they didn't have a

procedure that if and when they do, that should be put to public comment.

Tamara Reznik: I'm not saying, even when they do I think that they said. I think that during that contractual period, they sure to have to explain how they're going to allocate them and it should be open for public period after the same time that the actual (reserved names) are being listed. But the actual (premium) names are being (just) guided up.

Marilyn Cade: Tamara, I'm going to - it's Marilyn. I'm going to offer a modifier to that though and use dot name as an example.

Tamara Reznik: Yeah.

Marilyn Cade: I generally, am not in disagreement with you except that I think we do have to provide flexibility for learning over time.

Tamara Reznik: Right.

Marilyn Cade: And then, Chuck, I would say, that probably the final process would be the appropriate way to deal with allocation methodologies for such special category.

Chuck Gomes: Uh-huh.

Marilyn Cade: And I'm...

(Patrick): This is (Patrick), can I add something?

Chuck Gomes: Go ahead (Patrick), and then I'll come back to you Marilyn.

(Patrick): With the .travel, they've been advertising on their Web site that they're running a public comment period on a proposal for premium named auction. They have not yet submitted a proposal to ICANN, and it's not in their agreement but they could propose to the panel to have a premium named auction service for the names that Tamara mentioned.

So it's something we could see in the near future since they're running this - and probably the comment period has already ended. So - and I would expect that they'll have an announcement about this premium names very soon.

Marilyn Cade: And (Patrick) we should just be cleared that we're saying, it is the registry and their Web site that does not in any way change the need for future work or public comments at the ICANN level right?

(Patrick): Okay.

Tamara Reznik: But that's sort of the problem right there, so I mean, you people would know maybe to look for public comment period one day seeing your name being proposed.

Who's going to go two years later and be watching the .travel Web site could be whether or not they have a public comment period.

Marilyn Cade: Sure, but, you know, but Tamara, the same thing happened on dot name. So maybe these are the kinds of questions we need to ask ourselves, Chuck, and that is what kind of public notice or alert is needed to inform people broadly if a registry, you know, plans to have stage release as we might call this?



Chuck Gomes: Uh-huh.

Marilyn Cade: And thus, the final process provides flexibility to the registry but enough notice to the community...

Chuck Gomes: Are you still there?

Marilyn Cade: I think I'm through.

Chuck Gomes: Oh okay. Is it okay?

Tamara Reznik: But that's I think is the point.

(Greg): And this is (Greg) Chuck, and I just wanted to - if I get at one more thing, which is that I think the concern is, you know, especially about (run dot travel) is just kind of - and yes, there is no framework or parameters which - and I think that their frameworks and parameters come a lot of flexibility.

What you end up with is something that could be a de facto Reserved Name just because there is no requirement that the names ever become released and for some - for registry releases or is, you know, has 3000 premium names and release three of them a year, it will not be on our lifetime that all of them are released.

So I think there needs to be, you know, some definition upfront that needs to be something reasonable or else they function as Reserved Names kind of through a back door process.

And I think it's partially what we're trying to do here is to close a loophole and make sure that to the extent these are not reserved names they do not function as such and so if we want to kind of keep them out of our statement of work, we have to make it further. They don't wonder into our statement of work by accident.

Chuck Gomes: Okay.

Marilyn Cade: You know, Chuck, I'm just going to make one other point.

You know, they are both the irony here that maybe some of us and myself that was missing, I might look to some of the names. All these names are allocated in .net and .org. and .com.

Chuck Gomes: Uh-huh.

Marilyn Cade: So really, and we should call them (strength) maybe.

So really, the fail to release them generic phrases like this and generic words like this that fail to release them by the registry in the sponsor category.

And, you know, we may actually be missing something because it seems to me it's going to be in the registry's interest to find a way to release them.

Chuck Gomes: That's what I was thinking too, yeah.

Marilyn Cade: Yeah. But I guess we're to the, yes, this deserves more work.

Chuck Gomes: Yeah, although I don't think we're as far away as I thought we were a few minutes ago.

I think some good communication has happened and I think we'll let Tamara and Mike and Caroline see if they can come up with something, and it maybe at more work, but keep in mind, when we recommend more work going forward let's give some guidelines to things to explore and so forth, so I think that's something about - Caroline, we jumped in and didn't really give you a chance to give your own report on this third category, did you want to add anything?

Caroline Greer: So, I mean, I think we've touched on everything there and...

Chuck Gomes: Okay good.

Caroline Greer: I mean, Tamara and I weren't - we didn't have the (version) to use, Tamara I think just wanted to go further then and where I saw and where I saw, and (unintelligible) sign off as well...

((Crosstalk))

Chuck Gomes: And just one comment. Marilyn brought up the .name situation and it's a really good example. Because the .name TLD as they originally proposed it really struggled for a while.

Marilyn Cade: Uh-huh.

Chuck Gomes: And I think that both (argon) and (Hokum) excuse me, (Hokum) and (Gierree the President and CEO would tell you that. But because of the flexibility and they went through good processes that were publicly

communicated and everything to make changes that, you know, they went through the - our step recently, etcetera.

But the flexibility then, I think has really allowed them to improve their business model, things that they didn't foresee upfront, so the flexibility is a really good point.

Marilyn Cade: Yeah.

Tamara Reznik: Yeah, and actually I'm turned at this just looking at the elements, I proposed, do you think any of those would have- have got a name from having the flexibility that they need.

Chuck Gomes: Yeah, I'm looking at it right now.

Tamara Reznik: There actually a lot of the things I proposed, there are things .mobi did in fact use of Caroline, you know, is a good person to weigh in.

Chuck Gomes: Yeah.

Marilyn Cade: I think it can be difficult to turn the exact time limits on something?

Tamara Reznik: But what if it's five years? You know, I mean, just some kind of time limit...

Marilyn Cade: But then...

Tamara Reznik: That they're not or...

((Crosstalk))

Marilyn Cade: Or it's within five years or the registry is required to at least step by for an update to extend it.

Caroline Greer: Uh-huh.

Tamara Reznik: I mean, you know, that - I guess that's why I (lost) (unintelligible) so I didn't say what the time limit should be, but I - there should be some kind of reasonable time limits on then.

Marilyn Cade: Can we...

Caroline Greer: Okay, and that's regards the first one there - the WIFO recommendation. I mean, is that something we want to delve into for other registry's to file? I mean, that was specific to .mobi at that time before.

Tamara Reznik: But how did that work for you?

Caroline Greer: Well, we had a period for them with trade mark holders were allowed to apply to have their premium names removed from - to our premium name less than one in certain criteria and they tried to (WIFO), and (WIFO) administer back in chart process. And then we allocate this any remaining names - we will allocate at any remaining names from a premium name list, so that was a brand new process there.

