ICANN Transcription

The Review of all Rights Protection Mechanisms (RPMs) Sub Team for Sunrise Data Review

Wednesday 08, May 2019 at 1800 UTC

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Zoom Recording:
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JULIE BISLAND: Good morning, good afternoon, good evening, everyone. Welcome to the RPM subteam for sunrise data review call on Wednesday the 8th of May 2019. in the interest of time, there will be no roll call. Attendance will be taken by the Zoom room. And besides Michael Karanicolas and Claudio Digangi, is anyone else on the audio bridge only?

Okay, hearing no other names, I would like to remind all to please state your name before speaking for recording and transcription purposes and please keep your phones and microphones on mute when not speaking to avoid background noise. With this, I'll turn it over to Julie Hedlund. Please begin, Julie.

JULIE HEDLUND: Thank you very much. And just to review the agenda, agenda item one is the updates to statements of interest, item two is the continuing development of preliminary recommendations with the discussion of agreed sunrise charter question eight, and moving to discussing agreed sunrise charter question nine in conjunction with proposal number 13, and then if time permits, discussing greed sunrise charter question 10, and then Any Other Business.

May I ask if anyone has Any Other Business? Not seeing any hands or hearing anything, let met also note that we should have a standing item on the agenda. It's not listed, but staff will bring up the timeline and workplan, and just remind everybody of where we are. So we'll just take a moment to do that following agenda item one.

So back to item one, may I ask if anyone has any updates to statements of interest? And I have just lost my connection to the Zoom room, so I don't know if there are any hands up, but I'm not hearing anybody speaking, so let me go to the brief update on the timeline and workplan, and since I'm now kicked out of the Room, let me ask Ariel if you could bring that up and speak to it.

ARIEL LIANG: Thanks, Julie. I'm just displaying the agenda, basically the Wiki page on the screen, and you can see that today, we're going to discuss question number eight and then after that is question number nine, which includes proposal number 13, and then if time

permits, there'll be a discussion of question number 10. And the last item is Any Other Business.

And I think just when I'm speaking here, there is another item, is to quickly walk through the timeline and workplan with subteam and let you know what's coming up next. So Julie, would you like me to handle that part as well?

JULIE HEDLUND: Ariel, can you hear me? Because I had run through the agenda and it appears that I must have not been heard.

SUSAN PAYNE: I can hear you, Julie.

JULIE HEDLUND: Okay. That is very strange. Yes, please, if you would go ahead and do that. And I am out of the Zoom room, I'm kicked out of the Internet, so if you could do that and then pass on to Greg and then David, that would be wonderful. Thanks.

SUSAN PAYNE: Okay. No problem. So as you can see on the screen, we're displaying a timeline workplan for the sunrise subteam. Now we're on the May 8th mark, and so what you see in the second column is the intended scope of work, but we're in fact a little bit ahead of schedule. So after today's meeting, then we have some additional items to tackle, so basically after question number ten, there'll be question number 11 and 12 coming up, and then there's also the

preamble question and question Q5B, so there are four more charter questions of the subteam to discuss, and in conjunction with those, there are some remaining individual proposals that need to be reviewed, and that's proposal number three, one, seven and eight. So that's the remaining scope of work, and as Dave and Greg mentioned many times, the subteam is making great effort to try to wrap up all the work before ICANN 65. So following the discussion of these agreed questions and proposals, then the subteam will have opportunity to review the proposed answers and preliminary recommendations and staff have been capturing these and also referencing the transcripts and chats when we develop the draft, and the subteam cochairs will have a chance to review that as one single document, and then later will be shared with the subteam to facilitate the reviews. So that's the remaining scope of work, and if there's no questions or comments, then I will turn over the floor to Greg and David.

GREG SHATAN: Thank you, Ariel, it's Greg first for a brief recap of what we did last week. Last week, our stated agenda was to deal with the sunrise charter question six in conjunction with proposals two and four. Sunrise charter question eight, and we thought we might get to charter question nine in conjunction with proposal 13 and then we did get through a fair amount of that, so we're doing well.

I'd like to highlight a couple of things that were, I would say – I'll call them proposals in the making or preliminary recommendations in the making that we discussed last week. I think one of them, there was a fair amount of discussion of the SDRP, sunrise dispute resolution policy, and reviewing the baseline requirements

for the sunrise dispute resolution policy, and determining whether that is working as well as it should, whether there are some things there that need to be tweaked for the second half, and we discussed some different issues with the SDRP as it exists. And I think we'll need to dig deeper into that. Then we spent some time discussing how one would commence an SDRP, and the particular problem of knowing what underlying trademark would have triggered the sunrise registration that you would want to challenge, which takes us back to the question of access of some sort to information in the trademark clearinghouse. I think one of the things that came up was the idea of kind of some sort of a one shot access to the trademark clearinghouse information for purposes of determining what the basis would be for the SDRP. We also discussed the idea of aggregate publication of sunrise registrations at the end of each sunrise period, discussed some of the issues with difficulty of finding SDRP decisions if there even are more than a handful, and we mentioned proposal number four, but we did not substantively discuss it. So that brought us to the end of our time last week. Now I will hand it back over to David.

DAVID MCAULEY: Thanks very much, Greg. I'm going to be leading the rest of today's call. First of all, thanks to Julie for beginning it. Sorry to hear that she's been slammed out of the internet, but such things happen, I guess. And thank you, Ariel, for picking up then. So to follow on to what Greg said, we're going to – and as you see in the agenda – go through charter questions eight, nine, and hopefully maybe get into ten today.

But before we do that, I want to just make a comment about the threads that we're opening and that staff have very kindly put together. And Greg and I have been encouraging use of the threads.

There are threads that are open now, and they will be closing around May the 15th. So what I think I will do in my personal capacity is I believe I will create an entry on the thread with respect to charter question six, and I bring that up just to make a point that what I hope to do is sort of prolong the discussion or help the discussion on six with thread entries.

And what I intend to do on that is to mention proposal number two and also the e-mail that Kathy sent before the call where she made suggestion regarding an operational fix to SDRP with respect to information, as Greg was talking about information, it's resonant in the trademark clearinghouse on a single specific mark as the case may be.

Bu I also intend to raise in the thread that I'm going to do an item with respect to SDRP and [span the dot] issues that the subpro team sent to us. I had made a bookmark on this, but I had lost sight of it until recently. Jeff Neuman sent an e-mail on February the 10th of this year to the cochairs, and they forwarded that on to us, to this sunrise team on February the 10th. If you're looking in the archives, it's Phil Corwin sent the e-mail February 10th, and it's a request by the subpro that we take a look at this thing that Google raised with respect to s[pam the dot] issues at SDRP.

