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**ICANN Transcription**  
**GNSO Temp Spec gTLD RD EPDP – Phase 2A**  
**Thursday, 11 March 2021 at 14:00 UTC**

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TERRI AGNEW: Good morning, good afternoon, and good evening. And welcome to the EPDP P2A team call, taking place on the 11th of March 2021 at 14:00 UTC. In the interest of time, there will be no roll call. Attendance will be taken by the Zoom Room, if you're only on the telephone, could you please identify yourselves now? Hearing no one, we have listed apologies from James Bladel, RrSG. And they have formally assigned Owen Smigelski as their alternate for this call and any remaining days of absence.

All members and alternates will be promoted to panelist for today's call. Members and alternates replacing members, when using chat, please select "all panelists and attendees" in order for everyone to see your chat. Attendees will not have chat access, only view to the chat access.

Alternates not replacing a member are required to rename their lines by adding three Zs to the beginning of your name and at the end, in parentheses, affiliation-alternate, which means you are automatically pushed to the end of the queue. To rename in Zoom, hover over your name and click "rename." Alternates are not allowed to engage in chat, apart from private chat, or use any other Zoom Room functionalities, such as raising hands, agreeing, or disagreeing. As a reminder, the alternate assignment form must be formalized by the way of the Google link. The link is available in all meeting invites, towards the bottom.

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Statements of interest much be kept up-to-date. If anyone has any updates to share, please raise your hand or speak up now. Seeing or hearing no one, if you do need assistance with your statement of interest, please email the GNSO Secretariat. All documentation and information can be found on the EPDP wiki space.

Please remember to state your name before speaking. Recordings will be posted on the public wiki space shortly after the end of the call. As a reminder, those who take part in ICANN multistakeholder process are to comply with the expected standards of behavior. With this, I'll turn it back over to our chair, Keith Drazek. Please begin.

KEITH DRAZEK: Thanks, Terri. Thanks very much for the intro. I know we've got some members that are waiting to be promoted. I know you're all over that. So everybody will be in here shortly. So with that, let me just do a quick intro and do an overview of our agenda for today. And then, I will hand off to Caitlin for a brief into and overview of the response that we received from ICANN Org on the supplemental information related to a legal versus natural study that were identified during the webinar and during the engagement earlier in the year.

But let me go through the agenda first. So item number three on the agenda, after we speak to those supplemental questions and answers from ICANN Org, we'll focus on the topic of feasibility of unique contacts. And again, as always, we've included the relevant material or language from the working group's charter in the box, just for easy reference to remind everybody specifically what we're focusing on. That's true here, for both feasibility of unique contacts and also legal versus natural down below.

So we will, on feasibility of unique contacts, receive and update from the Legal Committee. We'll turn to Becky for that. On the definitions and questions referred to the legal committee on the topic of feasibility of unique contacts. And then, we'll confirm some next steps on that topic.

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Once we get through feasibility of unique contacts, we'll move to a discussion of legal versus natural. Again, we've got the language from the charter included here for easy reference. Again, we will receive an update from the Legal Committee in relation to the questions referred to Byrd & Byrd. I just want to note that the Legal Committee has been busy. They were able to, I think, efficiently and successfully use the time allocated to them when we repurposed the plenary sessions over a couple of weeks ago. So I just want to note that good progress has been made there. And we'll get an update from Becky on both of those shortly.

Next item, we will move to, still sticking with legal and natural, we'll move to follow up on the homework assignments that were completed and discussion on the proposal 1A that we've been considering and engaging on. I know that the Registrars Stakeholder Group in particular has provided some concrete input that I think we'll turn to, to kick off the session on 1A. So just letting the Registrar representatives know that we'll turn to them for an introduction of their input because it's quite substantive and I think provides some concrete responses to 1A that will hopefully kick off the discussion in a proactive way.

Once we finish off with the proposal 1A discussions, we will move to the thought experiment that was proposed by leadership and staff for an opportunity. And I do note that many of the groups participating have provided input into the spreadsheet and the Jamboard that we can turn to on the thought experiment. And really, the idea here is to say, in a hypothetical scenario where there is a new law, or new regulation, or new requirements of some sort of the differentiation of legal and natural, how would that, how could that be accomplished?

It is a thought experiment. It's a hypothetical. It doesn't bind anybody to anything. It's simply an exercise in trying to identify what's possible, what's not feasible, and/or where complications might arise. Are there opportunities for finding a common path forward to address those challenges? So just want to tee that up.

And then, we'll move to wrap-up and confirmation of the next meeting, some administrative business. So that's our agenda. Let me pause and see if anybody has any comments, questions, and/or suggested AOB. And seeing no hands, thank you very much.

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So let's go ahead and move right into item number three on our agenda, feasibility of unique contacts. And with that, I'm going to hand it over to Becky, at this point, for an update on the work of the legal committee on this particular topic. Becky?

BECKY BARR: Thank you, Keith. And good morning, everybody. The Legal Team has worked very hard in the last couple of weeks. And I want to extend my thanks to them. And we have basically finished our work on the questions that were handed to us at the beginning.

On the question of legal feasibility, we have boiled the various questions that we had into a single three-part question that will employ the new terms that we used and shared with the plenary of a "registrant-based email contact" and a "registration-based email contact," trying to avoid getting caught up in discussions about the definition of anonymity under the GDPR but looking to the way in which courts have interpreted that to get some more information from Byrd & Byrd on that. That question is going to be circulated in final form to the plenary team for a final review in the next day. And then, it will be sent off to Byrd & Byrd. Should I go on with the update on the legal versus natural?

KEITH DRAZEK: No, Becky. Hold on for a second. But thanks for that and thanks for the update. Actually, I want to circle back to item number two that I completely blew past in the agenda, which is ICANN Org. But let me just pause and ask if anybody has any questions, or feedback, or thoughts for Becky on this question or on the questions that have been submitted. I think, again, the Legal Committee has done good work on this. And I think the feedback will be instructive and informative for the plenary. So any questions, comments, follow-up for Becky on the feasibility of unique contacts work of the Legal Committee? Okay. I am not seeing any. Oh, Milton. Thank you very much. Go right ahead.

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MILTON MUELLER: Yes. I'm just curious. Was the Legal Committee concerned with the feasibility or with the legality of a uniform anonymized email address?

BECKY BURR: Thank you, Milton. What we have asked for Byrd & Byrd to tell us, based on their experience and applicable precedent, to compare the level of risk and the type of risk associated with publication on the web or automated disclosure of, on the one hand, a registrant-based email contact. And the registrant-based email contact would be an email contact that is consistent across the registrations of a single registrant. Whether it's in a single registrar or across registrars, that's a policy question. And then, on the other hand, the registration-based email contact, which would be a contact that was unique to a particular registration.

