
ICANN Transcription

IDNs EPDP

Thursday, 14 April 2022 at 11:30 UTC

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DEVAN REED:

Good morning, good afternoon, and good evening. Welcome to the IDNs EPDP Call taking place on Thursday the 14th of April 2022 at 13:30 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 let yourselves be known now?

All members and participants will be promoted to panelists for today's call. Members and participants, when using the chat, please select Everyone in order for everyone to see the chat. Observers will remain as an attendee and will have View Only chat access.

Statements of Interest must be kept up to date. If anyone has any updates to share, please raise your hand or speak up now. If you

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need assistance updating your Statements of Interest, please e-mail the GNSO secretariat.

All documentation and information can be found on the IDNs EPDP Wiki space. Recordings will be posted on the public Wiki space shortly after the end of the call. Please remember to state your name before speaking, for the transcript. As a reminder, those who take part in ICANN multistakeholder process are to comply with the Expected Standards of Behavior.

And with this, over to Donna.

DONNA AUSTIN:

Thanks very much, Devan. And welcome, everybody, to today's call. And thank you to everyone for your flexibility in joining the call a couple of hours early so we can avoid what was a conflict with the GNSO Council Call that starts at our normal time.

So for today's call we will ... We had some discussion around E3 and E1 and E3a last week, and we're going to come back to that. Ariel has put together some slides with a bit more detail this time, which includes some of the discussion we had last week. So we're going to come back to that and see if we can make a little bit more headway. There was a lot of good conversation last week, and we thought that if we could build on that this week, maybe we can sort out what we're going to do with string similarity and confusion.

Folks will have seen that Ariel sent to the list the questionnaire that we want to send to—I'm about to have a brain [fail]—I think it's the ... Because I'm going to get my questionnaires mixed up.

I'm really sorry, Ariel. Can you remind me which questionnaire it is?

ARIEL LIANG: Thanks, Donna. This questionnaire is the one to Chinese and Arabic TLD registry operators to gauge their potential interest in activating allocatable variant labels.

DONNA AUSTIN: Thank you, Ariel. I was thinking it was the other one to the Generation Panel for the single characters, so I knew I was going to mess that up.

So hopefully, folks have had a chance to review that. And Michael picked up on what was poor editing on our part by not realizing that we didn't have a Q5 to go to. So thanks for that, Michael.

But we're assuming that that's good to go unless folks have anything they wanted to discuss here at the top of this call. So, is there any feedback from folks or questions that you might have? Or are we good to send that out? Thanks, Michael. Michael's saying he's okay with the questionnaire.

Okay. I will assume that we are all good to go because I'm not seeing any hands raised with people wanting to chat. And it looks like Dennis, Jerry, Nigel, Satish are all saying we're good to go. So thanks, everybody, for your feedback. We'll get that out to those registry operators that it's applicable to.

Ariel, do we have a timing on when that will go out? I expect it might take a little bit of time, administratively, to set that up. But do you have a time frame for when that will go out?

ARIEL LIANG:

I do need to track internally with my colleagues, and the expectation is that we need to translate the questionnaire into Arabic and Chinese. And also, I will need to check with GDS on the proper platform to use. And I know from the members of this team, for Chinese registry operators we probably will use some survey tool, WeChat. It's probably the easiest, but we do need to explore these options.

And then for the Arabic one, I need to confirm with some of our colleagues that are more familiar with Arabic TLD registry operator and understand the best approach to do this outreach to them. So I would need to get back to you on this question. The goal is to get it sent out as soon as possible, and then we will do everything we can to get it out in a timely manner.

DONNA AUSTIN:

Okay. Thanks, Ariel. And Dennis is asking in chat, "In terms of the mechanics, who will be the recipient of the survey?" So, I'm assuming it's just going to the registry operators that have Chinese or Arabic TLDs, but if you could confirm, Ariel. And Dennis, if I've interpreted "mechanics" wrong ... Yeah. Thanks, Dennis. Go ahead.

DENNIS CHANG: Yeah. Thank you, Donna. Yeah, I was specifically, if we are using ... Because the registry operators have different e-mail contacts, so I was wondering which one exactly so that we are aware and we can give a heads up to the recipient of those e-mails, mailboxes, if we are targeting specific registry operators.