Tamara Reznik: Yeah, but you do you think that works well? I mean, (WIFO) seems like the right. I mean, you definitely wouldn't want the registry to be making that decision, the idea is to have an outside third party, deciding that

and to me (WIFO) seems like this correct governing board, although I would, you know, I mean that's open to public.

Caroline Greer: Yeah, it's a great (thing).

((Crosstalk))

Chuck Gomes: I think we're going to have to...

((Crosstalk))

Tamara Reznik: ...if you think that that process works.

Chuck Gomes: I think we're going to have to get legal advice on that because when you start bringing and making (WIPO) a deciding body for the issues within ICANN, it's one thing with regard to the UDRP, which is a formal process that (WIPO) is one of the player then.

But let's not go there right now as far discussing what that might be. So we have to be a little bit cautious there I think.

Michael Palage: Chuck this is (Mike), if I could comment on that as well.

Chuck Gomes: Okay.

Michael Palage: (Tamara) as I've stated, I've worked Mobi and their premium name's (challenge) process and in fact that worked with affiliates and their (Sunrise) process.

I agree with Chuck. I think we want to be very cautious about dictating something.

In connection with affiliates with their Sunrise challenge process, affiliates made the termination to use exclusively (WIPO) as the provider. As Caroline had just said that it was the decision of that (mTLD) to use (WIPO).

So, I think Chuck raises well of points, we want to be very careful about dictating, if in fact though, you know, our registry should, you know, want to use a non entity or someone who doesn't - if you will have the qualification, that is something that perhaps either in the - their application - their application or as Marilyn said a (final) request, this could be brought up and discussed, and I think that would be a fair comment.

As for myself, as a former WIPO panelist, I agree that they're probably one of the most uniquely qualified organizations in the world to handle this subject matter.

Particularly when you get into, you know, names that potentially may have - you know, generic, I hate to use that word but, you know, there are a lot of nuances and trademark for all that I think need to be taken into account bona fide use particularly when you look at some of the gaming and dot you, so again, I agree WIPO is the body but I would feel much more comfortable allowing the businesses to make that decision as opposed to this working group mandating that body.

Chuck Gomes: Okay, we need to move on. But Caroline, I know you're going to have to get off.

Caroline Greer: Yeah, I got to...

Chuck Gomes: But we need by end of the day on Wednesday is some final recommendations and you have enough - and some of those can be more work, okay, more works needed that's okay, but you have enough information to finish those off by Wednesday.

Caroline Greer: Yeah, I think...

((Crosstalk))

Michael Palage: It's okay, just...

Chuck Gomes: And everybody - and I wish they get a long time but I think this is time well spent and I think there are some very constructive things said from a variety of points of view that are very helpful in terms of us understanding and working on this issue.

Caroline Greer: Okay. Thanks everyone for your call.

(Edmund): So Caroline...

Tamara Reznik: (And) for the time.

(Edmund): ...give us very quick comment on this and regarding the time limit that was mentioned. I think that really doesn't make sense so you take into account IDN because IDNs maybe released much later and premium names or whatever reserved names could be - could happen there as well.



Chuck Gomes: Thank you (Edmund).

Okay, and remember to identify yourself especially if your having been talking recently.

(Edmund): Right.

Chuck Gomes: So that these transcribers can get the names down.

Thanks (Edmund).

Okay, we're now going to jump to the tag domain names report and to the - I sent out a copy over the weekends and had a few more changes, so I made very quickly and (Patrick), feel free to jump in on this with me, anytime you want.

So - the - we're going to - going through that report, it hasn't changed too much. But, I did change the format of the recommendations and used the table format that will comeback to later on our agenda - as a way of making it real clear, that we cover all categories that we need to cover with regard to recommendations.

Top level, second level, third level of applicable both ASCII and IDN, and the recommendations really haven't changed in the last iteration for ASCII names we're recommending that no more is needed. For each IDN, GTLD proposed, the applicant must provide both the ASCII compatible, base form of an IDNA valid string, and A label.

And in local script form, Unicode of the top-level domain, that's the U label.

And that's - that terminology is from the latest RS or Internet draft that (John Klensin) posted just on the last few weeks.

For the top level, which regard to IDN, we're again suggesting that no more work - we don't believe anymore work is needed and it's really - as far as recommendations in and it's really not applicable there for IDN because the whole idea of a tag named is related specifically to DNF, which only allows ASCII characters.

So IDN versions of that ASCII characters and if it doesn't even make sense from a technical point of view.

At the second level for ASCII, again we don't think anymore work is needed and we think that the current requirement be reworded to say, all labels with hyphens on the third and fourth character positions and then that two examples with.

And then we added without standardization activity and appropriate IANA registration. And the added words are in italics if you have the document in front of you. And then of course, that we had the same qualifier that name starting with x and dash, dash may only be used if current IDN guidelines are being followed.

Now, that Italic wording added was added at our - at a suggestion that came out in our(person meeting from Avri.

Avri, would you like to just explain that to everybody?

Avri Doria: Yeah, just the quick explanation on it is at the moment we're really only using one possible combination of the tag names. I believe that a software engineer start to put support or the exit in that routine for tagging, there maybe other forms of tagging created.

Now, one of the objections have been mentioned by (Bruce) was that we didn't want people (willy-nilly) adding, you know, new tags.

And so basically, this is a - if the use of a net tag type is standardized.

And if that is properly registered through IANA as all new protocol type need to be registered, then that should not be excluded, but should be acceptable.

So, it's really taking off the probation against new tags and think, except for when we do the right stuff - define a new way of doing something, define a protocol, register correctly, et cetera and then it's okay.

Chuck Gomes: Thank you.

And then again, at the second level for IDN it's not applicable because of the particular requirement and that's the unique thing about the tag name categories versus all the other reserved name categories that we're working on.

And then at the third level, we basically just said, you know, if it's done at the second level than if it's a registry that is registering names at the third level, the same requirements should apply.

And again, we don't think - (Patrick) and I don't think that anymore work is needed on this. On this particular one, let me open it up to questions.

Avri Doria: I had a questions about...

Chuck Gomes: Yes, Avri?

Avri Doria: I - but I had suggested the same wordings for the second.

Chuck Gomes: That's for the second.

Avri Doria: To the second level that that was the...

Chuck Gomes: And that was the second level that I...

Avri Doria: Okay, because that was basically applied - first in second so I thought I have to...

Chuck Gomes: Oh, and you're saying top level, I see what you're saying...

((Crosstalk))

Avri Doria: Right, I have suggested it at both levels because those were the two levels that count and that same - if something is defined, than it should be otherwise. But...

Chuck Gomes: Oh I got you again and hey, bare with me here, I'm trying to make sure I have this straight.