We asked about the question that has been raised in one court case. And that brought in the Breyer case about this concept of whether, notwithstanding the definition of anonymity and GDPR there could be something that was effectively—that would render the risk of reidentification insignificant with respect to third parties. And that's language that is in Breyer.

And so, we're looking for a comparison of the legal risks associated with those choices. So it's not feasibility in the technical sense. It really has to do with legal risk.

KEITH DRAZEK: Great. Thanks very much, Becky. And thanks, Milton, for the question. Steve, I see your hand. Go right ahead.

STEVE CROCKER: Thank you. Had that on mute for a second. I apologize for inserting a fresh idea at this point. But I remember thinking about this and thinking this whole business of trying to set up anonymous or pseudo-anonymous email addresses and worrying about the cryptoanalysis as to how much you can infer and so forth is off in the wrong direction.

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If you want to have a way of contacting the registrant and not have any exposure to the information about the registrant, why not simply have a standardized email address of the form, something like “contactdomainname@registrar” email address for this purpose—so an easily computable constructed email address which then is forwarded by the registrar to the registrant. That simplifies everything. And there’s no guarantees that the mail is going to get through and there’s no guarantees, on the other end, that the registrant’s going to reply. So this doesn’t have to be very heavyweight.

I guess what I’m alluding to is that no matter how fancy you make it, nobody is requiring that the registrant replies. So this gives you a very straightforward, simple, and trivial-to-implement system. And as I said, I apologize for throwing this in without any preamble on it. But this is a much, much easier, and simple, and straightforward thing to do and totally obviates all of the other discussions. At least that’s what it looks like to me.

BECKY BURR: So, Steve, I think just to say, that would be work that would not be within the Legal Committee’s gambit. That’s really a policy question. And we’d be happy to take a question about that to Byrd & Byrd but that was not what we had on the table.

STEVE CROCKER: Yes. Understood. So there’s really two points there. One is outside of Legal Committee, how does the group feel about that. And then, with respect to the legal issue, my non-lawyerly thinking is that this would pose no issue from a legal point of view but that, of course, you’d want to look at that from a formal perspective and check that off or not.

KEITH DRAZEK: Thanks very much, Steve. And thanks, Becky. There’s also some exchanges taking place in chat. I think as it relates to the current work and the consensus policy recommendations from Phase 1, that there is a requirement for registrars to provide contactability,

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either through a web form or email. And I think, Steve, perhaps what you're suggesting is a lighter-weight approach where there's a standardized formatting of email rather than allowing a registrant to input personally identifiable information, for example.

So there's some activity going on in chat, if anybody else would like to react. I think there is some requirement for the contactability portion. I know that some of the interests in the EPDP Team are also interested in the ability to correlate, which is a separate issue, and I think would probably not be easily or well served by that type of standardized email. But I'm getting a little bit ahead of myself here. I've got a queue building. So I have—

STEVE CROCKER: But if I might, the idea of cross-correlating is separate, a non-trivial issue, and important in its own right, but should not be conflated with, "Is there a way to contact a particular registrant?" And I think if you try to package these things into the same bucket, you're going to wind up in a very, very complicated and basically unmanageable set of competing requirements.

So I strongly counsel that you should treat those two things as completely separate. If you want to be able to correlate across registrations, that is a separate, independent, and very substantive objective—or requirement, if you make it a requirement. Totally separate from being able to contact an individual registrant.

KEITH DRAZEK: Yeah. Thanks very much, Steve, for the follow-up. You've got some support in chat, as well, for that. So I think that's an important point. I have Hadia then Brian. Go right ahead.

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HADIA ELMINIAWI: Thank you, Keith. Basically, what we currently have to contact the registrant is either a web form or an email address. The web form, many of the users—the people using the web form—said it does not work and that they would like an email address to be used. So it seems to me that Steve is saying now is more of a description to that email address which we have identified before.

So maybe what we are looking at now, according to Steve's proposal is, first, requiring contact through an email address and not considering the web form as sufficient and, two, providing a description to that email address, like what it should look like. So I think this is what we're putting now on the table. And this is different, again, than I think what we were discussing under feasibility of having unique contacts. Thank you.

KEITH DRAZEK: Thanks, Hadia. Brian, you're next.

BRIAN KING: Thanks, Keith. And thanks, Steve, for the constructive suggestion. We support it. I think correlation is a different conversation and something that I'd still like for us to consider. But as a baseline, this does solve the contactability issue.

And to Sarah's point in the chat about already having a rec on that, the thing that we've mentioned previously is that the concept behind why we need or why we're looking for a uniform anonymized email address may have bitten off more than we can chew with that whole requirement but at least was an email address for contactability. And the web forms have proven to be problematic and not good enough for registrants or for the folks that need to contact them.

But I think this is a clever suggestion that is implementable, doesn't seem to implicate any personal data processing concerns. And I think it's one that we should unpack and that we're supporting. Thanks.



KEITH DRAZEK: Thanks, Brian. There's some activity in chat. Owen, Sarah, others, if you'd like to weigh in at this point, you're more than welcome to. But what I would suggest is that, Steve, you and colleagues, perhaps it would be helpful to write up, very briefly, an explanation of what you're suggesting so folks can react to it. We could take that to the list. I think your intro was really helpful. But I think getting something on paper, in writing, for us to be able to react to and to kick around a little bit would be a helpful next step on this one. Would anybody from the chat box like to weigh in and speak up?

Okay. Not seeing anybody so I guess it's time to move on, then. And Becky's got some clarifying questions here. She's noting, "if the address for everyone is 'contact@ ...'" Well, I'm not going to read all, "isn't some relay function required? Or is this a suggestion that every registrant must create this email address?" And Steve is responding, "Yes, there'd have to be a relay."

So, look. In the interest of time, we should probably take this one, get a little write-up on what we're proposing and what we're discussing, and then take that to the list, in the interest of time. But I really would encourage folks to engage on the list, to make sure that we can move this forward in terms of preparing for our next plenary session.

Okay. With that, I'm going to move back to item number two and go back to ICANN Org's response to the inquiries that we submitted following the legal versus natural study. So, Caitlin, if I could hand this one over to you. Thank you.

CAITLIN TUBERGEN: Thank you, Keith. As the EPDP Team members might remember, ICANN Org presented its legal versus natural study back in January. And during the Q&A portion of that presentation, SSAC members had a couple of follow-up questions. The responses to those follow-up questions were distributed to the EPDP Team on Tuesday via the email list. Berry is

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scrolling through the response right now. Both the response and some additional information has been posted to the team's wiki. I'll paste a link into the chat shortly.

But I'd like to note that it'd be great if everybody could review the additional information from ICANN Org and see if any additional questions are still necessary in reference to that study so that we can send those to ICANN Org in a timely fashion. So please do review these responses. Thank you.