So I'm going to raise that in the thread too. In other words, I want to get the thread – oops, I almost got kicked off the Internet

myself. We're going to try to be a catalyst to get the threads moving. Threads that are not yet open obviously aren't going to close on May 15th, but they will close relatively quickly, a week, eight, nine days, something like that after they're opened.

All of this is with a view to try and encourage all of us to focus on these issues. As Ariel was saying, we're going to come up with a single document that's going to tie all this together, and Greg and I are dedicated to finishing our work so that at ICANN 65, the RPM plenary can have four sessions to further its work.

So having said all of that, I don't see any hands, I'm going to dive into charter question eight.

Charter question eight, as you know, deals with limited registration periods, which are LRP, approved launch programs, ALP, and qualified launch programs, QLP, and ask these questions in relation to them.

Are LRPs in need of review vis a vis the sunrise period? Same question applies to the other two programs, the ALPs and the QLPs. Secondly, are the ALP and QLP periods in need of review? And third question, what aspects of the LRP are in need of review?

So the third question anticipates the answer to the first part of the question. So that is now on the floor. I see a hand from Kathy Kleiman, and Kathy, bear with me just one – I'm just trying to figure out Zoom. Anyway, Kathy, why don't you go ahead and take the floor?

KATHY KLEIMAN: Sure. Thank you, David. I've just gone through – and maybe he's on audio, but I was wondering if Maxim is on the call. Or he may well be at he GDD summit. And I hate to say it, but I really think this is an issue that should be discuss when the registries and registrars are on the call because it's so directly related to their issues and concerns, and that's where the data is as well. Maybe we should do this one a little later.

DAVID MCAULEY: Well, let me say two things. One is Maxim did not announce as being on audio only at the outset, so I don't believe that Maxim is on the call. I think he is at GDD, but I'm not entirely certain of that. And we'll ask Maxim to speak up if he is on the call.

I don't have any problem circling back to question eight in the future, but I think it's a good idea to say this question's now on the table. If anyone has any preliminary comments or any overall comments with respect to question eight, I think it would be good to get those out now simply because we can create a record about it. When we start a thread, it could help us design the thread. And I take your point that after the GDD summit, there may be additional input on this particular question, and I think we'll be open to that, I don't think that'll be a problem.

So I see Susan has her hand up, so Susan, I will recognize you in a minute. Kathy, if you want to come back to what I just said, why don't you put your hand up? And I'll go to you after Susan. Susan, go ahead. You have the floor.

SUSAN PAYNE: Yeah. Thanks, David. Just in relation to this question, I recognize that the limited registration period, the approved launch program and the qualified launch program are very much lumped in together in this charter question, but I think in our consideration of them, we may need not to belabor them, but we may need to separate them out, because they're not the same thing.

And there were some comments in the data, limited as it is, because there was very limited participation from registries or registrars in things like the survey that Analysis Group conducted. But there are a couple of comments about some challenges that some particular types of registry had. But I don't believe that they relate to the LRP for example. I think generally, when you drill down into it, the issue that was experienced has been with the ALP or the approved launch program.

There was a comment from – I think it's Amadeo who talked about some issues around launch programs generally, and then he said something in his comment like and then the qualified launch program was adopted. The implication being that once the actual process for QLP was adopted, the issue that he was raising did go away. But I think it's fair to say that there has been limited uptake of the ALP, and certainly, there is some anecdote to suggest that has been at least in part because there has been extremely difficult to get one approved and the time it has taken to go through the process of attempting to get an ALP approved has been extremely long.

There was one approved extremely recently, and it had been in process for years. So I think we would be – if we are going to

spend time on this, then I think that is where our time should be spent.

DAVID MCAULEY: Susan, thanks. Very thoughtful. Let me ask you a question. Do you feel that we should consider opening separate threads on each of these, or maybe lump two together and put one separately? Do you have any thoughts on that?

SUSAN PAYNE: That's interesting. I don't mind if they're a single thread as long as people are very clear about what they're talking about. I think there were questions asked in surveys about things like have you had problems with LRPs? And then when you read the answer, it's very clear that they're not talking about that. They're talking about an approved launch program.

So I don't feel strongly, but I think that people need to be extremely clear about what they're talking about.

DAVID MCAULEY: Thanks, Susan. And Julie, Ariel and [Mary,] I'd just ask if you could make a note of that so that when we do come around to constructing the thread question, we will take account of what Susan was just saying.

I saw that Kathy had a hand up at one point, and now it's down. But I also had seen two entries for Kathy in the chat. Now I see

one. So let me ask you, Kathy, did you want to say anything? You do. Kathy, why don't you go ahead and take the floor then?

KATHY KLEIMAN: Great. Thanks. Sorry, can't figure out where to raise my hand on this one. So I felt we should read – nothing contradicting what Susan said, and I think we can probably handle different topics in the same thread. That's just my thought, that we can talk about LRPs and QRPs.

But I just thought it would be interesting, David, to read the summary table briefly on this. And it says – and here I'm in the middle column, data previously collected, and this is our summary, right? Based on what we've heard and what we've seen. So the limited registration periods are in need of review. And as Susan noted, very slow approval on some of the special launch programs.

And then that was A B, ALP and QLP periods seemed to be in need of review. Information, ALP and QLP policies and periods of various registries can be accessed, so we have the information. But we heard Amadeo and we got information that this has really been a problem, especially for the geo TLDs. So I think absent the people who are probably almost expert on this in our group who are in Bangkok, I'm not sure we have the solutions, but certainly, our summary document [problem.] So I think we'll have to come back here and try to figure out what to do. Thanks.

DAVID MCAULEY: Thank you, Kathy. Good points. I do see ah and from Susan, so Susan, back to you. You have the floor.

SUSAN PAYNE: Thank you. Yes, thanks, Kathy. And I think the point that you noted there in relation to the response on question A is exactly my point. The summary, by the time it's made it into this summary table, says LRPs have had issues, particularly the ALP. Well, they're completely different animals. So there's been a conflation of issues when people are asked questions and then people are responding to them, and then by the time it gets summarized, there's some suggestion that limited registration periods need review when in fact what the responses have said is that some registries – and again, hardly any responded, but a couple did – noted issues with the approved launch program. That's not a limited registration period, it's a completely different animal.

So we might actually be- if and when we talk about this, I think it would be beneficial for us to go back to the source material, but also to bear in mind, as I say, that these issues have been conflated and we need to understand that, that people have been imprecise in their language.