I'm looking at the wordings.

Avri Doria: I have sent you some wording about that.

Chuck Gomes: Yeah, it would - you know, and as you suggesting at the top level, we should have that same italicized addition?

Avri Doria: Yeah.

Chuck Gomes: Okay. Yeah, and that's what I thought you're saying is..

((Crosstalk))

Avri Doria: And then I also had one other question about the rest of the stuff when you build the queue.

Chuck Gomes: Okay, (which) is that was different recommendation - level, what's like...

Avri Doria: (Because I had sent you) language for both and it was the same in each case.

Chuck Gomes: Yeah, yeah and I think probably I need to fix this because I see the only recommendation that I have in there right for (TOP) is the one where in the application, I need to add that language to my (TOP) level recommendation.

Yeah, okay I got that. Okay, good, good catch.

Any other questions or comments?

Avri Doria: On everything or just that?

Chuck Gomes: On everything.

Avri Doria: Okay, I have one.

Sophia Bekele: I have a question...

Chuck Gomes: Okay, Sophia, after Avri.

Avri Doria: Okay my - related to the use of the (A) name and (U) name, I totally accept using those - that terminology, however since it been in an Internet draft which is in (eternal) document, I think we need to include the definition somewhere in a footnote and something.

Chuck Gomes: Okay, (unintelligible) definition of what?

Avri Doria: Of (A) name, (U) name.

Chuck Gomes: Okay, what I...

Avri Doria: But we're using the new terminology but it's some in ID, IDs are (unintelligible) we don't know that it we'll actually end up being formally adopted in an (IRC) so if the assemble document that defined, is disappear, then it's a dangling term from recommending that we have a footnote that (decline some)...

Chuck Gomes: It have a footnote and reference...

Avri Doria: Okay, sorry I don't have the document in front of me.

Chuck Gomes: And it references the document and in fact I think I even reference the...

Avri Doria: Okay, that's cool because...

Chuck Gomes: ...section.

Avri Doria: ...you can always...

((Crosstalk))

Chuck Gomes: Yeah, Section 3.1.1.1.

Avri Doria: Okay, thank you, sorry.

Chuck Gomes: Is that okay?

Avri Doria: Yup.

Chuck Gomes: Okay, good.

((Crosstalk))

Chuck Gomes: All right, Sophia.

Sophia Bekele: Okay, Chuck, first of all Sophia Bekele here. This is my personal view which is not - which is not going to clarify it's not the IDN working

group's view since I'm a liaison. And this is the posting I sent to the RN Working Group earlier, yesterday I think.

So, one of the clarifications the (CC hyphen, hyphen) that you would ask me Chuck, it is the...

Chuck Gomes: Yeah, does CC stand for?

((Crosstalk))

Sophia Bekele: ...character, character, hyphen, hyphen?

Chuck Gomes: That's character, character. Okay...

Sophia Bekele: Yeah.

Chuck Gomes:: ...sorry about that I didn't pick up on that.

Sophia Bekele: Yeah, that's Ram was referring to it at (cchh) kind of thing in all so that I picked that up.

Chuck Gomes: Okay.

Sophia Bekele: So anyway, I guess it's easier to start with the recommendation which is to say that no one should be registering the word, you know, except xn dash dash which is the IDN label, right?

And so far, we've registered at least of characters -- up to characters but seems that (report) technologies that as well since we never know



when a language is to contain, you know, and xn dash dash because we're, you know, dealing with various languages in the translations.

Chuck Gomes: What do you mean when a language is - can't - you're saying X when a language contains xn dash dash, you mean like English.

Sophia Bekele: That English, we never know.

Chuck Gomes: Okay.

Sophia Bekele: Because that...

Chuck Gomes: Yeah, okay.

Sophia Bekele: ...Unicode is, you know, ASCII, right?

Chuck Gomes: Okay.

Sophia Bekele: So the rules has to be therefore both labels so, you know, the two combination also that with any took two combination alphabets with hyphen, hyphen should be reserve in this case then that's what we're saying because...

Chuck Gomes: Right.

Sophia Bekele: ...there's no way of telling, you know, the translation of the X and...

((Crosstalk))

Chuck Gomes: Yeah, any name that starts out with character, character, dash, dash is reserved, any ASCII portion of that is, yes.

Sophia Bekele: Right, what I'm suggesting is x and - because the Unicode is an ASCII database and the IDNs are going to be deployed as a TLD level, another level third, you know, second third such registrations at the registry level, they're represented in ASCII, why it's using the ASCII compatible encoding so when we map the IDN level into the ASCII prefix by the xn dash dash, any a little change which I think the reports also (notes) like the alternative characters followed by the hyphen, like the bq and xn and so forth, need to be protected.

So, you know...

Chuck Gomes: Are you saying the something needs to be protected that isn't covered by the current recommendation?

Sophia Bekele: Right, right.

Chuck Gomes: And I don't understand what that is.

Sophia Bekele: That is xn dash dash and bq dash dash, that's already covered and...

Chuck Gomes: No, no, it's not xn dash dash and bq dash dash that's covered. Those are just the example, the recommendation we're making is that current requirement we extend it to the top level and third level but all labels beginning with character, character, dash, dash reserved.

Marilyn Cade: So - Chuck it's Marilyn.

So that would be aa dash dash...

Chuck Gomes: Yup.

Marilyn Cade: AP dash dash.

Chuck Gomes: Yes.

Marilyn Cade: BQ dash dash.

Chuck Gomes: Yes.

((Crosstalk))

Marilyn Cade: And that - okay.

Sophia Bekele: Okay, let me just ask but (their) reserved at the third and fourth level, right?

((Crosstalk))

Chuck Gomes: Not the fourth.

Sophia Bekele: ...in your recommendation.

Chuck Gomes: Not the fourth, first of all, I don't - there's no registry that registers name at the fourth level. There's just a couple that do it at the third level.

Sophia Bekele: You know, I'll tell you what it is that fourth character we're talking about...

Chuck Gomes: Dash?

Sophia Bekele: ...the character, as you have it in your, you know, in the metrics there. We're registering the xn dash dash and bq dash dash which is four characters but what is, you know, because xn dash dash and bq dash dash or any character, dash, dash is sort in an ASCII format in the Unicode and most of the browsers when in, you know, when you are translating into the different language when it's an IDN format, most of the browsers that don't recognize though, reservations, you know, at the Unicode level, then the translation is still displayed in ASCII and so therefore for example if we have xn dash dash or any characters, dash, dash which is an (eighth) identifier of IDN in the middle of the word for example, then those are not protected, those are really IDN labels but then they (unintelligible) ASCII if they are in the middle of...