KEITH DRAZEK: Okay. Thanks very much, Caitlin. Does anybody have any initial reaction and/or comment or feedback on the responses from ICANN Org at this time? Okay. Seeing no hands, I will just, again, reiterate, as Caitlin noted, please everybody review the feedback, if you haven't already, from ICANN Org.

And the key action item here is to identify any additional questions that might be warranted so we can get those submitted. We're obviously on a clock here and we want to make sure that we're being efficient, especially if we're having to ask questions of groups external to the EPDP Team, such as Byrd & Byrd and/or ICANN Org. So please focus on that and let us know if you've got any follow-up clarifying questions.

And with that, we'll continue with the topic of legal versus natural. And, Becky, I'm going to hand it back to you for an update on the legal committee questions. Thank you.

BECKY BURR: Thank you. We have completed the Legal Committee questions that were our original assignment. There were something like eight or nine questions. We have consolidated it into three questions, one of which is—I'm sorry. My dog is barking at a squirrel—one of which is a three-part question. Those have been sent to Byrd & Byrd.

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Subsequently, in the course of our conversation, some members of the team had some additional questions or variations on the questions. We decided not to hold up sending the questions to Byrd & Byrd, in order to address those. But we will have another call of the Legal Team on Tuesday to go over those additional suggestions to see if we think that they are going to meaningfully advance the work that Byrd & Byrd is going, in which case we would get them off.

The questions that we are sending on legal versus natural follow up on the memo that Byrd & Byrd provided earlier and the mitigation provisions. In addition, we do have a question that explores the implications and to what extent there is useful precedent associated with EURid's interpretation of the regulation that governs its decisions in this area; RIPE NCC's decision to publish information about resource holders, whether they are legal or natural; and the NIS 2, to the extent that it could suggest that the European Commission and the members of the European legislature have identified an important interest in availability of this information. To what extent, if any, would that implicate the balancing test.

I just want to say that there's quite a bit of discussion about how much one could glean from a regulatory proposal that has not been enacted and that, when enacted, would be transposed into member state law by each and every member of the European Union and could be transposed in different ways. And the extent to which the situations with EURid and RIPE NCC were parallel, we really ... I think there was a difference of opinion on this.

In the end, these questions were burning questions that had been left over from our previous discussion in Phase 2. And recognizing that there is a possibility that they'll come back and say, "It depends and we can't tell you until the legislation is finished," we thought that getting answers to those questions could potentially further the discussion in the plenary. So we elected to go forward with those questions.

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KEITH DRAZEK: Great. Thanks very much, Becky. Really helpful overview and intro. Does anybody have any questions or comments about the questions pulled together on legal and natural for Byrd & Byrd?

And look, just to underscore Becky's last point there about the implications of NIS 2, I think there's a recognition among the group that NIS 2, what we're seeing as far as the proposed directive, is directionally-significant. It has the potential to impact the work of ICANN, the multistakeholder process. It has a potential to impact consensus policy and contracts. But it is far from complete. It's not final. And there's cycles to be done there. But in the fact that it's directionally-significant, with my support, I think this was an important question to be posed by the Legal Committee. I see a hand from Melina. Melina, go ahead.

MELINA STROUNGI: Thank you, Keith. And hi, everyone. Just a very short comment from my side. Indeed, the NIS gives a good direction. And one of the additional questions that they referred earlier would go towards that direction and would also take into account some concerns expressed about not enough consideration given in the nature of data.

So this additional question, it would be very important to include, in my view, to facilitate the progress of this group. So as you know, I'm not participating in the Legal Committee and I do not usually have the voice to participate there. So I just wanted to voice this in this meeting and hopefully it will be taken into account during the discussions on Tuesday. Thank you.

KEITH DRAZEK: Okay. Thank you, Melina. Would anybody else like to get in queue, following up Becky's overview of the Legal Committee's work on legal and natural? And seeing no hands, thank you very much, Becky, both for the update and for your work leading the Legal Committee. And for everybody who has contributed to that, I think we're reaching a good point where the questions have been delivered and we can now look forward to, hopefully, some

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feedback from Byrd & Byrd in the coming weeks, in time for some more substantive discussion at the plenary session. So thank you for all of that.

All right. We're going to move now to section 2B on our agenda, which is a follow-up to questions related to Proposal 1A. I noted at the outset of the call that the Registrars Stakeholder Group and reps have provided some new input—some quite detailed input. And what I'd like to do is to tee up the discussion of proposal 1A and hand it off to the Registrar reps to introduce their input and to provide an overview. And we'll take it from there, as far as having a good conversation here. So if I could hand it over to the RrSG folks. Thank you. Sarah, go right ahead. Thanks so much.

SARAH WYLD: Thanks. Good morning. This is Sarah. Sure. Yep. I'm happy to discuss it. So do you want to me to just speak to each of the points that we've provided here?

KEITH DRAZEK: Yeah, Sarah. That would be great. We have limited time so maybe at an introductory level, to bring everybody up to speed. Thanks.

SARAH WYLD: Sure. For this one, our initial comment had been that that process was assuming certain business models. So now, we've been asked to elaborate on that. So in this model, the registrar has direct contact with the domain owner at the time of registration—at the time when the data is being collected. So in my understanding, that is likely to occur for a retail registrar or a brand protection registrar but not for a reseller because in the reseller model, they typically don't interact with the domain owner at any point and certainly not during the registration process.

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Then, for the second one, again should not presume interaction with the domain owner at the time of registration. But I note that the flowchart doesn't seem to match the numbered version because there was a question about where that goes. Yeah.

And then, for the one after that, I really think it's very difficult to provide implementation guidance if we're not sure what the final policy will be. And then, also, I think it's important for us to all acknowledge that there might be different requirements around language around the level of dialog that is chosen with the domain owner or with the customer. But that's something that I think should be left up to each individual provider to determine, as with any business process.

And then, the final point, I do actually think that it should have referred to item four. It shouldn't say for 1B. I believe it should say for item four. Thank you.

KEITH DRAZEK: Okay. Sarah, thanks very much for that. And if anybody would like to get in-queue in terms of a reaction, I think a couple of takeaways, from my perspective here, is that we need to be careful in terms of being overly prescriptive, in terms of the development of guidance or recommendations because of the wide range of business models, etc.

And of course, it would be very helpful, I think, to the overall conversation for a more clear—a better understanding of the range of models and what the impacts or implications might be. But I think the key here is we need to careful not to be overly prescriptive so it allows for some variation of implementation under an umbrella or under an overarching guideline. So just a note of caution there as we talk about this.