DONNA AUSTIN: Yeah. Thanks, Dennis. I think there was a list attached to the surveys, so they're obviously the target TLDs. And I know that some of that information is a little bit out of date because of some consolidation that has happened. But Ariel, that's probably something that you'll get advice from GDS on, I would suspect. Would that be correct?

ARIEL LIANG: Yes, that's correct. We will coordinate with the GDS Team who have day-to-day contact with registry operators. And they will advise us what's the best approach and who's the best contact person from registry operators for this outreach.

DONNA AUSTIN: Okay. Thanks, Ariel. So, once we've got all of the mechanics sorted out, Dennis will inform ... If we can't do it on a call, we'll do it on the mailing list. We'll let folks know when that survey has been sent out and who the contact persons are and what platform we've used. So if we're using WeChat, we'll let folks know that as well.

All right. So with that, I think we can get started on today's discussion. And Ariel's done some ... We get the pleasure of Ariel walking us through some of the fabulous slides to hopefully help us pick up the conversation from last week.

So with that, Ariel, I will hand it over to you.

ARIEL LIANG:

Thanks, Donna. I'm hoping the slides will make the discussion easier and make the issue presented in front of us clearer. So, I hope it's good but [I don't know]. That's the goal, so hopefully it will be helpful.

Just as a reminder what the three questions are. They are related to String Similarity Review. And I'll just quickly read out so that we remember the questions that we're dealing with.

So the first one is E3. The question itself is basically asking whether and how String Similarity Review needs to be adjusted in order to ensure consistency in implementation of String Similarity Review procedure for variant label applications. And I want to remind folks that in the current discussion, we're only focusing on the new gTLD aspects. So basically, for future rounds of application, whether and how the String Similarity Review needs to be adjusted. We're not dealing with existing gTLD implications yet. So that's E3.

And then E1 has two parts, but we're only focusing on Part 1. Basically, it's asking, "What role, if any, do TLD labels 'withheld for possible allocation' or 'withheld for the same entity' play vis-a-vis String Similarity Review process?" So it is specifically asking for

withheld/same entities labels' role in String Similarity Review. So basically, the labels that were not requested by an applicant but are also allocatable, do they have a role to play in String Similarity Review?

And E3a is regarding the consequence of String Similarity Review. So after a requested variant string is rejected as a result of String Similarity Review, should the other variant strings in the same variant set remain allocatable? In other words, should individual labels be allowed to have different outcomes/actions?

So that's the consequence piece and I think, based on logic, we're definitely dealing with E3 and E1 first. And then we can circle back to E3a last to manage. So that's the questions, themselves.

In the last meeting, there was an action item for leadership and staff to come up with a matrix or some kind of a graphic representation of variant labels and how they may look in the String Similarity Review process. So this is staff's attempt to reflect that matrix discussion. And we tried to develop some graphic to demonstrate how it may look. And hopefully, with that visual impact, it will make it easier for the team to come to an agreement or conclusion on which way to go.

And also, last week there was this concept of atomicity. I think that was brought up by Edmon. Basically, if a primary label has variants, then they are treated as one single unit. So it's like a set. So we tried to draw this graphic based on that concept.

And then in my mind, it probably looks like a galaxy of stars. And then some stars have satellite stars, and some may be just single

by itself. And then the variants are like satellites, revolving around a planet which is the primary label. So that's, in my mind, they look like. But in this graphic representation, it look more like a molecule or a virus. I don't know. But that's the goal we were trying to reach, to reflect that atomicity concept. So this is a kind of opening remark for this.

So here I just want to introduce to you the types of TLD labels we're trying to take into account in the similarity review matrix. So the top part is the applied-for TLD string. So for simplicity, we're showing a string that has basically a primary string that's applied for is P1. P stands for "primary." And then you will see there are three little ones that are revolving around it. They are the variants. So, [P1v1, P1v2, P1v3]. So V stands for "variant".

And then you will see the color coding here. Green means allocatable and also applied-for or requested. So there are green. And then yellow means they are allocatable but they are not requested by the applicant. So, they're yellow. And then the red ones are blocked, basically. Blocked variants. So that's the applied-for TLD string that basically needs to be reviewed and entered into the string similarity process. That's the top part.