Chuck Gomes: What do you mean that an xn dash dash is an IDN label?

Sophia Bekele: (No), xn dash dash, there was our (eighth) identifier, right?

Chuck Gomes: XN dash dash is simply an ASCII prefix.

Sophia Bekele: For an IDN identifier.

Chuck Gomes: When in the (DNF), when that is seen, it's a flag to say hey, this is an IDN and we need to follow the standard protocols for IDN.

Sophia Bekele: Okay, what if that xn dash dash is in the middle not the first two - the character there in the middle?

Chuck Gomes: And there's no xn dash dash at the beginning?

Sophia Bekele: No, right now, we just had at the beginning right, Chuck?

Chuck Gomes: Okay. I'm trying to get understand what you're saying.

Are you asking me if there's an xn dash dash somewhere else in the string beside at the beginning?

Sophia Bekele: Right.

Chuck Gomes: If the string where that happens starts out with xn dash dash...

Sophia Bekele: No, if the string doesn't - it's not that start (how), if the string is in the middle.

Chuck Gomes: Okay, so that's it, that's what I'm trying to clarify, okay, so it's in the middle, it's not (unintelligible) at beginning?

Sophia Bekele: Yeah.

Chuck Gomes: Okay.

Sophia Bekele: In the...

Chuck Gomes: Why would that need to be reserved?

Sophia Bekele: Because nowadays, you know, the older browsers except few do not recognize the xn dash dash as an IDN identifier.

Chuck Gomes: They're going to look for the IDN identifier when the application has come up to speed on this at the beginning. They're not going to recognize them...

((Crosstalk))

Chuck Gomes: They're not going to recognize one (later) in the string as an IDN identifier.

Sophia Bekele: What I'm suggesting is why not reserve that period.

Chuck Gomes: Why would we need to do that, that's what I don't understand?

Sophia Bekele: Because...

Chuck Gomes: Can anybody help here that is there a reason to do that?

Man: Well, this is (unintelligible).

I'm not quite understand either but it's, you know, if - that if could show up in like in email address or a URL and a browser but I'm not sure how we would reserve those. I mean the, you know, the browser or the email (unintelligible) whatever still going to only recognize after the domain (the part that start) (unintelligible) xn dash dash or (it won't) but I mean is but I don't know how the registries would reserve that from showing up in an email address for...

Chuck Gomes: Yeah.

Man: ...URL string.

Chuck Gomes: Yeah, functionally, it would be very different, you're right but again why - what value would be served? I still don't - aren't having that question.

Sophia Bekele: Okay, let me give an example Chuck, for example in Netscape/Mozilla (unintelligible), they can take for example a registration which is ASCII IDN xn dash dash for example if we use (55qx5d) and display Chinese simplified...

Chuck Gomes: Okay.

Sophia Bekele: And that is stored as an ASCII but, you know, the translation could be a Chinese IDN, right? So a browse and location bar that same browse obligation simply don't have the Chinese character set let's say so if we're registering an IDN level in whatever script they may be and not had the level of the (hidden) Unicode which will change - eventually may change like the bq and xn.

Chuck Gomes: It's unlikely they're saying but yes.

Sophia Bekele: Okay, then it's not protected where, you know, that IDN version.

Chuck Gomes: What's not protected?

Sophia Bekele: IDN version of the label, the TLD or the second, third level is now going to be protected.

Chuck Gomes: I'm totally lost.

Sophia Bekele: I guess I'm not explaining it very well.

Chuck Gomes: Well, let me make this recommendation and let somebody else can help you. Would you see within you're since you remember of the IDN working group...

Sophia Bekele: Right.

Chuck Gomes: ...would you check within that working group and see if - and test your thinking on them and then get back to us...

Sophia Bekele: Okay.

Chuck Gomes: ...before our meeting on Thursday because I am totally at a lost to what's your concern about and it may just be because I'm not a technical person but it's not making sense to me so if you would and maybe, you know, if you get clarification and it's not a problem, just let us know or if members of your group and Ram in particular as the chair think that there's something else there, please communicate it to us in an, you know, before Thursday.

Sophia Bekele: Okay.

Avri Doria: This Avri.

Chuck Gomes: Okay, does that work?

Sophia Bekele: Yeah, that would work. Thanks.



Avri Doria: This is Avri.

Can I ask a question just to understand what the question is?

Chuck Gomes: Sure.

Avri Doria: Basically, are we asking that string dash dash - that that pattern dash dash be protected anywhere it shows up in the label?

Sophia Bekele: Yes Avri, that's what we're saying.

Avri Doria: I don't understand why but I wanted to make sure that that's what we were saying that basically you (went up) reserved that pattern anywhere that you never put two dash together.

Chuck Gomes: Yeah.

Sophia Bekele: Yeah, after character dash dash and in the middle, yes anywhere in the middle.

Avri Doria: Right, so that being the pattern dash dash anywhere in the string?

Sophia Bekele: Right.

Chuck Gomes: Yeah and of course what Avri saying is, that really what you're saying is that a double dash is anywhere in the label would be reserve because you would all, you know, you're going to have all kinds of character characters throughout. They're going to have to be character characters like that so.

Sophia Bekele: Correct, but anywhere in the middle, it's not necessarily a the first, second, third character the we (saved).

Chuck Gomes: Yeah, you know, I understand now what you're asking. I don't see what that would accomplish but that may just be me.

((Crosstalk))

Man: I think what would help is that we had some actual example, you know, visual examples maybe of what, you know, what you're talking about and then, you know, how that might be pull the problem.

Chuck Gomes: Yeah, so if you'll go back to the IDN working then...

Avri Doria: No, problem and I will do that.

Chuck Gomes: And that and see if you can - would come up of something either that maybe it's not an issue or if it please provide some understanding so that we can understand it as well.

Avri Doria: All right.

Chuck Gomes: Okay, thank you.

Any other questions or comments on this report?

And Avri, what I will do is I'll fix that. It's a good point you brought on the top level and there should be two parts to that, one of them is the one that's there now and the fact that you have the same (required) at

top level in terms of reservation as you do it second with the added wording that you added.

Avri Doria: Okay.

Chuck Gomes: Now with that in mind, are there any other concerns about this report? So that hopefully on Thursday, we can just simply - you can see that change and assuming that - and depending on what Sophia comes back with we probably should be done with this one.

Okay?

All right, the next one, another of the low hanging (fruit) and hopefully is the (nic), (whois) in dub-dub-dub Timothy Denton, you're on.

Timothy Denton: Let me just to drop (unintelligible) here, (nic), (whois), the only changes I think were made (unintelligible) open again, sorry. The (dot) as far as the consultations with experts and I have not received a large number of consultations (site) with registries that they're to be considered expert, but on the whole, there is some support for keeping in reserve and no particular support for unreserving them, some people has very particular situations they describe and that was sort of the extent of it in order to get my most up-to-date one.