But this also talking about what potential guidance could be provided to registrars that choose to differentiate. So it's a question of how detailed do we get and at what level is the guidance high-level guidance, versus getting into concrete implementation recommendations. So agreed. And I see Hadia noting, "for sure we do not want to tell Contracted Parties how to implement the policy." So let's just keep in mind that as we talk about policy, we talk about best practice guidance, let's

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make sure that we're keeping it at a level that is appropriate to allow for variation of implementation under that policy.

So I'll stop there. Would anybody like to get in-queue at this point, in either reaction or response to Sarah's input? Or anything else on this particular topic, on 1A? Okay. Not seeing any hands. Sarah, is there anything else that you'd like to provide or that the Registrars would like to provide, as far as input, at this point.

SARAH WYLD: Thank you, Keith. Not specific to this particular proposal. I do look forward to when we can go through the Registrars' suggested guidance. Thank you.

KEITH DRAZEK: Thanks very much, Sarah. I think we'll actually be able to move to that here very shortly, if there are no other hands in-queue at this point. Okay. Let's go ahead and move right to that, then, Sarah. Thank you.

SARAH WYLD: Yes. Hi. I didn't actually notice that this was on today's agenda but I'm so pleased that we are going to look at it. So I would just like to speak to this a little bit and then happy to discuss. Or perhaps, my other colleagues have something to say. I didn't really wait for hands but there we go.

So the Registrar team wanted to really emphasize that in any activity that a registrar does when processing data, of course we must always adhere to those principles that the GDPR sets out for us. So what we attempted to do here was actually a lot of fun to put together. It was like one of those logic puzzles where you fill in all the boxes.

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So we have, down the left-side column, each principle from the GDPR for data processing. And then, the three other columns are the different models that we've been discussing for how one might go about distinguishing registrant type. There is more detail about those three at the very bottom of the document. So at the top is just a real summary.

And then, for each row, we've looked at what the registrar could do in order to adhere to that principle while doing the processing activity described. And in some cases, we were able to identify what the risks might be. So we have noted that here as well because I think it's important, when considering what practice to take on, we should consider, of course, the risks that go with it.

So I did see that there were some comments and I wanted to thank Laureen specifically for that clarifying comment in this box here. I say "this box" as I point at my screen. Yeah. That's one. And what we intended in that phrase, "person type information," was just to refer that the data subject is selecting whether—or indicating whether—they are a natural person or a legal person.

Yeah. So that's where we went with that. I feel that this guidance provides helpful direction to registrars who may not be super familiar with all of their GDPR obligations and would make sure that domain owners are much more likely able to make an informed choice about how their data are processed, while also allowing the registrars the flexibility that they need in order to offer the service that works best for their own customer base. Okay. Thank you.

KEITH DRAZEK:       Okay. Thanks, Sarah. Sorry. Were you wrapping up there?

SARAH WYLD:        Yep. Sorry. I was done. Thank you.



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KEITH DRAZEK: Okay. Not a problem. Sorry. I noticed that the screen was scrolling. I just wanted to make sure you weren't waiting for us to get to another point. Look, I want to commend the Registrar team for putting this forward in a constructive way of laying out the key principles and what's possible, what's feasible, and what the potential risks and challenges might be. I think this is really helpful in terms of crystalizing some of the questions and some of the concerns before us.

So I'd just like to open it up to see if anybody has any initial feedback, clarifying questions. Any reaction to this? I recognize that not everybody probably has had a chance to look at this in significant detail but this is an opportunity for a conversation and an exchange. So I have Brian and then Laureen. Thank you.

BRIAN KING: Thanks, Keith. When I saw this from the Registrars, I was really encouraged and appreciative of Sarah and the team for putting this together. I was hoping we might have a week to digest and provide, perhaps, more specific comments and feedback besides "thanks." We have had about a day to do this and had other homework to work on. So maybe we'll leave it as "thanks" for now and maybe just a request that we spend some time on this next week or during our next call. Thanks. And not to say that we shouldn't do it now but I'm not ready to say much more than that at this point. Thank you.

KEITH DRAZEK: Yeah. Thanks, Brian. And all fair points. We'll certainly circle back to this next week for a more substantive discussion after folks have had a chance to review, digest, engage. And certainly, if there are any questions or clarifying comments, please take it to the list. We have an opportunity via the email list to have an exchange intersessionally. So I would encourage everybody to do that. Laureen, you're next. Go right ahead.

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LAUREEN KAPIN: I'm echoing many of Brian's comments. First of all, a huge thank you. I really appreciate getting this perspective from the Registrars. And in my mind, this falls into the category of clarifying questions. I definitely take to mind the issue of not being too prescriptive and fully appreciate the business realities and differences that the registrars have among themselves.

What would be helpful, though, for me to zero in on providing feedback, is what you think the key differences are between your proposal and the proposal that we've set forth from the GAC? And as I said, I understand that your proposal provides more flexibility. But I'm wondering if we can get more specific in the differences because I think that would help us in our analysis and providing feedback.

KEITH DRAZEK: Yeah. Thanks, Laureen. Excellent question. I see Sarah has her hand up. Go right ahead, Sarah.

SARAH WYLD: Thanks so much. Yes. Thank you, Laureen. And also thanks to Brian. I'm really glad to hear that this is helpful and well-received. I would say the real key difference is that the proposal we looked at a few minutes ago is really a step-by-step process to be followed to achieve a certain goal. And this is a set of principles, or a set of things to do along the way of going through the process set by the registrar.

So instead of saying what the process is, it says, "You can set your own process but these are the elements that you have to make sure are included. You have to make sure that you've done purpose limitation, that you've got your accountability documentation—all of those things. You've got to make sure you've gone data minimization." But it doesn't tell them how to do it or when in the process to do it, just that these are the pieces that all need to be there. Thank you.

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KEITH DRAZEK: Yeah. Thanks, Sarah. That's really helpful in terms of, again, crystalizing the key difference while recognizing that there could be implementation variation across Contracted Parties in business models, etc. So thanks for that. And again, if what we're working on right now, at this point, at this stage, is potential guidance to registrars who choose to differentiate, I think that's, again, important for us to keep in the back of our mind in terms of what we're trying to achieve as an output here. So I have Margie. You're next. Go ahead.

MARGIE MILAM: Hi, Keith. Obviously, we know that—or at least you guys know—that we're looking for a binding consensus policy, not a guidance. But I recognize that it's this part of the process that we're talking about guidance. My question for Sarah is, is this a proposal that could be combined with Lauren's proposal? Because it seems like it elaborates in some ways that is helpful. And certainly, I appreciate all the hard work that the Registrars put into this. But I do feel that we made a lot of progress with the GAC proposal. And I'm just wondering. Are these complementary proposals? Is this the alternative? What was your thinking when you came up with this proposal? Thank you.