And then the bottom part is the types of existing or applied-for TLDs that need to be compared again, based on the criteria of a String Similarity Review. So you will see there are different types. They are not a comprehensive kind of categorization of TLDs, but we just want to show you some of the examples that may need to be taken into consideration.

So P2 is a type of TLD that has no variants. So maybe you can imagine that some TLDs in certain scripts, they just simply have no variant labels. So that's the type.

And then P3 is the type of TLD that only has blocked variants. So if you remember, for example, Japanese script TLDs have variant labels but they're all blocked. So that's this type. And then for P5, it's a type of TLD that has allocatable variant labels, but none of them is requested by either an existing registry operator or an applicant. So basically they're all "withheld/same entity." So that's for P5.

And then for P4, it's kind of similar to the applied-for TLD string. It has allocatable variant labels and also some of which are requested for activation. So that's very similar to the applied-for TLD string.

Sorry, I think I labeled P4 and P5 first. Anyway, so P6 is the type of TLD with an extremely large number of allocatable and blocked variants. So you can imagine for certain Arabic TLDs, they have tens or hundreds or even thousands of variant labels. And a lot of them are allocatable as well. And maybe a lot more are blocked.

So this is basically a simplified visual representation of that type of TLD. So these are the ones that have been illustrated in the String Similarity Review process for consideration. So that's the first explanation.

The next one is, basically, we're trying to figure out different levels of comparison for String Similarity Review. And then we also tried to list some Pros and Cons for these levels of comparison. And

definitely it's not a comprehensive list of Pros and cons, and also we keep it kind of generic because Pros and Cons [may be analyzed] based on who the audience is. But we are just listing some of these, too, as a conversation starter, and definitely welcome the team's further discussion of that.

So the Level 1 comparison for String Similarity Review is, basically, you only compare the applied-for string plus the requested allocatable variant label against all the other applied-for strings and only requested variant labels plus existing TLDs. So basically, we are only comparing the green circles on the chart of these types TLDs.

So just to make it clear, what is compared against is basically reserved names, existing TLDs plus only requested allocatable variants of existing TLDs, strings requested as IDN ccTLDs plus only requested allocatable variants of such ccTLDs, and other applied-for TLDs plus their only requested allocatable variants. So basically, only green parts compare against green parts for Level 1 of comparison.

And then some of the Pros we thought about is that it's a limited pool of TLDs and variant labels for the String Similarity Review process. So, it's not ... A definitely relatively small number of labels are in this review process. And as a result, it might be the simplest, fastest, and least expensive process to conduct such review because the sheer number of labels being compared against is limited.

However, there may be some Cons for this Level 1 comparison. One is that if such an applied-for label plus its requested

allocatable variant passed the review, it may potentially allow delegation of a string that's visually confusable to an allocatable variant that is not requested in the current round but it may be requested in the future. So basically, there may be a possibility that a string is delegated, but it may be visually confusable to a "withheld/same entity" variant label of another string. So that's one potential con of this comparison.

And a second potential con for that is that there may be a possibility for allowing delegation of a string that's visually confusable to a blocked variant of another string because, you know, in this level we're not letting blocked or "withheld/same entity" variants have a role to play here. So there may be a possibility of a delegation of a string that has conflict with a "withheld/same entity" or blocked string of another TLD.

So that's some of the Cons we thought about, but definitely these are as a conversation starter. We may not get it right, and it's definitely not complete. So we welcome your input for this. And I will just keep going, and then we'll show you Level 2, what it may look like.

So for Level 2, in summary—

DONNA AUSTIN:

Ariel, sorry. Sorry to interrupt. Can we just go back to Level 1, please?

ARIEL LIANG:

Okay.

DONNA AUSTIN: What I'd like to do ... So, Ariel has three levels that she's going to take us through. What I'd like to do is just give folks one or two minutes to see if there are any other Pros or Cons that we may have missed. And we can identify those now as we work through the levels. And then we'll come back and have a conversation about the three levels.

But I just want to give folks an opportunity to see if there's any kind of initial or gut reaction to ... Or as Justine's suggesting in another room, factors that we might want to consider here. So just kind of quick and dirty at this point.

Jeff, go ahead.

JEFF NEUMAN: Can you hear me?

DONNA AUSTIN: Yes.