So, what's in this (and surf) therefore, it was just a question of completing our consultations with expert or with other registry hoping that more would come in but on the whole yes, we received very clear responses from dot-org, dot-travel, dot-name and yeah, dot-travel and dot-aero to keep them reserve. We have not heard anything else in contrary of that few.

Chuck Gomes: Okay.

And so, in your particular case, can you summarize your strong recommendations?

Timothy Denton: Yeah, as basically that these three names they reserved until registries indicate otherwise and that registries in questions be polled as to their opinion in the reservation of this three name that polling is continuing but basically that - I don't even know (unintelligible) whether that it needs to be done any longer in that sense that they have been polled so perhaps the best that this we could say that these three names continued to be reserved.

Chuck Gomes: And where at the - at all levels or at top second and in cases where it's applicable the third?

Timothy Denton: I haven't done that specifically and I'm ready to take direction on that from those in that letter.

Chuck Gomes: Anybody want to comment on that?

Hey, you know, all comments are, you know, it seems to me that this so natural to extent at the top level. I don't believe that we're going to want dub-dub-dub or whois or nic registered at the level because I think that would create user confusion. I don't know if we need it - I don't think we even need an expert to tell us that but I would...

Timothy Denton: Yeah.

Chuck Gomes: ...refer to others in that regard.

Timothy Denton: Say one - say at top level second and top second and third level...

Chuck Gomes: Third is applicable.

Marilyn Cade: It's Marilyn.

Third is applicable and why don't you just ask (Kim Davis), right or have that like (Patrick), (Kim) is - we just (unintelligible) when you say we don't probably need an expert, do we aren't happy not to have an expert on this that do we need to ask ahead of IANA?

Chuck Gomes: You mean David Conrad?

Marilyn Cade: David Conrad, sorry.

Chuck Gomes: But Kim would probably be okay too.

Marilyn Cade: Yeah.

Timothy Denton: It's good to hear from (Kim Davis) earlier.

Marilyn Cade: Right, (unintelligible).

Timothy Denton: Yeah and let me just that (unintelligible) (to the few), there's one thing...

((Crosstalk))

Chuck Gomes: And that's not in your or is that in your consultation which expert section, Tim?

Timothy Denton: No, I'm confused, it was in relation to IANA names and (unintelligible) (consulted) it wasn't in relation to that.

Chuck Gomes: Why don't you fire off an email to him and just add that to your expert consultation, I think we probably can pretty predict the answer but it would be good and emphasize it at the three different levels so explore on that.

Timothy Denton: Yup.

Chuck Gomes: Okay, any...

Timothy Denton: So that would be then the reservation is this that the recommendations of each three names should they reserve at the top, the second and is applicable the third level?

Chuck Gomes: Yes.

Okay now and any disagreement with that or any like comment on (unintelligible) I appreciate it and I think when you (unintelligible) up the report in that regard but any questions with that?

Michael Palage: Chuck, this is (Mike).

The only question I would have is that that the current reservation at the second level does (a while) a registry to use them so I'm assuming

you're just if you will, continuing the current legal language restriction regarding that.

Chuck Gomes: Tim?

Timothy Denton: (Mike), I need to understand better what you're saying.

Michael Palage: What I'm saying is right now, under the current language that it is possible for registry to use nic.tld in fact coop uses it, if you go to nic.coop (unintelligible) so that is done the way that that name is reserve is under the language in the contract.

Now, we've talked about using the definition of reserved previously as meaning never been allocated, okay in our earlier today we had - we were looking at its definition where reserved means would never allocated.

Chuck Gomes: I think though, I don't think we agreed on that definition.

Michael Palage: Well, okay, we're still being discussed so I'm not trying to be difficult, I'm not trying to be different here.

Chuck Gomes: No, I understand.

Michael Palage: What I'm saying - I just want to make sure we don't have...

Chuck Gomes: Yup, that your...

Michael Palage: ..on intend the consequences here.

Chuck Gomes: Your question is very important but let me see if I can clarify does he came as this makes sense to you...

Man: First of all, registries are not authorized to use this at the top level. So in your recommendation, you need to make sure that we don't do what (Mike) is suggesting there, but at the second level, his point is very good.

Keep in mind we've shortened the name of this because it wasn't very useful to say names reserved by registries when really we're talking about three specific names for registry use and that's at the second level. So you need to I think follow the same language at the second level that exists now.

((Crosstalk))

Man: The top level is a little bit different. Do you agree, (Mike)?

Michael Palage: Yes, exactly and I fully agree at the top level (these names) should be reserved. We're in total agreement and again, I think you better articulate that my concerns at the second level that it just follow or track the current language. It provides that flexibility.

Man: Yes. We don't want to say that (dab, dab, dab), neck and who (else) should be reserved at the second level period. (They reserve) for registry is only at the second level just like the current requirement says. Did I say that okay?

Man: Yes.



Man: Okay.

Man: So I would say that in relations to -- at the second level, existing contract language...

Man: Yes.

Man: ...should continue to apply.

Man: Yes.

Man: Okay. So that is the second part of the recommendation then.

Man: Yes and I don't think that one applies to the third level. Is there any reason to consider this one even -- is the third level kind of non applicable in here or should it be -- again, whenever we're talking third level, we're only talking about a small number maybe only two right now -- registry is that - register names at that level. Is there any reason to extend this on at the third level?

Woman: I wouldn't think so.

Man: It doesn't seem like it to me either, but make sure you ask that question of (unintelligible) or (David) when you send an e-mail to them, (Tim).

(Tim): Give me -- (David's) last name is?

Man: (David Conrad).

(Tim): All right. Okay. I will do that.

Man: Okay.

(Tim): So basically now, then what we have is it's recommended that these (three) names should stay reserved that we thought the second is applicable to the third level and at the second level. The existing (contract) language in registry agreement should continue to apply.

Man: And I suspect that same qualifier would apply at the third level if we did go to that direction. I'm not sure we will...

(Greg): This is (Greg). I think those are in fact reserved at the third level.

Man: Are they?

(Greg): Yes.

Man: Okay. Thanks, (Greg).

Man: Okay. So it sure is right at the second and third levels the existing contract language...

(Greg): At least some of them are. WWW, I'll look back at (unintelligible).

Man: Yes, okay. Good. Actually, thanks (Greg). That's helpful and you of course be aware of that from your working group. Very good. Anything else on this one?

(Edmund): This is (Edmund).

I just want to note that I think the others' intent of reserving those three names if in the future, there is a change of registry operator and in case of re-delegation, I mean a new registry can - the new entity can use those names.