I'm not trying to downplay the issue, I just don't think that anyone has actually indicated any issue with the limited registration period, which is a period that registries have chosen to adopt after the sunrise in certain circumstances.

And I'm sure if someone in this subgroup has knowledge of problems with LRPs, then I've no doubt they'll raise it. But I don't think we've seen it.

DAVID MCAULEY: Thank you, Susan. Okay, I was going to draw a line on this. Kathy, your hand is now up. Please, we'll go back to you. Please take the floor.

KATHY KLEIMAN: Susan, I agree with what you're saying, but I just want to share that in our summary, A, limited registration periods are in need of review. The confusion may have been, as I was trying to summarize in real time, but we have a section on that and then a separate section on ALP and QLP periods seem to be in need of review as well.

So I think you're right, I think we have to go back to the data, separate it out, redefine it for everybody. It's a little bit of work, but work off the data we already have, and see what the operational fixes are that people are suggesting. Thanks.

DAVID MCAULEY: Thank you, Kathy. So I don't see any more hands. If anyone on audio only has a comment, would you please state so now? And absent that, I'll draw a line under number eight right now, but I'll just note to staff, to Greg and myself that when we put out the agenda for next week, we should indicate that we'll circle back to question eight. We began discussion, we'll circle back to it, and

the two larger points that were made today were to make sure that we distinguish amongst these three elements and also that we give a chance for the folks that may have been at the GDD summit to prepare and weigh in on this.

And also, at some point there'll be a thread on this, and so let me just mention two other things I want to say about threads. One is the word "thread" in the context of talking about e-mail can sometimes be frightening because it sounds like it might be long. These don't necessarily have to be long, they just have to be focused, I think. They might be short.

And the second point I'd make is what we were speaking about last week, an empty thread may be an indication that all of the appropriate discussion has taken place on the calls. So that's a message that they may send along. So please, take a look at the threads. They're very well-crafted by staff. And enough said on that.

So we can move then to question nine, which has a proposal. And let me just go through question nine. In light of the evidence gathered above, should the scope of sunrise registrations be limited to the categories of goods and services for which the trademark is actually registered and put into the clearinghouse?

Now, with respect to this particular question, Michael Karanicolas, who's with us today on audio, has submitted proposal number 13. Michael, I would be happy to summarize 13, but since it's yours, I feel that you may want to do that. So I will leave that up to you. You can ask me to summarize it, or you can go ahead and do that

and then make whatever comments you feel appropriate relative to this proposal that relates to charter question nine.

MICHAEL KARANICOLAS: Hi. Just in transit at the moment so I'm audio only. Are there other proposal for number nine, or is it just me?

DAVID MCAULEY: It's just you.

MICHAEL KARANICOLAS: Is it possible to just come back to me in about ten minutes? Sorry, I'm just between destinations at the moment.

DAVID MCAULEY: Not a problem.

MICHAEL KARANICOLAS: [inaudible] until I have a computer in front of me and it'll be much easier.

DAVID MCAULEY: If you would just let us know when that's possible.

MICHAEL KARANICOLAS: Yes. Sorry about that.

DAVID MCAULEY: That's okay. So with that in mind, the question is relatively simple. Should sunrise registrations be limited to the categories of goods and services for which the trademark's actually registered and put in the clearinghouse?

So I'm going to ask if anyone has thoughts on that now. Or we're going to get to question ten remarkably quickly.

CLAUDIO DIGANGI: Steve?

DAVID MCAULEY: Claudio, you are the queue right now, so please go ahead.

CLAUDIO DIGANGI: Okay. And I don't have this in front of me so I might be misunderstanding what the question is, but if I understand it correctly, it's about limiting the trademark to the class of goods for which it is registered under. Is that right?

DAVID MCAULEY: It's actually limiting sunrise registrations. Should they be limited to categories of goods and services for which the trademark is actually registered and put in the clearinghouse?

CLAUDIO DIGANGI: Okay. Right. Yes, so I think the answer is no, because the registries can create what rule – their requirements for registering

a second-level domain, so I think that the dot-pizza example was mentioned at one time. So if the registry wanted to restrict registrations to companies within that industry, then that's how they could go about doing that, essentially. But if it's open to everyone to register under dot-pizza, then basically any trademark can be cybersquatted on within that TLD.

So generally, under the UDRP, the top-level domain is not – depending on the circumstances, there's exceptions, but generally the top-level domain is not taken into account for the purposes of confusing similarity, which is one of the elements under the UDRP.

So you could register and that matches a trademark in the dot-pizza TLD that has nothing to do with pizza, and depending on how you use that domain name, it can be considered registration abuse under the UDRP, even if it's something that's not related to pizza or food or anything like that.

So I think the right way of approaching this issue is I think essentially what he current rule is, which is leave it up to each individual registry to determine the parameters for who's eligible to register domain names within that TLD, [inaudible] restrict it, certain communities or certain types of companies, then that accomplishes the same objective, which is somebody outside of that industry will not be able to register a domain name in that TLD.

So that's my input on it. Thanks.

DAVID MCAULEY: Claudio, thank you very much. Phil's hand is up. I'm going to go to Phil next in the queue.

PHILLIP CORWIN: Yeah. I'm speaking in a personal capacity now. I would not favor limiting the sunrise registrations to TLDs. I guess related to the categories of goods and services. It's unclear here what this question even means. We have a system now which is basically a market-based system. The trademark owner has certain goods and services, which may be related to a domain name not because – I mean the top-level domain, not because the top-level domain is an exact match for those goods and services, but because you could be making athletic clothing and the domain could be of registrar particular sport but you make clothing for that particular sport so you wouldn't be listed for goods and services with an exact match to the TLD, but you're related. It could be a geo domain, and you want to register in a geo because you have very good marketing and very good customer base in that area, or you've experienced some counterfeit problems in that geo locale and you want to minimize the possibility of someone else registering your mark.

So I think we have a system now that lets the mark owner decide for each new TLD, is it relevant to my goods and services? And if it is, is it worth the price of the sunrise registration, or will I pass and simply monitor registrations and take action when I see a problem?

This would invite a very bureaucratic approach. We're have to decide for example if Nike – they'd have goods and services

registered in one jurisdiction, a description of the goods and services in the US trademark system might be different from another national trademark system that they've registered in because they're a global company, their goods and services are related to activities and sports and other things which may not be exact matches o the listed goods and services but nonetheless would indicate a relevance if they wish to take advantage of the sunrise.