KEITH DRAZEK: Okay. Thanks, Margie, and noted about the interest in the outcome in terms of a consensus policy recommendation. That's well understood. I was just noting that we're currently in the phase of looking at potential recommendations or guidelines for best practices at this stage. But understood. Sarah, go ahead.

SARAH WYLD: Thank you. Yes. I do want to answer that, but I also want to recognize that my registrar and contracted party colleagues have also, of course, worked on this guidance, and so they might have helpful thoughts to share as well. And thank you, Keith, for noting that we are specifically in the guidance portion of this phase of our PDP.

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I have to say I feel that having lots of discussion on the other proposal is not, to my mind, the same thing as making progress. I don't believe that we are closer to agreeing that that proposal should become required. I do feel that we have talked about that proposal a lot, which is great and important.

In terms of whether it could be combined, these two, to me, I don't quite see how that would work. I do agree that anybody who follows the proposal 1A, that process should also be following these principles because these are the GDPR principles that we all need to follow, assuming we are subject to that law. But in terms of how to combine them, I still think that if we do so, we end up with the difficulties from that other proposal being too prescriptive and thus not fitting every provider's process. I hope that's clear. Thank you.

KEITH DRAZEK: Okay. Thanks, Sarah, and thanks, Margie, for the question. Anybody else like to get in queue? Hadia, go ahead.

HADIA ELMINIAWI: Thank you. And my question is to Sarah. So now I'm quite confused, because I'm not sure what too prescriptive now means. So for example, if we say that contracted parties need to make this differentiation, that's not too prescriptive, right? This is a policy. But if we say when they need to do that, then this is too prescriptive.

But again, we don't necessarily need to say they need to do this differentiation exactly at registration time or maybe after the registration happens, but there has to be some kind of like an indication or timing that like when this would happen. It's not only for the sake of the policy, it's also for the sake of the registrants themselves, predictability. You need to know what is going to happen when. And I don't see this as being too prescriptive. Thank you.

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KEITH DRAZEK: Thank you, Hadia. I'm sure that others will jump in in response. I see Melina has her hand up, but let me just respond. From my perspective, it seems that the question of what is what the guidance or the policy should cover, and that as you start moving into the how and the when is where it starts potentially becoming too prescriptive in that it doesn't accommodate the range of business models and the range of contracted party consideration of their own risk, etc.

So I think my sense here is that if we can agree on the what is expected in terms of a guidance or a policy, that the questions of how and when become perhaps the responsibility of each registrar to make that determination, recognizing that the question of when, there could actually be some gray area there where broad strokes might need to be established. But anyway, I'm just trying to summarize and crystallize what I've heard from the conversation so far. But I'm sure that the registrars and the contracted parties can respond more directly to your question.

I have Melina and then Lauren and then if Sarah, you'd like to get back in queue, you're more than welcome to. Melina.

MELINA STROUNGI: Thank you, Keith, and very good, your last point. From my side, I would also like to say a big thank you to contracted parties. In our last meeting, it was also encouraged to come up with their own proposal, and I think this is really positive. So, many thanks. Indeed, to Sarah's point, these guiding principles will apply in any case, right? GDPR applies in any case. So the guiding principles, irrespective of whether we will put them in the policy, they're law and they apply.

And I just had, of course, a side comment on the specific principle vis-à-vis accuracy on how to interpret this guiding principle, but I don't want to get in that discussion now and lose the bigger picture.

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Regarding the point of not being too prescriptive, I understand it, and I agree that we should—if we manage to agree that the key point is that this should be a differentiation, if we all agree on that, then we think we have achieved the first consensus element, and then the how and when, indeed, the special [inaudible] or the business model of contracted parties should be taken into account.

Maybe it's confusing the way it is now reflected in our proposals, but we wanted to give this liberty, actually. So basically, the principle under this proposal is really differentiate between legal and natural and the data which are personal are not personal, and then for those who can do it before registration, it's fine. For those who cannot do it before registration, you can do it after.

Maybe the way it is currently drafted doesn't give flexibility, but this was the intention behind it. We're happy to adjust to reflect that, and we just tried to give some examples rather than dictate what needs to be done to be helpful. Thank you.

KEITH DRAZEK: Thanks very much, Melina. And I think ultimately, that's the goal of this group or the goal of any sort of PDP group, is to try to reach a consensus compromise path forward with various proposals that are put forward, and I think this conversation today and the work that the registrars have put into augmenting or supplementing the work on 1A that we've been discussing now for a while is actually a helpful step forward in that regard. So, thanks for noting that there may be an opportunity for adjustments. So with that, Laureen, and then Sarah, back to you, and I know that there's also some activity going on in chat. Laureen.

LAUREEN KAPIN: Just quickly, I fully appreciate the need for flexibility. I also note that some things likely would need to be identified and could be done via a type of menu process. I.e., choose the entrée you find most appealing given your business model. And this, to me, most

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directly goes to the issue of when. I think it would be incomplete and unhelpful not to have some specificity with when this occurs.

I mean, practically speaking, it is only useful if it occurs sometime before the information is actually published. So, I fully take to mind that we can't be too prescriptive, particularly in terms of how. I do take issue a little bit with implying or suggesting that "when" is off-limits. I actually think that has to be something that's dealt with.

KEITH DRAZEK: Thanks, Lauren. I did note that, in my intro, the question of "when" has probably got some gray area associated with it in terms of there needs to be certain expectations and, if we're talking about guidance, that those expectations are set in a way that makes sure that the overall guidelines or the expectations of what are delivered in a way that is rational and implementable.

So, I do note that the question of when in the process is still an open question and shouldn't be off the table entirely, but it does, I think, need to acknowledge that there are these variations of business model, and implementation, and engagement. So, Sarah, and then Margie.

SARAH WYLD: Thank you. Hi. A lot of good discussion. I won't try to respond specifically to individual comments. I think it's important to keep in mind that we have not agreed if differentiation needs to happen. It should not be taken as a given yet that it must. I think the step-by-step of what to do and when is too much and this registrar guidance is applicable in all these different business models.

And so, to that question of if differentiation can happen, I would say that the answer is that it can but there is risk inherent in doing so. And so, our position hasn't changed, which is that each controller needs to be able to determine for themselves what risk they want to assume.

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My last thought is I did hear Laureen confirm that we cannot publish the data until after it is confirmed that it either does not include personal data or, if it does, then the data subject consents. I was very, very happy to hear that. So if, by “when,” we are discussing that type of “when,” like what boundaries, in terms of legal obligations, we have for publishing the data, I agree with that. We should not/must not process data until we have our legal basis sorted out.

But if it’s “when” as in the domain name registration must be held in the registration process or an active domain suspended until registration is completed, that is, I think, a huge overstep. It would be a real, unnecessary speedbump in the purchase process and a burden on the registrant, which is unnecessary. Can you just imagine if we tried to get differentiation at the consequence of suspending a registered domain name? Imagine the disruption to Internet services overall. That seems like it would be a huge problem to me. So, I just want to caution us against going down that kind of road. Thank you.