So I guess it's, you know, it makes sense for second and third or the next level of which domains are being registered.

Man: So should -- you bring up interesting point, (Edmund). Should we (unintelligible) either or not because (Edmund), looked at those very closely in a while, (but) should we add a qualifier that should there ever be a change in registry and the registry has registered this that it go to the new operator?

(Edmund): That's in the -- well...

Man: Is that in there already?

((Crosstalk))

(Edmund): ...in this is that successful (words) of course exist in all, but the case of .ORG and .BIZ.

Man: So we may want to suggest that the successor (unintelligible) be included in our recommendation for new TLDs. Is that right?

Man: I think - yes, I think that's right. Isn't it?

Man: It seems like it to me because you would -- (Edmund's) point is very well taken. If you switch registry (ends), you would want these names to say, "We're registered and used by the registry to go with the new registry operator."

(Edmund): The language would be if there's a new registry operator, these names should continue to - these should be reserved for the TLD not for the company or what?

Man: Well, okay. Back at the second, okay? Registries can use these three names at the second level.

(Edmund): Uh-huh.

Man: Okay. If a registry does and that registry operator is removed and a new one comes in, these names -these three names...

(Edmund): Yes.

Man: Should go with the - go to the new registry operators. It's what we're saying.

(Edmund): Yes.

Man: Okay? So the new registry operator would have the right to use this. The old registry operator could not keep them for their own use.

(Edmund): Yes, right.

Man: Okay.

(Edmund): And that's why the contract for instance with affiliates, all these affiliates names, those affiliates would keep them in the case if and so, we delegate it that those...

Man: No. Are these three, once admin included in that list as well as in the section we're looking at in reserved names?

((Crosstalk))

(Edmund): I think the different - in (different list).

Man: Okay. I think we've got this issue covered unless somebody thinks differently.

(Greg): No. This is (Greg). Just one clarification. It does seem that (dab, dab, dab) is the only one of the three and perhaps in that name, since (Reg) and (Nick) are both first names, it's other sort.

Man: Oh, yes.

(Greg): It's not entirely coincidental.

Man: So maybe I don't want to do it at the third level. Is that what you're suggesting?

(Greg): Oh, I think (dab, dab, dab) is already handled at the third level and appendix (L). I think it is to those particular registries.

Man: Would we want -- who is that PRO, excuse me, (Dot) whatever. I was thinking who is at the third level. Who is that US.PRO or something like that? Would that have the same problem with regard to confusion and who is or do we care?

(Tim): This is (Tim).

Man: Go ahead, (Tim).

(Tim): I'm just wondering. I (now) have the information in front of me so I can see this one how it works. How do you reserve at the third level work? I mean this, you know, for example, (unintelligible). I mean we have who is that (unintelligible). We could actually do www. (unintelligible).com.

Man: Uh-huh.

(Tim): Or (unintelligible).com. So where is the - how does the reservation at the state level...

Man: Well, it doesn't apply first of all for DOT COM, (Tim) because we don't - we meaning verified. We don't register names at the third level, okay? But in .PRO and .NAMES, they do register some names at the third level.

(Greg): It's only -- this is (Greg) again. It's really only where the second level domain is a - functionally really a TLD so that the (Denton.name) if for all the (Dentons') in the world and is known by any particular Denton and you would be able to register (Tim).Denton. names.

So other than those and there maybe others in the future where the second level TLD is second level domain is not - really is not (unintelligible) and really functions as a quasi top level domain that the registration or reservation at the third level even the terms and issues.

Man: Thanks. That's supple and I understand your point was clearer to (Nick) -- (nick.denton.name), you know, that could be a valid name and so, maybe it's not a problem there and I guess it's a little tougher question and you can ask (David) and/or (Tim Davis), (Tim Denton) with regard to whether they think there's any need to do it at third level in TLDs like (PRO) and (NAME) with regard to that.

Then and noting as (Greg) pointed out that it's already - (dab, dab, dab) is already reserved there.

(Greg): This way, I will do that. I just want to point it out that at the moment, the recommendation is now (addressed). It's recommended that these three names should - can stay reserved at the top, the second and it's applicable to the third level.

At the second level and it's applicable to the third level. The existing contract language in the registry agreement should continue to apply and if the registry operator changes, the three names should be reserved for the use of the new registry operator.

So those of that, I will send this (ad) to the list shortly and we can work from that and I will consult (David) (and inform him) that in relation to reservation discrepancy in the reservation at the three levels etcetera.

Man: Any comments on that? Okay. Moving on, twelve minutes left. I'd like to - I'm going to skip to names reserved at the third level, (Greg) and I think you just sent a new report, didn't you?

(Greg): I do.

Man: Okay. Do you want to go over that for us please?

(Greg): Sure. The new report isn't very functionally different from the prior one although it's been reorganized to be more consistent with our structure.

Man: You sent two documents. So explain what those are.

(Greg): The first document is a clean document. The second one, since I'm a lawyer in a private law firm, I had to use a comparison software to...

Man: Excellent. That's fine, that's helpful.

(Greg): And it just shows the changes that were made, the additions and deletion...

Man: Good, okay.

(Greg): ...rather than using track changes.

The main difference. We have reached out to experts. We had very preliminary response with regards to the need or reason for - to the third level reservation.



Initially, our thinking was that these were more required at the technical level. We've been totally from in the point of view, one registry that it's more of a security concern that for instance somebody - if someone can register dab, dab, dab, of that indent in that name, they could purport to be the registry operation or, you know, the...

Chuck Gomes: Okay.

(Greg): ...Quasi-registry operator for the second level Quasi-TLD.

Other than that - and we're still waiting for - we sent in a more detailed request for response to our experts in that name, in that (pro). I haven't yet gotten a response from them then. And I will be following up on that.

Chuck Gomes: If you will send me - CC me on something on that, I'll try and ping the guys that are involved there and see if I can push it a little bit...

(Greg): Great. We'll send you a copy of that

Chuck Gomes: ...but I'll be glad to try.

(Greg): Sure.

Our recommendations are unspectacular that there were really be no needs to be no change in the way these are handled.

Chuck Gomes: Okay. Any comments on that? Question?

Are these - these are kind of - these are really back to the business model type issue. Are they not, (Greg)?

(Greg): It is an essence back to the business model, although from a kind of security and technical point of view, everything here kind of - everything we discussed in every other domain at the second level is the least potentially applicable in these domains at third level.

Chuck Gomes: Uh-huh.

(Greg): Because the second level is not functioning as a typical second-level domain but really functioning, you know, as a TLD, you know, for - instead of having .med, then we have med.pro. But med.pro really functions the way .med would if indeed they wanted to have proliferation of TLDs.