JEFF NEUMAN: I was just going to say that, you know ... And the more I thought about this with Level 1, Ariel's right on what the Cons are. But I don't really consider those Cons because if you think about strings when they're delegated—at least with gTLDs—ICANN is very clear that you have no intellectual property rights in a string or you have no automatic rights to other strings. The only thing you are

licensing from ICANN is the string that you have requested and that has been delegated.

So the more I think about it, the more I'm okay with potentially, in the future, someone that hasn't requested their allocatable string being denied that string if they subsequently apply for it because there's now a variant that—sorry, yeah—the variant that they want to delegate is confusingly similar to something that, by that point in time, is existing.

So I think that's in line with the policy that ICANN has about ownership in a string and that there really isn't. There's no automatic rights. There's no ownership or anything like that or any right of first refusal on additional strings. Thanks.

DONNA AUSTIN: Thanks, Jeff. Hadia and then Michael.

HADIA ELMINIAWI: Thank you. I think that one of the Pros could be that some variant labels may never be applied for, so there is no need to deny delegation of a string that is visually confusable to an allocated variant that will never be applied for. Thank you.

DONNA AUSTIN: Thanks, Hadia. Michael.

MICHAEL BAULAND: I agree with Hadia, and one thing that might be a con depends on the way allocatable variants can be activated which has not been applied for. If the activation of a not applied-for variant is possible between rounds, then a con for Level 1 would be that the String Similarity Review would have to be done at any time, essentially.

So always a registry operator says that they want to activate one of their allocatable variants. The String Similarity Review would have to be executed before. But if we say that the variants can only be activated in those rounds, so to say, then there's no con because in these situations the String Similarity Review Team will always, anyway, have to work on the strings. Thanks.

DONNA AUSTIN: Thanks, Michael. Edmon. And then we'll move on.

EDMON CHUNG: Thank you, Donna. I want to make sure I mention this, that I am speaking personally rather than as a Board liaison at this time. And I want to re-emphasize what Michael just said. I actually put my hand to say what Michael said. This is one of the things that we need to think about as in, if we go about this approach then we need to think through what happens when someone activates a variant.

The other thing that is relevant to this is also how do we deal with different rounds. Right? And a situation is, is it purely first come, first served? Or if a latter-round application comes in but it's still going through evaluation process and the previous round tries to

activate a variant, who is first? And is it by the second? By the hour? By the day?

When a subsequent round comes in just before the day or someone tries to activate a variant, how do you count that particular so called first come, first served if you run into a situation whereby a string may be visually confusing?

So I think it's not as simple as just saying it's first come, first served when you talk about multiple rounds and a mechanism to activate. So I think that that needs to be thought through as well.

DONNA AUSTIN:

Thanks, Edmon. Thanks to everyone for your quick thoughts on this, and we'll come back to those. And sorry to interrupt you, Ariel. But if you could move on, that would be great. Thanks.

ARIEL LIANG:

Not a problem. Thanks, everyone, for the input. So I'll just keep going. For the next level of comparison is the Level 2. So in the graphic, you will see that it's not only the green parts that enter into the String Similarity Review process, but also the orange one. So basically the allocatable labels that are not requested by the applicant or existing registry operator ...

To make it clear what is compared is that on the left side is primary plus all allocatable variants including the requested ones and non-requested ones. And on the right side, what is being compared against. That includes reserved names, existing TLDs plus all allocatable variant labels of existing TLD strings requested

as IDN ccTLDs plus all allocatable variants of such ccTLDs and other applied-for gTLDs plus all allocatable variants of those applied-for gTLDs.

We listed some Pros here in our mind. Perhaps it's a relatively manageable pool of labels for comparison, but the one troubled ... Or not troubled. But there is one issue regarding Arabic TLD strings. Some of them may generate an extremely large number of allocatable variants for such Arabic TLDs. But then for the other scripts, it should be relatively manageable.

And if you recall, in one of the presentations in the past, it's a total of seven scripts that have allocatable variants. So we don't have a lot of languages and scripts to deal with in this scenario.

And then the second pro is that some it may reduce the possibility of visual confusability among all allocatable variants in the same round. We cannot speak to future round, what's going to happen. But in the same round, it may reduce the possibility of [inaudible] confusability among all of the variants and labels that may have the possibility to be delegated. So that's the two Pros we can think of for Level 2.