So we would get into a very bureaucratic process of how much latitude to allow, who's going to make the decision, is it going to be the registry, is it going to be some uber clearing authority that's going to decide for each mark holder which new TLDs they can utilize a sunrise period in. So I just don't think this is a good idea. Let the mark holders decide where a new TLD is relevant to what they're doing and where they want to pay the price for sunrise. And that's a simple system, I don't see why we need to create a new bureaucracy with complicated rules. Thank you.

DAVID MCAULEY: Thank you, Phil. Next in the queue is Kathy. Kathy, you have your hand up. Why don't you go ahead, please.

KATHY KLEIMAN: Great. Thanks, David. And I am going to respectfully disagree with Phil, and of course, I'm participating as an individual, not a co-chair. If we're data-driven, then we have to recognize that we've got a lot of problems [and they] relate specifically to this question.

So we've gathered data, we've also gathered anecdotes, we've also gathered journalist and reporter stories, and I'll just read you some of what's in our additional data, some of the titles. “How one guy gamed new gTLD sunrise periods.” “Fake trademark stealing generic names in new gTLD sunrise period.” “The trademark clearinghouse worked so well, one company got 24 new gTLDs using the famous trademark [inaudible].” “Is the trademark clearinghouse causing new gTLDs to lose six times the number of registrations?” “How common words like pizza, money and shopping ended up in the trademark clearinghouse for new gTLDs.” “Digging in on Donuts’ sunrise, Amazon tops the list gaming and top registrars –“ sorry, that’s an incomplete one.

“Dot-build registry using questionable swiss trademark registration to grab build domains in sunrise.” “How did RetailMeNot get 849 dot-code domains in sunrise without the new trademarks?”

We've got problems, and one of the best ways to solve them is to link a trademark with its existing rights, which is the category [inaudible] goods and services in which it is related.

We are now seeing – we've talked about examples, cloud, pen, Christmas, the, all sorts of basic words, common words, common holidays registered in the trademark clearinghouse and being misused, and we know they're being misused.

So we've got a problem. If we’re data driven, we have to solve it. We have at least one proposal on the table. But I don’t think we can ignore this one, there's a lot of problems on the table. And some of them were foreseen years ago, we've got them in front of us now. Thanks.

DAVID MCAULEY: Thank you, Kathy. I don't see anyone else ion the queue. Claudio, was that you?

BRIAN BECKHAM: Sorry, this is Brian, I'm on the phone.

CLAUDIO DIGANGI: It wasn't me, David, but I'm happy to jump in after Brian.

DAVID MCAULEY: Okay, well, I did see a hand first, so let me go to Susan, and then to Brian, and then to you, Claudio. So Susan, why don't you go ahead and take the floor?

SUSAN PAYNE: Okay. Thanks. What troubles me about the data here is that it largely does identify – to the extent that it's data at all – some scenarios where people have gamed the system, and it's not ideal, but this solution penalizes the vast majority of genuine brand owners who have genuinely attempted to be protecting their trademarks, their consumers, and have used the sunrise, I would say, responsibly. We know that they've used it responsibly because the data about trademark claims notices being issued demonstrates that they haven't registered sunrise registrations across the ball. If they had, then there wouldn't have been claims notices being issued for people attempting to register domains.

So we're attempting to solve the problem of some gamers, and by doing so, we really do risk throwing the baby out with the bathwater and penalizing all of the responsible and legitimate brand owners who are acting in a genuine and reasonable manner. And I don't think that that is a decent fix.

So as I say, I'm really troubled by the solution, because I think it's a solution attempting to fix a different problem, and we have talked about other ways of trying to address the situation of the person who registers "the." And this isn't the solution to that problem.

What it does do is it penalizes other genuine brand owners rather than those who used the trademark system in order to game the process. And I'm trying to find some notes here, and I'm afraid I cannot remember when we met with registry and registrar representatives. We've been doing this for so long and we talked about this such a long time ago that, I'm sorry, my memory defeats me.

But at one of our ICANN meetings, we met with registry and registrar representatives, and they in particular urged us not to do this as well, because they pointed out how complex it would be and how costly it would be for them to deliver it. And it wasn't a solution that they wanted.

And we already know that registries have the ability, as Claudio said, to address this issue if it's an issue that they want to address by means of reserving particular names or making them premium names so that if there's a term which in the context of their registry is descriptive, then even if it is a brand, they have the capacity to do something about that, either by means of making it a reserve

name or by means of putting it at a higher price. And I know that we've had a lot of discussion.

Could someone turn their microphone off, please? I know we've had lots of discussion about premium pricing, and I've been one of the ones who's been very concerned about that, but when we've been trying to fix a solution to that, we have been also trying to ensure that we didn't develop a solution that went further than we should and that would address this issue for example inadvertently when we were trying to fix a different problem.

So registries have the ability to set their rules in such a way that their registry isn't gamed if they choose to do it, and we don't need to be building across the board solutions that are going to penalize brand owners when what we're trying to fix is a few people who registered generic descriptive terms as trademarks in order to game the system and get a competitive advantage.

DAVID MCAULEY: Thank you, Susan. Now, before I go on with the queue, Michael has joined. This is not giving up the queue, this is just asking, is that Michael Karanicolas that just joined in the Zoom room?

MICHAEL KARANICOLAS: Yes. Hi, everybody.

DAVID MCAULEY: Michael, hi. Thanks. Your proposal will fit in, but before we go to you, I'm going to go to Brian, and then to Claudio, who are ahead

of you in the queue. But we're glad you're here, thanks for your patience, and we'll come to you very shortly. Brian, you have the floor. Go ahead.

BRIAN BECKHAM: Thank you, David. And just to be clear here, Brian Beckham speaking, not in a chair capacity. I wanted to make a few quick comments, observations, and then ask Michael a question, so it's good that he's on. One was largely to support what Phil said. I think they had discussed this before. Not only is there the question, what do you do with a Nike who might have trademark registrations in a range of classes and jurisdictions, but only one of those may be in the clearinghouse, but what do you do with TLDs?

I think there was a launch recently of [dot-ink,] so in other words not every TLD is category-specific. So the question really is, is it possible to create a rule that addresses whatever the problem seems to be? And just to kind of follow on on that notion, I think it may be worth being a little more careful when we throw out terms like we have data or data-driven, because to me, it's not immediately clear – obviously, we have some anecdotes – you can call it that – [a find] about some gaming around the trademark clearinghouse using dictionary terms and that sort of thing, but to me, the correlation between that information, that data, and the proposal here isn't immediately clear.