KEITH DRAZEK: Thanks very much, Sarah. I’ve got Margie, Stephanie, and Hadia in queue. Thank you.

MARGIE MILAM: I have a couple of comments about the whole business model idea/concern, I guess. One of them is we have already built-in processes in the RAA and in the consensus policies that relate to resellers and obligations. And so, to me, we actually can come up with a policy that addresses those kinds of issues, like, for example, in the RAA.

You’ve got a notion that there needs to be validation of the e-mail address within seven days of the registration. That kind of requirement could be part of our policy and it couldn’t make it in something that gives a little bit of flexibility, depending upon the way that the registrar implements the policy.



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But what I'm trying to really understand is, in the registration process, even with resellers, we already have situations where they're agreeing to certain terms and conditions, they're agreeing to certain requirements. And so, I don't see that it's impossible to do it in the registration process. I'm not suggesting that it has to be that.

Maybe it's a delay in terms of when you have to do this validation, if you want to call it that. But we already have situations where the Registration Agreement already has to have certain provisions and there is already notice provided through various means. And so, I don't see anything that we're talking about, for example, in Laureen's model that would prohibit the variations that we see today in the different business models.

KEITH DRAZEK: Okay. Thanks very much, Margie. I have Stephanie, and then Melina in queue. Stephanie has put some discussion into chat. I've invited her to speak to it as a general statement. If folks have something to say, it would be really helpful to actually weigh-in on the Zoom call, rather than only leaving it in chat. So, I welcome everybody to speak up. Stephanie, and then Melina.

STEPHANIE PERRIN: Okay. I'll just read what I've put with a couple of elaborations. The distinction is irrelevant for many registrations. The operative question is, is there any personal information in this registration? And I think we keep straying from that back to this whole identification of a legal person. I keep going on, and on, and on that it's not that easy, in many jurisdictions, to make that distinction. So, we should focus on whether there is any personal information, including that of employees.

So then, the next thing I typed was, why doesn't the business community take a homework assignment to come up with a template for businesses regarding how to register and affirm that there is no personal information contained in their registration?

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As I keep saying, there needs to be an attestation on the part of any so-called legal person that there is no personal data in their registration. How can that be made plausible and acceptable to those who must rely on it to manage their legal risk?

And particularly, as I've said again and again— I'm sorry to repeat myself—this distinction is particularly difficult in the case of home businesses, which are growing, and employees who are working from home who must provide contact data.

So, that's where you get yourself into protected, personal information. Let's remember we have a harmonized policy here, based on the GDPR: the question of whether they are subject geographically to the GDPR is not a question that we should really be wringing our heads around.

We have a uniform policy that is aimed at meeting GDPR requirements because most other pieces of legislation around the world are being upgraded to meet GDPR requirements and we don't want to get our heads mussed with all the other requirements in law.

Now, this whole business of how to identify yourself as a company might be provided in such a form that the business community could devise, including your corporation number, your business registration number, your tax number, you name it. There is a number at each level of governance: municipality, province, state, country.

So, that kind of stuff could be in there and that would certainly go a long way to solving a potential contracted party's reservations about whether the person actually knows what they're saying when they register. It also might be useful information. Thanks.

KEITH DRAZEK: Thanks, Stephanie. Thanks for bringing the perspective to the voice discussion, here. I should note that, having benefited from observing the discussions in the Legal Committee, I think the distinction that Stephanie is drawing and has drawn about the importance of not only whether the entity on whose behalf the registration is made ...

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It's not just only a question of whether it's a legal person or a natural person but whether the registration data that's included in the registration contains private, PII information related to individuals is an important distinction that has, I think, been noted by the Legal Committee for further discussion. I have Melina, and then Hadia.

MELINA STROUNGI: Thank you, Keith. Indeed, it is a very important distinction. To Stephanie's point/suggestion for contracted parties to take it as a homework assignment to come up with the template, I mean, of course that would be useful. If they can do that, that would be super useful. Just to come back to Sarah's point, I feel like we took a step back.

Maybe I was too optimistic and happy to jump to a conclusion that we were making some progress because, now, I feel like we did some circle in the discussion and we went back to whether the differentiation between legal and natural is even necessary. I mean, if we don't solve this question, there is no point in discussing when, how, and whatever else because ... I mean, this is fundamental.

And I understood that from the proposal, that contracted parties [took in place] and I have right now in front of me on the shared screen. I mean, I see they say, "If 'legal person' is selected, registration data set is published. If 'natural person' is selected, the registration data is not published."

I understood from that that they are open in discussing the differentiation between legal and natural. I mean, it's an absolute necessity, doing this. Otherwise, we risk having a completely [blank] [inaudible] with no data available, because if you leave the data, the option, to the registrant ... If, for instance ... Published, then imagine if the registrant answers, "No, I don't agree."

Then, what happens in that scenario? The contracted parties further distinguish between the data to see what is private, what is non-personal, or, absent consent, they choose to publish nothing,

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basically. In any case, whatever the legal basis is, whatever the approach is, distinguishing between natural and legal is inevitable. It is line with the GDPR language. It is in line [within this] proposal. It is in line with every logic and serving public interest purposes on having as much information publicly available as possible—of course, always in respect to privacy. But of course, this distinction has to happen.

I hope this is clear to everyone. There is always a risk in doing business. There is always a risk in life, in general. COVID-19 is a vivid example of that. There are even risks if you leave things as they are, while it's a great opportunity to self-regulate, rather than waiting for some legal obligations to follow-up on, I would think. I mean, in my view, taking proactive steps for public interest could be only a good thing.

And if you efficiently distinguish between natural entities and legal entities, and then you further distinguish between data from legal entities which are personal and data which is not personal, I don't see, frankly, any risk. Nothing. Zero.

I mean, seriously, if we're talking about reasonable steps and this is done in an appropriate way, even in the case of inadvertent publication, you have a registrant who says, "Hi, I'm a legal person but, in reality, it's a natural person," if contracted parties have taken all their steps from their side, they are covered.

I don't think this risk discussion has a lot of merit. I think we have discussed this very thoroughly and this is what we're trying to do, to make sure that they will not have risks. This is why we go to Bird & Bird and this is why we try to come up with solutions to minimize the risks—close to zero, I would say.

So, I really hope that, yes, we can agree on that basis. The differentiation is important and should happen. And of course, then, contracted parties can come up with suggestions on how they think this could be done in a way that is in line with our business model. Thank you.

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KEITH DRAZEK: Okay. Thanks very much, Melina. And so, just to note that part of the group's work here is to come up with guidance for those registrars who choose to differentiate at this time, as they are entitled to and have the ability to, under existing guidance, under existing policy. And I think the question for whether it becomes a requirement is still to be determined.