And then the Cons is that, yes, it's probably a relatively manageable pool, but we still have seven scripts that actually have allocatable variants to deal with. So that's a con by itself. And then, as mentioned earlier, certain TLDs in Arabic may potentially have an extremely large number of variant labels. So you can see in the P6 case, there is a lot of orange dots that need to be in the equation, I guess, in the String Similarity Review process, too.

So that's some of the Pros and Cons we listed here as the conversation starter. And Donna, would you like me to pause here and see whether folks have comments or reactions to Level 2 of analysis?

DONNA AUSTIN: Yes, please, Ariel. So, any thoughts here before we move on? [inaudible] question here from Tomslin about not understanding the seven script Con. Can you respond to that, Ariel?

ARIEL LIANG: Yes. So basically, not all of the scripts in the Root Zone LGR have allocatable variant labels. There are only seven scripts that have allocatable variant labels. I don't have the full list, but I think that includes Arabic, Chinese, I think Devanagari, and Latin. There are two characters in the Latin script that have variant labels, and so on. So that's basically seven scripts that have allocatable variants.

And from a String Similarity Review perspective, the applied-for TLD scripts or language doesn't really matter. What does really matter is about the visual confusability. So it can be compared against another string that's not in the same script or language. So that can potentially involve many other different scripts. And if we have seven scripts that have allocatable variant labels, basically the pool of comparison is bigger—definitely bigger—than Level 1. So that's what we intend to explain here.

DONNA AUSTIN: I don't see any other hands. Justine, how are we going on the chat? Is there anything you want to specifically call that there?

JUSTINE CHEW: Not at the moment. Well, we have a hand up from Jeff now.

DONNA AUSTIN: Okay. Go ahead, Jeff.

JEFF NEUMAN: Thanks. I'm at my computer now, so it's actually a little bit easier. I'm just posting what's in the current registry agreement, and I think this is important. And it goes along with the comment from what I said, that when someone applies for a string they're applying for a license for that individual string for which they applied and for nothing else. And when they apply for a string and they have a string that's granted, they don't have—and in fact they have to sign away—any potential ownership rights in that string which would include, of course, any variants of that string.

So to have a policy or to set a policy that gives, essentially, a right of first refusal to an existing registry operator of any variants seems to be completely against this notion that you own, or registry itself owns the string. So I do think that's really important, and it would probably make sense that perhaps a legal interpretation from ICANN staff ...

Because my fear is that if we go down a path of this Level 2—and my guess is Level 3 is probably even more expanded—we may be

going against the whole notion of what's been in the base agreements for as long as I can remember. Thanks.

DONNA AUSTIN: Thanks, Jeff. I think it's a reasonable question to ask, but I'm going to use a Justine word here. And I'm not sure how that policy or how it's stated in the registry agreement jives with the work of the Root Zone LGR. So that's where I'm not sure how this comes out.

JEFF NEUMAN: Oh, can I—

DONNA AUSTIN: Edmon, go ahead.

JEFF NEUMAN: Oh, I was—

DONNA AUSTIN: Can we go to Edmon first? And then we'll come back because Edmon might have some thoughts on this. Go ahead, Edmon.

EDMON CHUNG: It's related, but maybe Jeff should go first because it's a bit of a tangent that I want to bring up.

DONNA AUSTIN: Okay. Jeff.

JEFF NEUMAN: So the way it's related is that by reviewing the strings that have not been requested, you're essentially reserving the right for the allocatable string for the existing registry operator should ever want it. And so by doing that, you're basically saying that the current registry has some sort of right to have that allocated over anyone else that wants anything that may be confusingly similar. And so that's the relation.

And I see Justine's comment that it's the current situation. But it's more than that, Justine. It's actually a principle that was embodied in the original white paper way back for the establishment of ICANN. So, yes, it doesn't currently address variants, but it's a principle that upon which ICANN was formed. And so it would be great to get some readout on that. Thanks.

DONNA AUSTIN: Sorry, I keep using my mouse, so I can't find my mute button. Thanks, Jeff. And then we'll go to Edmon. There are a couple of responses to Jeff in chat as well from Dennis and Jerry. So we'll need to capture those.

Edmon, go ahead.

EDMON CHUNG: Thank you, Donna. I guess in response to Jeff, I don't disagree that it's an important consideration. But I think this is a situation

whereby we need to think both from the perspective of the agreement from the registry operator's perspective as well as from the root administrator's perspective, if you will.