It may be possible that someone could articulate it, but I think it's worth being a little precise when we're referring to data since

we've gone to such great lengths and spent so much time and money gathering that data. Thanks.

DAVID MCAULEY: Thanks, Brian. Claudio, go ahead. You're up next.

CLAUDIO DIGANGI: Thanks, David. I agree with mostly all the comments that have been made, but to try to address something that Kathy said, the fact that the string “the” is a trademark is not really a clear indication that [gaming] took place. The majority of trademarks are dictionary terms, and they're used for goods and services that are not the generic meaning of that dictionary term. So that’s how trademarks generally function.

If we put this type of rule in place, it would essentially override the registration policy of the registry. The registry gets to determine who’s eligible to register domain names in its TLD, and if it wants to limit it to certain classes of goods or certain companies, they're able to do that. Otherwise, the majority of them are open strings where anyone can register domain names, and that would also apply to trademark owners as well.

So there's simply no correlation between the fact that a trademark might be in a different class of goods and that might not relate to the meaning of the top-level domain for cybersquatting purposes. Just to pick an example, with a famous trademark like Google, is for certain classes of goods. You could envision somebody registering Google in TLDs that are not related to search engines and the services that Google provides to basically infringe on the

mark or to confuse consumers or set up phishing schemes or any of those types of practices. So that's why the sunrise period is really there to begin with, is to ensure [that those types of registration abuses] don't take place. So I just don't think the concept behind this is really consistent with the overall scheme and how everything has worked, and that's really just setting aside the difficulty that Phil mentioned about somehow being able to come up with a rule to capture this.

That's basically it. Thanks a lot.

DAVID MCAULEY: Thank you, Claudio. The queue right now is Michael and then Kathy. Michael, why don't you go ahead?

MICHAEL KARANICOLAS: Hi, everyone. So again, sorry to join the covariation a bit late, although it sounds like you've been having a very robust conversation about this issue anyway, so that's good.

And actually, a lot of the points that were raised are quite relevant to what I was going to say anyway, so this has been very useful.

Just to respond briefly to what Brian mentioned at the outset in terms of generic-ish domains or I guess the things like dot-ink or what have you that don't suggest a particular category of services.

The proposal is very specific. The proposal says where a top-level domain is suggestive of a particular category of service, such as [dot-bike] or dot-pizza, sunrise registrations should require proof

by the mark holder of actively doing business In that specific category. So to respond to what Brian mentioned, it wouldn't apply to things like dot-ink. It wouldn't apply to those kind of general things, because to a certain extent, I think this grew out of a previous discussion that we had when we started discussion on this question previously.

I think it would be too difficult to do on things like dot-ink, and so it's limited to top-level domains that really have a very specific – where you can draw a line around it, like [dot-bike] or dot-pizza.

The other thing that I want to mention in relation to that, in response to what was just said, obviously, there are a lot of diverse companies out there. Google was just mentioned, somebody mentioned Apple previously. Again, I don't think there's any suggestion that diverse companies would be precluded from registering across a diverse range of domains. The only [ask] in this proposal is that they should be required to demonstrate that they're doing commerce in that activity.

So I really tried to tailor this as narrowly as possible in order to address the cases of abuse that we have seen without deterring the legitimate uses of the system. So if you are a business like Google who's working across a broad range of categories, then presumably, you wouldn't have any difficulty demonstrating that you're engaging in commerce across these different categories.

It's been mentioned previously that registries can decide whether or not to set these kinds of rules when they set up a domain. I think that that binary choice is problematic. I think that forcing registries to either say we have to create strict rules that are going

to limit our ability to sell domains or we have to allow trademark owners who have trademarks that's totally disconnected from the domain, from the plain language of the domain, and allow them this inside track, I think that that is a problematic to phrase that as a binary choice.

But I also want to mention that this is not just about the registry and the mark owners. It's also about potential other legitimate registrants. And that is the constituency that I was really looking to address with this proposal insofar as where if a trademark owner decides that it's worth it for them to just claim every domain that's out there, that doesn't necessarily mean that they should be able to use trademark protection mechanisms to enforce rights that go vastly beyond what their trademark actually protects.

So Kathy mentioned a bunch of clearly abusive examples, I think, where people are essentially just establishing shell trademarks and claiming things across the board. I think that that's certainly a problem that we have to deal with.

But the other problem that I point to specifically in the proposal is mini, which has registered mini.photo, mini.tattoo, mini.video, mini.bike. And in my mind, it's not just about whether or not the registry is okay with them having it and whether they feel it's worth it to claim those domain names. It's about the fact that if you're a manufacturer or seller of minibikes, you can't register mini.bike even though that's the name of your business, even though that's what you're selling. Mini.video, mini.tattoo, these are domains that could have 1000 different uses. And instead, what they have right now is mini the company has bought them up and is just redirecting to their homepage. So they're not even engaging in

commerce on the site itself, they're just redirecting it to their homepage.

This is not what trademark protection mechanisms are for, I would argue, and so obviously, things like dot-bike and dot-tattoo are domains that allow different people to register it. I don't think anybody is arguing that if Mini the company, if BMW wants to register mini.bike, they shouldn't be allowed to do it. Of course they're allowed to do it. Nobody is going to stop them from registering that.

But the question is, is it an appropriate use for a trademark protection mechanism to grant them that inside track? And I think that that's problematic when it's so clearly outside the scope of their business model and into a totally different business model.

So this is not bout penalizing people that are using the system properly. I don't see how it could be viewed as penalizing anybody. There's no penalty imposed on anyone. All it is is trying to create a clear ground rule, which I think should be no problem to check that box for every single legitimate registrant. This was designed to address the cases of abuse with an eye to minimizing any unnecessary hassle and making sure that people who have those legitimate interests in the system are still able to use it.

So I think that we have seen cases of abuse, and I think in addressing amendments and reforms to the system, we should be looking to a solution to that abuse, and this was my suggestion of how to do that and try to tailor it so that it only hits the abuse and doesn't target legitimate registrants.

That being said, if there are ways to improve it or other ways to address that specific abuse that create less of an encumbrance to using the system, I'm open to hearing it. But I do think that it's very important that at the end of the way, we address the abuses that we've seen happen and make sure that it's not liable to keep going on.

So I'll leave it there and look forward to chatting further.

DAVID MCAULEY: Thank you, Michael. Before I go to Susan who's next in the queue, and because Kathy has been having one or two issues with Zoom, I'm going to ask you, Kathy, if your hand was intended to be still up, because you had it up at one point.