But as it stands right now, we're trying to focus here on what guidance can be provided that could then, potentially, form the basis for some requirements down the road, but we haven't made that determination yet. It is an important question and we will deal with that question before the group concludes its work, but I just want to note that we're still trying to focus on the guidance right now for those who choose to differentiate.

I think there has been some really good conversation here. I've got quite a queue building. I'll probably draw a line under Sarah for the queue at this point because we do want to move to a discussion of the thought exercise as we have 25 minutes left. So, Hadia, Milton, Volker, Sarah, and then we will move on. Hadia?

HADIA ELMINIAWI: Thank you, Keith. I would like us to make the distinction between flagging the data or making that differentiation between legal and natural persons and between actually acting upon this differentiation and making the data available through the RDS. I think that only flagging the data and making the differentiation, making this as a requirement does not include any kind of risk, even if the data of legal persons includes personal information.

This is because we are only flagging the data and saying, "This belongs to a legal person and this belongs to a natural person." Step number two would be actually ... So, I see no problem, in step number one, having it as a requirement. And this could actually be beneficial, if we are looking at the possible upcoming laws and regulations.

Step number two would be actually looking on whether to publish based on that differentiation or not. Step number two requires us to make sure that the data of legal persons does not include

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any personal information. And here would come all these steps that we were suggesting and the safeguards. So, again, this is my proposal to look at the matter. Thank you.

KEITH DRAZEK: Okay. Thank you, Hadia. Milton, you're next.

MILTON MUELLER: Yes. I really wanted to respond to Melina, who I think is kind of inverting the risk situation, here. So, the idea that we are protecting registrars from publishing this data because of all of these elaborate procedures that you want to put into place is kind of ignoring the fact that the risk that we're mainly concerned about is the risk of the registrant, which so frequently gets overlooked in these conversations because the registrants are viewed as a source of data that can be freely accumulated.

And I think what this debate is really about is fundamentally that some interest groups want as much data out there freely available as possible and others want to limit it. This battle over legal/natural is just a step that would open up a lot of the data for free collection.

We understand that it is much more convenient for many stakeholders to have access to that data in an unrestricted manner, and we also should understand by now, particularly somebody from Europe who is supposed to be upholding the GDPR, that the free access to that data creates both security and privacy risks that the GDPR was designed to limit.

Now, I think that the optimal solution is simply the consent of the registrant to publish their data. So, let me just run you down the levels of things that can happen and will happen to get access to that data. First of all, many registrants, both legal persons and natural persons, will volunteer to have their data published.

Secondly, some jurisdictions will require or already require that data to be published, either through [inaudible] laws or things like that. And finally, people keep forgetting that we will have an

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SSAD in place, a System for Standardized Access and Disclosure, in which if you really need the data and it's not available you will be able to get it if you have a valid legal basis.

So, I think that is about the optimum situation. We cannot talk about this as if, if we don't force a differentiation and force all legal persons to publish all the data, we won't have access to that data. It's just not true. But by doing that, we would create all kinds of risks for natural persons, and I think we need to avoid that. Thank you.

KEITH DRAZEK:       Okay. Thanks, Milton. I'll not that Melina has put into chat—and I'll just read it briefly—"What is the risk for registrants if you only publish non-personal data? If they are a natural person, you publish nothing. If they are legal, you give them the choice to not disclose personal data and only publish the non-personal data." So, I just wanted to capture that response for the dialog. Volker, and then Sarah.

VOLKER GREIMANN:       Yes. Thank you, Keith. I think the main question here is ... I think Melina makes a very valid point, there, because it's not the differentiation between legal versus natural but rather between what data is available and how it is being made available. I think the question that we're asking here from the Contracted Parties House is that the case still has not been made that there is a necessity to require such a differentiation.

Certainly, the gTLD world has operated for decades without making that differentiation and security and stability has not been affected. We are proposing an asset where access can be had—thank you, Milton, for making that point for me. So, I will not dwell on that much longer. There is a way to access the data.

So basically we're asking, where is the necessity to make this a required policy, as opposed to a voluntary commitment or a voluntary option for registrants to disclose, when you already have access to SSAD and, therefore, legitimate access to that data? I don't see the requirement to do

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it. Many TLDs after GDPR still do not make that differentiation and operate quite safely and stably. So, I just don't see the requirement in that case as it must be made. Thank you.

KEITH DRAZEK: Okay. Thank you, Volker. Sarah, you're next.

SARAH WYLD: Thank you. I am truly surprised to hear it suggested that there is no risk to registrars in inferring the person type for a domain owner or in overriding the registrant's self-identification. I think we have made it clear that there is risk and it's not appropriate for this PDP group to ignore that input from the contracted party team.

I also just want to comment that the idea that we would create a new flag to indicate legal or natural is really quite nebulous. Is this intended to be a domain name status? Actually, more properly, it would be a setting on the contact set, not the domain name.

But either way, it is a significant change to how domain names operate technically and I don't see that we have a real policy or legal need to mandate such a broad change. To conclude, I want to thank Milton for bringing some focus back onto the needs of the registrant and I want to support Volker's point about the necessity, or lack thereof, of differentiation. Thank you.

KEITH DRAZEK: Okay. Thank you, Sarah. Thanks, everybody, for the good discussion on this. I think the input here from the registrars is important. We will take a week to consider it, to review it, and to have further discussion on it, as noted during our plenary session, next week. I think some of the discussion points here have been important. There have been questions about consent from registrants about the potential risk and I think a lot of that will be further informed by the questions that have been posed to Bird & Bird.



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So, let me draw a line under that. At this point, let us move to a discussion of our ... So, the purpose of this discussion—and we've only got about 15 minutes left, so we can tee it up here and follow it up later—is to ... Again, if we assume for a moment a hypothetical, there is an assumption that, at some point, we end up with a requirement for this distinction.

The question is, how would we go about doing it? How would registrars/contracted parties, the group, come together around making the changes that would be potentially required? We've had some good input in terms of the input, here, and it's on the screen ahead of us. So, I'd just like to open this up and ask if anybody would like to speak up and take the lead in terms of kicking this one off. Staff, if anybody would like to jump in here, please do. Okay. Berry, go right ahead. Thank you so much.

BERRY COBB: Thank you, Keith. I just thought I would provide a quick overview, again, about the structure of the document. The first section is the thought experiment itself that Keith just talked about. We still are missing some input from three of the represented groups but we do thank the others for providing this input.

While some may not have agreed with the approach, I am at least somewhat happy in the fact that there was quantitative and qualitative input into this. Hindsight is always 20-20 in terms of maybe this was something that we should have started off with before we got into the more distinct proposals.