And I don't know whether you were transitioning between your device when I was speaking earlier, but here's a situation whereby I think this situation needs to be thought through more carefully, especially between rounds. And if you have an application in round one—just using round one as an easy example—and it has allocatable variants and/or other variants. And now comes round two. And let's say round two starts from March 1st to March 30th, let's say. So do we freeze all of the activation process from round one when round two is happening? Because after round one, a particular TLD would come in and at any point in time, it can activate a particular variant. And that “any point in time” can happen during round two.

So if we just simply say first come, first served, what happens between March 1st and March 30th when round two was happening. Right? Is it then that the round two application has a first come, first served in terms of a timestamp? Or it is like in concept of any rounds, that it the end of a particular round. So an activation request comes on March 3rd, for example, and the application for this round two comes March 2nd, for example. But it doesn't close until March 30th. So now, which timestamp are you really talking about? Right?

So I think there are complications to that. And if you make it such that all of the variants are taken care of in terms of visual similarity in one round as a whole, then that solves that issue in terms of the situation and makes it much more clearer.

Ultimately, I think, this issue is a little bit of an edge case, honestly. And if edge case, the question then is whether, as a policy matter, do those edge cases deserve a way to say, "No. Let's make it more complicated and deal with all of these complicated issues on a very purist way of thinking about first come, first served and rights versus whether ... You know, these are all edge cases and it's better to make it simpler for both the applicants in the first round and also the subsequent rounds. Make things more clearer and deal with all the conflicts/issues at one go.

So I think the real balance is there rather than the pure concept of rights that I think Jeff is talking about. I hope that makes sense.

DONNA AUSTIN:

Thanks, Edmon. My head is still spinning. Jeff, is that a new hand or an old hand?

JEFF NEUMAN:

Yeah, it's a new hand to respond to that. So Edmon, I understand what you're saying but you're making an assumption that we are going to pass a policy that says that a registry can request an activation of a variant in between rounds. We haven't done that yet, and I'm not sure we will. So we need to sort of park that one because that's not something we've agreed upon or I don't even know ... I can't remember if we even discussed that.

But if it's the policy that you can only activate variants during a round, then problem, Edmon, is solved by SubPro that talks about what happens when you have applications in different rounds

when the two rounds seemingly overlap by a little bit. So that issue has already been solved by SubPro. It may not be, well, I'll leave it there.

But the main part of my comment then is that you can't assume at this point that we think it's okay to apply for the delegation of allocatable variants outside of an official round. We may come to that conclusion, in which case we have to address your comment. But if we don't come to that conclusion and say that it can only be during rounds then, like I said, SubPro solves that.

DONNA AUSTIN:

Okay. Thanks, Jeff. So Ariel, we'll move to Level 3.

ARIEL LIANG:

All right, that sounds good. Thanks for the discussion. Moving on to Level 3. As you can see, this level, basically, the primary plus all variants are entered into the String Similarity Review process. So all the colors are included here, as you can see, just for making it clear. On the right side of the comparison is the primary plus all variants including blocked and allocatable variants of the applied-for TLD.

And then on the right side, what it is compared against are reserved names, existing TLDs plus all variants, strings requested as IDN ccTLDs, and all variants of such ccTLDs; and other applied-for gTLDs plus all variants. So that's the maximally conservative approach.

For the Pros, yes, it is extremely conservative and it may reduce the possibility of visual confusability among all valid variant labels in the same round. But in the future rounds, the String Similarity Review will likely need to be conducted again, so it doesn't cover all of these labels forever. But in the same round, yes, it may reduce possibility of visual confusability.

And the Cons are pretty clear by itself. So if you recall, in RZ-LGR there were a total of 21 scripts that had variant labels. And that includes a lot of the scripts. I think it said 12 of them, maybe even more, that only have blocked variant labels. And certain TLDs—including Arabic, Cyrillic, Latin—may have an extremely large number of blocked variants. And I think a comment made by Sarmad last week was that could be hundreds or thousands. So that's going to be quite so scary.

And if we do use this maximally conservative approach, an applied-for string may be rejected due to a conflict with a blocked variant of another string which will never be delegated. So it may deny the possibility for a legitimate use of applied-for string just because it visually conflicts with another string that will never be delegated in the root zone. So it may be an overkill.