KATHY KLEIMAN: I'll join the queue again, probably towards the bottom. Thanks, David.

BRIAN BECKHAM: David, could I rejoin the queue?

DAVID MCAULEY: Okay. I'm putting you in the queue right after Kathy, but right now, the queue is Susan, Phil, Kathy and you. So Susan, you have the floor. Go ahead, please.

SUSAN PAYNE: Okay. Thank you. So just a few responses to Michael. And thank you for your proposal, which obviously you've given a great deal of thought to. And I recognize that you're attempting to solve a different problem to the one that Kathy was raising, and that's helpful, I think.

One of my big concerns with this is that many of the brand owners that we're talking about here and that you're citing and so on could put numerous trademarks into the clearing house and frequently have trademarks covering multiple different goods and services. And because of the way the rules were developed, they have only needed to put one in in relation to a particular brand, but in many cases, have then had to put multiple trademarks in in total because they have multiple brands in their portfolio.

So suggesting that they need to be able to demonstrate a trademark in use that is across a particular business area, well, in many cases, they couldn't do that. It's just that in order to do that, they then have to put multiple trademarks into the trademark clearinghouse, at multiple fees of whatever the trademark clearinghouse then charges, for no real genuine purpose.

So what happens as a result of this is the trademark clearinghouse earns even more money, there's no change in what the trademark owner is able to register, they're not abusing the system – although you appear to think they are – but basically their cost of protection has just gone up, and there reaches a point at which cost becomes disproportionate to the benefit being gained. And perhaps that's an acceptable outcome from your perspective, but from my perspective, it's not.

So that was one issue.

MICHAEL KARANICOLAS: Sorry to interrupt, could I ask you to be a bit more specific in that? because I don't really understand. Could you provide a concrete example as to how that might work?

SUSAN PAYNE: I don't understand what you're asking me to explain.

MICHAEL KARANICOLAS: Can you explain further how it would require multiple registrations by a single mark holder? Because yes, I completely agree that I would not want that to happen. But I don't understand how my proposal leads to that result.

SUSAN PAYNE: Well, maybe I've misunderstood your proposal, but you've said that they should be required to demonstrate that they have a trademark that is in the category in question. I'm assuming you require them to demonstrate they have a trademark in the clearinghouse. If they just have to send a trademark registration [certificate,] then great. No problem. But we're talking here about services that run of the trademark clearinghouse, and that's my point. Does that address your question?

MICHAEL KARANICOLAS: Bu the trademark clearinghouse – so you're saying that the registration – but the trademark clearinghouse – the registration of the trademark itself is going to be clear when they – I don't understand why – so this is why I'm asking for a more concrete example.

So if BMW wants to register mini.whatever, then the registry running dot-pizza is going to ask them for some demonstration that they're in the pizza business.

SUSAN PAYNE: Yeah. And pizza is not a great example, but they're going to ask them for a registration that's in the category in question. Now, unless you're suggesting that we take this outside of the clearinghouse, then the way they're going to be demonstrating that is by having to put in additional trademark registrations that perhaps weren't in relation to their core activity of making cars but in relation to other activities that they also carry out.

MICHAEL KARANICOLAS: So you're hypothesizing that Mini could have a totally different motorcycle business, but if that was the case, it wouldn't have registered that trademark. But if that was the case, then why are they registering a different trademark? Why aren't they registering the mark that they have?

SUSAN PAYNE: Because they have multiple – let's take this away from Mini for a minute, but if you think about, I don't know, it's difficult to use an

example without immediately then picking on a brand owner, so I'm going to pick on the one I used to work for.

My employer, BBC, makes TV programs. So you might say that's the field they're in. But they also run radio programs, they do sports production, they make TV, they contribute to film production. They merchandise products and that merchandise spans clothing, toys, food. There's a long list.

MICHAEL KARANICOLAS: And I don't see how BBC would have difficulty demonstrating trade in any of those areas because [inaudible].

SUSAN PAYNE: No difficulty whatsoever, my point –

DAVID MCAULEY: Michael and Susan, I would like to just make a point, this is a useful debate, but also, one of the problems I face is I have a queue of people that want to make some points. So what I'm going to do is ask that we sort of break off the debate right now. I'm going to go to Phil and Kathy and Brian and Greg, but then we'll come back to you. So if you could gather your thoughts and perhaps come up with examples in the meantime.

I'm not saying it's not a useful debate. It's very useful, and these are very good points. But I think we are –

GREG SHATAN: David, can I just interject for a moment? Just a point of fact. It seems that maybe some people don't understand that many trademark owners own tens, dozens or even hundreds of trademark registrations for the same string but for different goods and services in different classes. But the trademark clearinghouse as it's currently set up only requires the trademark holder to put a single trademark registration of that string into the trademark clearinghouse. So if we're talking about BBC, BBC might own 50 trademark regs for different goods and services, but they're only going to put one in. But then if they want to register in 50 different TLDs that cover all their different trademark registrations, does that mean that the trademark registrations all have to be in the clearinghouse? I think that was the disconnect, is this understanding of how trademark registration practice works. Thanks.

DAVID MCAULEY: Thank you, Greg. And again, what I want to do now is create a space for those that remain in the queue to make the points that they want to make, but Michael, Susan and Greg, we'll come back to this. I'm not cutting it off. So we'll come back to this at the bottom of the queue just to give you a chance to think of examples or to crystalize the examples, but it'll also – we're only five, six minutes past he hour, but it is becoming extended. I want to make sure that folks get a chance to make their points.

So let me go ahead and call on Phil.

PHILLIP CORWIN: Yeah. And again, thank you, I'm speaking in a personal capacity. I don't want to be cast as a defender of abusive sunrise registrations, although given the pricing of sunrise, I think that's probably not something that happens very much. But again, Michael's talking about the registry dot-bike setting rules. But registrants don't deal with registries, they deal with registrars. There's dozens of registrars around the world, and they're the ones who handle sunrise registrations. If somebody goes there to some registrar and says – if Nike goes there and says, "I want to register nike.bike," you're asking the registrar to verify that. They're not going to do that. They don't have the capacity to do that. There's big ones and small ones.

So we're going to need some kind of sunrise registration clearinghouse to pre-clear intended registrations in various new TLDs. A mark holder's going to have to look at a list of the ones that are coming up for sunrise. And I gave the example in the chat that dot-rugby is coming up in July.

So dot-rugby is coming up, Nike wants to register dot-rugby not because they run a rugby team but because they make clothing for people who play rugby, and you're going to have to set up some body, some entity that's going to preclear them to take advantage of sunrise in dot-rugby.