Chuck Gomes: Yeah. Okay.

(Greg): So everything else kind of drops down a level. So, for instance, the (unintelligible) ICANN name issue exists at third level here. But we just indicated that whatever is being recommended at the second level kind of meet to - at the third level.

Chuck Gomes: Okay.

(Greg): Rather than try to wait something separate but ICANN (unintelligible).

Chuck Gomes: Okay. All ready.

And your thorough recommendation, you can clean that up a little bit in terms of, you know, like you said this is low hanging (unintelligible) relatively (decide) for everybody. I'm talking to the whole group now. We just kind of clean out that kind of language that was needed in the early version of our report. But the closer you can have the wording and the reports to final version, the easier it will be to consolidate them into one final report for the whole group. So, that is just a very minor little point in that regard.

So is there any disagreement with the strong recommendation that this working group is advocating.

Avri Doria: Can I ask a question? This is Avri.

Chuck Gomes: Yes, Avri.

Avri Doria: Hi. Okay. I don't have it open in front of me. So, this is the recommendation that these things be treated at the third level the same way they are as the second level?

Woman: In those instances, right?

Avri Doria: In those instances whether something reserved at the second level and where the second level is acting as a virtual - as a registry, as a virtual TLD calling.

Chuck Gomes: I don't know if that is exactly what you have recommended.

(Greg): No, that is not.

Avri Doria: Okay. I don't have it in front of me.

(Greg): Yeah. This is (Greg). This is not exactly what I recommended. What we recommended is that the current framework that has been - that is in place for .name and .pro be continued on for others that function in this regard. Not that every possible reservation that exists at the second level should be brought down to the third level because that was actually put in quite a bit more stuff at the third level than it's currently reserved.

Avri Doria: Okay.

Then I do have a question which is, I mean, I sort of changed my opinion as I refer today to your talking. I understood the security level of if these things active virtual TLDs, I know that's not exactly what you call them. But if these things act as virtual TLDs, then why wouldn't the logic of being the same all the way through hold.

(Greg): Well, I think that we would have to look at the logic of each of session level reserve names and see if they really do extend to third level because I don't think that all of them are there for security....

Avri Doria: Okay.

(Greg): ...reasons.

Chuck Gomes: Does that make sense, Avri?

Avri Doria: Yeah. I need to think about it more but it doesn't...

Chuck Gomes: Yeah. Okay. Why don't you send - as you look at that further, why don't you send these working group members on this one any additional comments that stand authority and (Greg) (shot in) are the ones working on this.

So, that would be great.

(Greg): And Chuck, I could think here - this is (Greg) again. this is kind of an interesting thought -- question for everyone of the other groups which is to the extent that your reserved name category is not a reserved name at the third level should it be.

Chuck Gomes: Well, and in fact, we're asking each of them to make recommendations in that regard already. You recall the one we just talked about?

(Greg): Correct.

Chuck Gomes: As the third level of the recommendation to the extent that names are reserved at the third level, you know, continue the requirement.

Now if we don't want that, we need to talk about that like the (Nick) example that was provided. But (Tim) is going to get a little - (Tim) is again going to get a little information on that.

So, I'm not sure that you follow me, (Greg). I'm not - I think that unless we don't want other people making recommendations at the third level.

(Greg): No, no. I'm actually thinking quite the opposite which is that, if there are recommendations to be made at the third level, we should make sure

as we just did with (Nick Reid) dab, dab, dab. Now we do think (you have them) at the third level.

Chuck Gomes: Yeah.

(Greg): And perhaps, you know, appropriate references in our final report be made where the recommendations to do something other than to continue the current status quo.

Chuck Gomes: Right. Any, other comments or questions on that?

Okay. What I'm going to do now - our two hours are just about up. And so there's a few things we've got to - that I've got to cover that people have to start jumping off.

The - first of all, timeline remaining meeting for Thursday, this coming March 8; and Thursday, the 15 are the only meetings we have scheduled right now. I would really hope that we made more progress today. Although I'm not disappointed in what we've done, we still have some several reports to go through that are more complicated reports.

And then the deadline for our approval of a final report is the 15th of March so that we can submit it on the 16 and do any final editing in that regard.

I have proposed that we changed the time of the meeting on 15th of March to move it a little earlier. And it would - what I'm suggesting and I send an email on this regard, and again, I apologize for my confusion what time zones and daylight savings time and everything else, I have

been thoroughly confused. I think I know how to handle on it. Thanks to (Glen), so.

But what we're proposing is that the meeting started at 4 pm GMT or UTC, whichever you prefer, on the 15th. And you can convert it to your time frame. I did send out an email that had all the time zones. And (Glen) confirmed that I got it right this time for each of the remaining meetings. So, please take a look at that.

The rational behind that is that that will give us - that will put us starting our meeting three hours before the council meeting so that if we do have to go over two hours, we can. And also for those who are sitting on the council meeting that hopefully there will be some break between the meetings.

Are there any objections to that? And I realized that for some people that means real early. So, but any problems with that that are serious?

Okay. Then we won't send anymore more time on that.

Another thing - and then how many if you look that the report I sent on the tag names but to make sure that we're complete in covering all the areas that we need to cover, I used a cable format for the tag reservations that actually breaks it down into level but meaning top second or third, type (SQRIDN). So within each level, you have two types.

And then a column that says do we need more work. And some of them we're going to say yes. And you can add text to what that is down

below the table, and then the recommendations associated with each of those.

Now, I confess that the (Tag 1) is a little bit easier than some but I'm curious if this is a reasonable format to make sure that we capture everything and that we can - and if the people using this report can easily see what's being recommended.

Keep in mind that you're going to need some narrative. And in some cases, decide what's in the table especially where there's additional work required...

Any thoughts on that? Should we follow this format? Would everybody be - if so, would everybody be comfortable following this format and your recommendations?

Anybody think there's a better way to go that for (unintelligible) that have some thoughts on that? Do you want to share anything?

Man: Well, I thought it might be complicated to add a table like this for some of the other categories. But if you don't see it as a problem, we can try it.

Chuck Gomes: Well, some of the categories I think we need to break down. Like I think I said if you want an email.

Like for example, I think single-character and two-character need to have separate table.

Woman: Right. Yes...



(Greg): We've done that.

Woman: Yeah.

Chuck Gomes: Yeah. So, you've already done that. Now, if we did that does that still - I mean, it doesn't have - because I propose this, it doesn't mean we need to follow it. It was...

Marilyn Cade: Chuck?

(Greg): Yes, Marilyn.

Marilyn Cade: Yes. Actually, it's a good question. (Patrick), you know, earlier we had a comment column if something didn't fit. So, if it didn't naturally fit, can we maybe instead of using it for the majority, and then just maintain the comment column to explain why the answer is not in the - because this is out of glance. And out of glance documents are very helpful in giving summary reviews of what the outcomes are.