One thing that I'll note that was mentioned in the chat is the, why haven't the other proposals been considered? That's mostly because we never really received feedback on any of them. The primary reason why we were focusing on 1A, which I think was good discussion that we just had about the guidance for distinguishing, is because the 1A proposal was the only one that had traction and substance for the group to talk about.

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So, at any rate, this first section, again, is just the response to the thought experiment itself. We divided up each of the questions that relate back to this possible futuristic concept is this was ever a law or some kind of requirement. But then, the remaining section was really focusing on trying to leverage what the ePDPs have already agreed to.

And, granted, a portion of them are still being implemented or under implementation via the IRT and one of them is still sitting with the board. So, we do appreciate the input. I do recognize and take note about one of Sarah or Volker's comments.

This is, of course, still being worked on in implementation. We don't know exactly what the final requirements are. But what I was hopeful to try to tease out of this is to maybe get to what was created at the bottom of this document. The point here is, where in the registration cycle can these types of checks occur? And, at a conceptual level, what would that actually look like?

And so, that is what I was hoping to get in terms of responses for some of these questions. I would note that, while for each one of the recommendations here we originally just put a registrar group for to respond, that shouldn't prevent the rest of the team from providing sidebar comments or adding some other comments that you may think may be relevant to that.

But again, the concept here was really to tease out what registrars might be implementing at a conceptual level with this. So, I'll stop there and turn it back to Keith. Yeah, if anybody is interested in providing at least their initial reactions to this approach or if you have anything you want to tease out, for subsequent calls, we'll dive into this a little bit deeper. Thank you.

KEITH DRAZEK: Okay. Thanks very much, Berry, and thanks for jumping in there and providing the context. I'm going to just open it up at this point if anybody would like to contribute or weigh-in/provide your thoughts about this. Thank you to everybody who did provide feedback into the document. I think it's a great start.

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Again, just to reiterate, nothing that we're discussing in this thought experiment is going to bind anybody or commit anybody to anything. This is literally just a thought exercise. I just wanted to have a dialog, have a conversation, about how things might be accomplished or would be accomplished if it were to become a requirement at some point in the future. And so, let me just stop there and open it up if anybody would like to get in the queue. Brian, go right ahead.

BRIAN KING: Thanks, Keith. I was looking for the unmute, there. And thanks, Berry, for both the thought that we do this and for putting this together. I think it's a useful thought experiment. I don't want to open up an argument about when this, too, will be passed, or applicable, or anything like that, but I think, still, it's useful to think about—how might we do that?

So, we can get into all this. I think we probably only have nine minutes so it doesn't make sense to jump into the details. I'd be happy to do that, Keith, if you'd like. But yeah, I think there is good feedback here and some good thought around how contracted parties are going to have to do this, in the hypothetical. So, thanks.

KEITH DRAZEK: Yeah. Thanks very much, Brian. I just responded into chat that, in light of the time, we'll get into the details of this next week as we await feedback from Bird & Bird on the legal questions that have been submitted. But this is an opportunity for anybody to weigh-in at this point on thoughts about this exercise, anything on the specifics of the input, any follow-up or clarifying questions. Now is a great time to do that. Brian, back to you.

BRIAN KING: Yeah, thanks, Keith. I'd respond to that point by just thanking colleagues for, perhaps, fighting against our instincts to develop policy, here, and to focus on the practical "what might actually be done" and what we might need to do, assuming that this is the policy or legal

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requirement. So, in just glancing through some of the responses, it seems like we maybe didn't resist that temptation in all cases, and probably in the IPC submission, too, if I'm honest.

But it might be worth it if we have another week or between now and the next meeting to make sure that we're addressing what, practically, would need to be done in this environment and not making policy arguments about whether or not this could or should happen. Thanks.

KEITH DRAZEK: Yeah. Thanks, Brian. Perfectly said. Agree completely. And I think, look, it's not just a question of, how could it be done? I think that's an important factor. But it's also about identifying any potential challenges and then trying to figure out how to address or overcome those challenges. I know that's a very high-level, generalized statement.

But look, I think what we're trying to do here is this thought exercise supposed to identify, how could we/how would we do this, and where are the challenges? What would we need to do to overcome those challenges?

Some of this is operational. Some of this potentially impacts the registration life cycle. Some of this is going to be assessments of legal risk in terms of the factors that are considered. So, all of this is on the table as part of the thought experiment. Anyone else like to get in queue? All right. Going once. Going twice. Berry, do you have anything else that you'd like to speak to on this before we move to wrap up?

BERRY COBB: Thanks, Keith. Just to note that, again, if your group has already provided input, it shouldn't stop you from providing more or responding to other ideas that have been put down by other groups. As part of preparing for next week, if your group hasn't submitted comments, that would be helpful to do and hear, as well. Especially encouraging responses to what has been provided here by other groups. Thank you.

KEITH DRAZEK: Yeah. Thanks, Berry. Okay, very good. So I think, looking ahead to next week, we'll carry on with this exercise. I do encourage folks between now and the next Thursday to dig into this and to use this as an opportunity to present some different ideas in this hypothetical scenario. Okay. With that, we have now five minutes left on the call, so I will move to wrap things up here, unless there is any other business.

So, I will just pause here and say, is there any other business? Any comments, questions, clarifying questions, further input for the leadership team and staff? Now is your chance. Okay. Going once. Going twice. Very good. Okay. So, we'll wrap up the call today. Note that next week's meeting is at the same time: 18<sup>th</sup> March at 14:00 UTC.

I should note that, in some areas, there will be time zone changes with daylight saving time. So, please note that it will remain at 14:00 UTC. So, if you need to adjust your own calendars for your own timing, please make sure that you do that. So, 14:00 UTC next Thursday. We'll confirm action items on the list and confirm any further questions for ICANN Org, if any.

So, again, please review the feedback that we did receive from ICANN Org on the legal and natural study. If anybody has follow-up questions or if there are any other questions for ICANN Org associated with our work, let's make sure we get those questions to our ICANN Org colleagues as soon as possible so we can front-load that.

Noting, also, as we noted, the Legal Committee has done good work and questions have been sent to Bird & Bird. Ideally, in the next couple of weeks, we'll have some feedback from Bird & Bird for us to consider. With that, I will pause to see if we have any other comments from our staff/colleagues.

Caitlin, I don't know if you have anything to add at this point for the group. Hearing none, seeing none. Okay. Thanks, everybody, for your time. You get a couple of minutes back today. Thank

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you all for your input, your attention, and contributions. We'll speak again next Thursday. Thank you very much.

TERRI AGNEW: Thank you, everyone. Once again, the meeting has been adjourned. I'll stop recordings and disconnect all remaining lines. Stay well!

**[END OF TRANSCRIPT]**

**[END OF TRANSCRIPT]**