This isn't as simple as it looks at first glance with our respect to the proponent. Dot-bike can mean not just – it could mean bicycle, it could mean motorcycle, maybe it means something else in some countries or languages. I don't know if bicycle is a defined category of goods and services and trademark systems or whether it falls under another, more general category. And you

could have entities who don't make bicycles or motorcycles but who make clothing for people who engage in those activities, or make helmets for people who don't want to smash their skulls open if they have an accident in those activities. Or you could have travel, you could have someone – let's say there's a company tour by bike and that's their trademark, and they organize bicycle tours in different parts of the world, they register that in the clearinghouse. They don't make bicycles, but you're going to need someone to certify, yes, that's specifically related enough to that particular TLD that they're allowed to use sunrise.

So again, I just see this as leading to a very complex bureaucracy with all kinds of questions and rules when I don't believe personally that the extent of alleged abuse is sufficient and that this would create to counter that alleged abuse a significant hurdle and new costs and bureaucracy to utilize the sunrise registration system. Thank you.

DAVID MCAULEY: Thanks, Phil, and next is Kathy.

KATHY KLEIMAN: Great. Thanks, David. Just wanted to go through the rationale here again and then tell you why I don't think this proposal goes far enough.

But I think it's interesting. The rationale for the proposal in Q5, which is worth goi8ng over, and I'm quoting, "Owning a trademark does not grant a monopoly over the use of a particular word. In general, protections are limited to the types of commerce where a

brand owner's active, hence the coexistence of Delta faucets, Delta Airlines, Delta Bank, Delta Hotels," as if we haven't used that example enough. My editorial comment.

If the trademark clearinghouse is an expression of legitimate trademark rights, a similar distinction should follow in how marks are registered and applied in context where when a number of TLDs might be viewed as categorically neutral, such as blog and ink, that's not where this is going to apply, but in specific examples like what we were talking about with pizza and other things. Attorney would.

So this goes back to the basic principle that we were not expanding trademark rights when we were creating these rights protection mechanisms. And we envision there might be gaming. A decade ago, we have found gaming, which deprives everyone from using new domain names and new top-level domains.

So I think this is too narrowly tailored because it doesn't get to a lot of the broad top-level domains, and it doesn't necessarily get to all of our problems with the trademarks of cloud, pen and "the," but it certainly gets to some of the cleanest and easiest to define, and I don't think we're ruling out Nike and Adidas and Rugby, Phil. I think those are all closely related to – the mark holder can show per the terms of this proposal number 13 that they're actively doing business in that specific category.

But it does help us with smith.attorney, smith.hams, where you have so many words that are registered and so many categories for goods and services and in so many different countries. But

we've got a problem, and this addresses one small piece of it. Thanks.

DAVID MCAULEY: Thank you, Kathy. The queue I have is Brian and then Greg, and then we'll give a shot back to Susan, Michael and Greg with the specific debate. So Brian, why don't you go ahead? You're up.

BRIAN BECKHAM: Thank you, David. And again, just to be clear here, not making this comment in my chair capacity. Michael, I want to start by saying I think we're all mindful of what we're trying to do here, which is if I understand it, to address the instances of gaming trademark registration systems to get into the trademark clearinghouse to get in the front of the queue to get sunrise registration.

I respectfully don't think that this proposal addresses that question. I would suggest that we might focus our attention more on the sunrise dispute resolution policies. I think it's been pretty clear from the beginning that that needs to be beefed up, and I also want to flag a potential risk, just to pick up on something that Phil said, which is by nature of the domain name system, it's first come, first serve, so people – you mentioned mini and bike. I don't know about mini, but I know about BMW having gone to the garage to drop off my car to get the tires changed. They actually do make bikes that come with some of the cars. So I think this goes to the point Susan was making. Frankly, I think this proposal kind of overlooks some of the broad spectrum of trademark use

and the notion of kind of bridging the gap, brand owners crossing into other goods and services. I think the illustrations Susan made with respect to the BBC are well put.

And one other concern, again, to pick up on something Phil said earlier, is that we may be getting into somewhat tenuous territory of competition and restraint on trade when if certain TLDs would be allowed to have sort of a free reign on the sunrise, if you will, and others would be limited by certain rules. I wonder if that might be something that would work in the ICANN context.

So again, I think personally [–I can't speak for everybody –] we're aware of the problem and we're all keen to address it, but I would suggest that the solution may be in the sunrise dispute resolution policy or some variant of thereof rather than this proposed limitation. Thanks.

DAVID MCAULEY: Thank you, Brian. Greg, go ahead.

GREG SHATAN: Thanks. I just had a couple of questions for Michael to try to understand his proposal a little bit better. Michael, when you used the term "abuse" and you used it a number of times, especially toward the end of your presentation, I just want to get a sense of what you're defining as abuse. Particularly, it seems based on a lot of the discussion we're having here, clearly, there may be gaming of the trademark clearinghouse, but it doesn't sound like mini, which is your example, is an example of that. So I'm trying to understand what you're defining as abuse. And secondly, what

you think would be the method of showing use of the mark in the space related to the TLD and who that would be shown to. Thanks.

DAVID MCAULEY: Thank you, Greg. So there was a spirited discussion going on. I'm going to go ahead and ask Susan, Michael, if you have any further comments you want to make along those lines, with Susan getting the floor first, and then we can move on. Susan, do you have anything you want to say?

SUSAN PAYNE: Just really briefly. And Greg very helpfully clarified what I was failing to make clear. So I don't need to go into a great deal of detail at all on that. But I did have a second point that I was going to make before Michael asked me various questions, which was just about the notion of infringement.

And again, picking on a particular example, we all have to then start speculating about what would and wouldn't be infringement in a particular context of the example in question, but the notion of the penumbra of protection for a trademark goes beyond the specific goods that it gets used on. And depending on the fame of the mark and the distinctiveness of the mark, it can go really quite wide. And obviously, how wide it goes and what would be protected will vary from country to country, and we're not all talking about US law here.

But it is entirely feasible or conceivable that in the context of use, with a brand like Mini, which is related to motorized goods, that

the use of mini in relation to motorbikes, even though mini don't do – BMW don't do mini-branded motorbikes, might still be an infringement.

And it's perfectly reasonable brand protection strategy to try to protect the penumbra around the brand and not just the individual good or service that you offer on a particular date, either because you think that the public will be confused if a third-party is using it in relation, or because you have plans for the future about expanding your product range.