(Greg): Yeah. And rather than adding another column because I think (then) I'm assuming that this document will be a letter-size document rather than...

Marilyn Cade: (Right).

(Greg): ...in landscape. And so adding another column is going to make for the recommendation which will be quite a bit more word.

Marilyn Cade: Uh-huh.

(Greg): Maybe a little scenario. But you could easily add footnotes or asterisks and comments below and so forth, again, keeping the table fairly concise so that it's real clear.

Now by the way, in the case of this other second-level domain, they already have three categories. And I would suggest a different table for each category. And each of you could to have more than one table if it makes sense. I'm not sure it will in some cases but (box), would you rather just do text type recommendations. If you do, we need to make sure we cover all, you know, all three levels and both types asking and both types asking an IDN.

Marilyn Cade: Chuck, it's Marilyn. I think we need to make an error of recommendation. But don't we need the - I thought this would be like a summary tool that...

(Greg): That's fine. That's good. And that's why I said you can add text in addition to this. This can be the summary table. That's maybe a good way to put it.

Okay. So then if hearing nothing else, what I'd like you to do is to use this format. Probably the easiest thing you just take the one that I've included unless - (I'll tell) what I'll do, I'll send out a clean version. It doesn't have the tag names stuff and let you fill it in yourself, okay. And you can just copy the table as you have more of the table.

All right. Now, how do we get to the rest of the reports on - let me say first of all that in our meeting on this Thursday, the primary focus is going to be on recommendation.

We can talk about other things that you found out briefly but we really need to come very close to agreeing as a group on recommendations. So, the extent then that each of you can make sure that your recommendations are close as close to finish as you can get them. And that can mean in some cases, that you haven't reach consensus and you give us a couple of alternative. That's okay.

If you can reach some rep consensus, that's even better. It probably makes it easier on the other group. That doesn't mean we couldn't consider some changes. But we're going to really focus on recommendations on Thursday so that we can then at the close of our meeting this coming Thursday know exactly what needs to be done to have final versions of the report ready before our meeting on the 15.

Now, my next question, do we need to add another meeting that cover the reports that we did not cover which mean single and two-character name? It means the controversial and it needs means geographic that I - I think that's it, right? Oh, and then ICANN and I add a names as well.

Marilyn Cade: And it's Marilyn. I would say we really need to have a discussion about those in particular that haven't been presented at all. And we have really not presented a single-letter and two-letter at all to the group. And we probably then need to really cover controversial names in more detail than we were able to on the Saturday call.

(Greg): So that comes down to - unfortunately, this is a tough week for me. The only day that I have any time available this week is tomorrow.

Marilyn Cade: What time tomorrow?

(Greg): Actually unfortunately tomorrow, I'm pretty flexible.

Woman: There are already two calls tomorrow.

Marilyn Cade: Uh-huh.

Woman: It's already in (RDN) and a PRO.

(Greg): Yeah.

Marilyn Cade: There's an (RDN) at 6:30 in the morning, right?

Woman: 6 or 6:30 but yeah.

Marilyn Cade: Yeah.

Woman: And then (1:14). And then, of course, we have other calls for their jobs. But there's already two calls for ICANN and for (GNSR) tomorrow.

(Greg): Yeah. Okay.

Well, if someone else can chair the call on Wednesday...

Marilyn Cade: Chuck, I can chair a call on Wednesday. If it's before, it takes place to (unintelligible) to 3:30. I'm tied up from 2 to 3:30.

Woman: EST.

Marilyn Cade: EST, yeah.

(Greg): Okay. So, 2 to 2:30...

Woman: Which at 17 - which is 7 - is that 17 to 17:30?

Marilyn Cade: Yeah. So, I could do a call at 12 at the same time that we moved our Thursday meeting too?

(Greg): Okay.

Marilyn Cade: I could do a call in that time frame. We could hear reports from each for geographical?

(Greg): Okay. So, let me quickly go to the time zones on that one, Marilyn. I appreciate you are volunteering for that.

So that would be 4 pm UTC, okay, for Eastern Time here in the US. That's 12 noon, right? For Pacific Time here in the US, that is 9 am. And for - and I am going to be on the road then. So, I would be - I might be able to call in my cell phone and listen. That's probably what I may try to do because I'll be driving. But I'll let you chair it, Marilyn, okay.

Marilyn Cade: Okay.

(Greg): So that I'm not din anger out on a road.

Marilyn Cade: Yeah.

(Greg): And then let see who else is on here in Brussels. That would be 5 pm Central European...

Marilyn Cade: It's pretty bad for Alistair I think.

(Greg): Yeah. For Alistair, it will be 5 am in the morning. Not as bad as 3 am or so in Hong Kong, (Edmond). And what time is it for you right now? Did (Edmond) (unintelligible).

(Edmond): Right now, it's 4.

(Greg): 4 am. Thank you very much for joining us in. See the rep as for (Tim) releases 11 am I think.

And did I leave anybody out? Let see, Toronto of course at Eastern Time. Wellington was 5 am. I said that. Hong Kong would be midnight, right, (Edmond)?

So anyway, any objections to that? Glen, are you still on?

Glen Desaintgery: I'm still on, Chuck.

Chuck Gomes: Would send how to message to that effect?

Glen Desaintgery: On Wednesday?

(Greg): So our Thursday meeting on the 15, we're going to change the time so that it's UTC 4 pm.

Glen Desaintgery: 4 pm.

(Greg): Okay. The same time for a meeting on Wednesday of this week, Marilyn is going to chair it. And the agenda will be to cover the four reports that we're not covered today in the same way we did it today.

Glen Desaintgery: Okay. I'll send that and I'll just check.

(Greg): Thanks everybody. I know this is a lot of work and you all have more than full-time jobs all ready. So, it's very much appreciated. But we are I think making some significant progress and it's because of everybody's contributions.

Marilyn Cade: It's subjected to recap it geopolitical or geographic, controversial, single-letter to - single and two-character.

(Greg): And ICANN and IANA.

Marilyn Cade: And ICANN and IANA, okay. And I know we have reports for all of those that are being (unintelligible). So, we'll...

(Greg): Yeah. If you can get of a later version preferably by end of the day on Tuesday...

Marilyn Cade: Uh-huh.

(Greg): ...it's certainly before the meeting, that would - then people could pull up that report and makes a little easier.

Marilyn Cade: Okay.

(Greg): Okay. Any questions about what needs to be done?

Thanks everybody.

We will - I'll try and listen in on Wednesday.

Marilyn Cade: Thanks.

((Crosstalk))

(Greg): Bye.

END