And to Kathy's point – and you've made it as well, Michael – if minibike is a generic term – and I have no idea, I know nothing about them, but if it is a generic term, then I'm astonished that the dot-bike registry didn't choose to sell that at a high price as a premium name, because they clearly could have done. And if they chose not to, well, lucky of mini.

DAVID MCAULEY: Thank you, Susan. So Michael, do you have any comments with respect to your proposal sort of summing up?

MICHAEL KARANICOLAS: Yes. Thanks. Thanks for all that discussion. I do think that the complexity of this proposal and the determination that's being looked at here is being substantially overstated. Phil just listed a dozen examples, al of which, I think, would be fine to register.

The point of this is meant to try to [to hash out] disconnected uses. And if people would feel better about it if there was a relatively low

bar, then I would be fine with that. I don't think we need to parse out criteria of registration under Benelux rules. I feel like this is a relatively simple determination that can be made at the point of sale when the purchase is carried out, to demonstrate – some requirement when you're using the sunrise system to demonstrate some kind of relevant use when you're dealing with a top-level domain that reflects a particular category of goods and services.

I do think that the mini example is an abusive use of the sunrise system. I don't want to get into a semantic debate on the definition of abusive. I think it's a problematic use of the system. And I think it's a problematic use of the system when a trademark is registered and used for a particular type of business, and then is being applied in totally different ones. I think it's moving towards a system where mark owners are essentially getting a monopoly over the word, and that's not reflective of the standards of protection that trademark grants.

Susan just mentioned protecting the idea of the brand and the space around more broadly. I can tell you things don't work that way in Canada. We can go in a long discussion about dilution and tarnishment and how it works in different parts of the world as I think you noted. Standards and protection vary. But I do think that taking this kind of an expansive approach where registration on anything means that you're the only one that can use the word is problematic.

I do think that there is a problem that we've identified. There are people that are gaming the system, and there are people that in my mind are claiming domain names that they're not doing business with, are never going to be doing business with, and

don’t remotely relate to their business except that they know that people are going to be going there, and it’s going to redirect folks to their domain name, to their home page.

I think that’s a problem, and I think that there may be different ways to resolve that problem, but I don’t think that putting our head in the sand regarding that problem is a viable option for us. I think that’s a discredit to the working group, and if at the end of the day we’re not addressing clear problems that have been widely covered all over the media with regard to how the systems work.

If we don’t come back at the end of the day with a viable solution to that, then I think that that’s hugely problematic for our entire process. So if this proposal needs to be refined, if it needs to be replaced by another way to stop people gaming, I'm fine with that. But I do think that this is a problem that needs to be addressed, and I think that some sort of limitation on preventing folks from registering things that are disconnected from the area of business is the best way to do it.

DAVID MCAULEY: Michael, thank you, and I don’t see any further hands int eh queue, and so I want to thank everybody for a very spirited discussion on this charter question nine.

And I want to encourage everybody to look for the thread that opens when it opens on this. It sounds like this is an area that there's a lot of very good arguments being made. It sounded to me as I listened to it there's very real potential for compromise

perhaps, and so I would ask people to go to the thread to put their arguments, and to think of compromises. Is there a compromise in sunrise registration itself? Is there a compromise that uses SDRP? Is there a compromise that uses the registration and the trademark clearinghouse?

It sounded as if folks would be open to that. But in any event, look for the thread, and remember that the standard for the subteam moving a proposal forward to the full working group, positively, is wide support. So I would encourage all of us to do that.

Now, having said all that, it's 23 minutes past the hour. I don't know that we can get into question ten, but let me go ahead and at least read it and set the table for the following week. Question ten says explore the use and the types of proof required by the trademark clearinghouse when purchasing domains in the sunrise period. Greg, go ahead.

GREG SHATAN: I was just hoping before we left question nine, I think Michael answered one of the two questions I posed with regard to what he was thinking of as abuse, but did not answer the other question with regard to how this proof of use would specifically work, what would be the proof, who would it be presented to, and does it relate to registrations that are in the clearinghouse?

And I think that that's certainly a question that is, I think, bedeviling some of the people that were considering whether they could possibly support this but who aren't already supporting it. Thanks.

DAVID MCAULEY: Thanks, Greg. My bad for moving on too quickly. Michael, do you have any comments in response?

MICHAEL KARANICOLAS: Sure. Just briefly. And I took my headphones off, so I hope the echo isn't too bad. I had envisioned that being done at the point of registration, but I do acknowledge that that's an area that could be fleshed out a little more carefully. I don't envision the need to create a new apparatus just to vet this stuff. Potentially, I think that this could be something that's done on kind of a relatively low bar. And yeah, just a basic assessment for any kind of demonstration of commerce, a website, a clipping, a press release, anything like that that shows you doing business in a particular area.

I think that it would be a fairly straightforward thing to demonstrate, so I don't think that there would need to be too much structure or apparatus around making that determination. I assume that it could be done at point of sale. Thanks. But I'm happy to discuss. But again, if people have ideas about ways that it would be more problematic or less problematic, then I'm very open to that. Thanks.

DAVID MCAULEY: Thanks, David. Just to clarify, by point of sale, you mean the registry – the registrar, or the reseller that is being interacted with on the website where the purchase is being made?

MICHAEL KARANICOLAS: Yes, although I do understand there may be some [inaudible] needs to be worked our regarding potential differential standards, again, I'm envisioning a fairly low bar, but I understand that there may be a need to discuss a little further about interplay between the registry and the registrar on that issue and how exactly it would happen, but yeah, I was envisioning it being done by the registrar. Thanks.

DAVID MCAULEY: Okay. Thanks, Michael, thank you, Greg. And so what I would like to do is turn it back to Julie. Are you with us?

JULIE HEDLUND: Yes indeed, David.

DAVID MCAULEY: I'm going to turn it back to you to sort of wind things up.

JULIE HEDLUND: Okay. Great. Thank you very much. Thank you all for joining today. Thank you very much for chairing, David, and you will see some notes coming out shortly. And in the notes, we're going to go ahead and remind all of the homework to be looking at, the discussion threads, so I'll include the links there as well. So you'll have them as well as the homework that we send out.

We'll also take the action item to start a discussion thread on question nine, and thank you again, everyone, for joining, and we

will look forward to talking to you all next week. And Julie Bisland, you can go ahead and adjourn the call.

JULIE BISLAND: Alright. Thank you so much, Julie, everyone. This meeting is adjourned. You can disconnect your lines, and have a good rest of your day. Or night.

[END OF TRANSCRIPTION]