And of course, because the number of labels that needs to be taken into consideration, it will likely become the slowest, most complicated and extensive review process to conduct.

So these are some of the Cons and Pros that we listed here as a conversation starter. And I will stop here.

DONNA AUSTIN: Thanks, Ariel. So obviously this is, as Ariel said, the maximally conservative approach and then probably the one that's the most difficult to implement, or certainly the most expensive. But in some respects maybe the most complete and challenging.

So, any thoughts on Level 3 in terms of other potential Pros or Cons? Okay, so we will ...

Ariel, can you take us back to the question? And then if we can try to have a conversation about the different levels.

Satish.

SATISH BABU: Thanks, Donna. I have what is possibly a dumb question. But given that we have access to AI and other sophisticated technology, would it be possible to automate part or whole of this process? Thank you.

DONNA AUSTIN: Thanks, Satish. I think that's an implementation question, really, I guess. I don't know whether Sarmad has any thoughts on this, on whether it could be done. But I guess a question for you, Satish, is what's the benefit of automation and what do you think is the problem it would solve?

SATISH BABU: So, this maximally conservative approach, as you mentioned, is the most complete way to handle this problem, although it may be a little bit kind of overdoing it in some cases. So if you can

automate the advantages that we can even do at multiple points, we can repeat this exercise with the visual part of it if we can automate it. Then there could be a human examination at some point.

So the challenge of the time required and the expense, etc., can be reduced significantly. Yet, you can have a complete kind of process. That is what I thought, but I may be wrong. Thank you.

DONNA AUSTIN: Thanks, Satish. Sarmad.

SARMAD HUSSAIN: Yes. Thank you, Donna. Just to respond to Satish. There was a tool which was used earlier, but it did not perform. And so I think my measuring similarity automatically, which is more of a perceptual measure, is a very difficult process. It's not easily done. Thank you.

DONNA AUSTIN: Thanks, Sarmad. Right. So again, this isn't an easy conversation to have because it is a really difficult problem to solve. Having listened to the conversation, one of the challenges that I'm having is that I'm having ...

I understand what Jeff is saying, but I'm trying to reconcile that with the Root Zone LGR process and the fact that you have a primary label and a set of variants. And we've talked about

whether they're allocatable or whether they're blocked. And I think this question is about what's the role of "withheld/same entity."

So while understand what Jeff is saying in the context of a gTLD that isn't an IDN and doesn't have a variant set and that principle of atomicity that Edmon spoke of last week. I think it's hard to apply the same thinking for just a gTLD with an IDN gTLD that has a primary and a variant set that include blocked or allocated labels.

So it is a different conversation that we're trying to have here to understand how we can have the most efficient and best process to accommodate the uniqueness of an IDN and its variant set of labels.

Jeff, go ahead.

JEFF NEUMAN:

Yeah. Donna, I understand that. I just think that there are so many other concepts that are important from delegating new strings into the root. And like the SSAC said, a string is a string is a string. And regardless of the timing, when a string is actually formally requested and prior to delegation, there needs to be notice to the community, there needs to be the right to file objections—if, for whatever reason, there are objections—and there needs to be predictability of all of those processes.

And one of the primary reasons why the SubPro group did not favor rolling basis of the TLDs was for the predictability of being able to monitor applications that come in and for going through all of those processes. If we have a process, whether it's for variants

or other types of strings that are outside that predictable process, then you're going to go against that principle which SubPro spent, as you know, an incredible amount of time on.

So I understand what you're saying, but I think that there are different considerations as well that need to be thought about.

DONNA AUSTIN: Thanks, Jeff. Edmon.

EDMON CHUNG: Actually, speaking about the predictability principle, it would actually be much more predictable if we go with Level 3 and go through all of the String Similarity Reviews for all of the variants, both for predictability for the previous round and subsequent rounds. Because, as mentioned, regardless of how we go about it, if at every activation point you would then have to depend on what happens next or what's happening at that time, then the predictability would actually go down. In my mind it makes sense because if a registry operator has a set of variant TLDs that can be activated, then they know immediately it can or cannot be activated. Then the predictability must be higher than if they are unsure whether it would be activated or not, so I think if you purely talk about predictability principle, then obviously Level 3 would provide a higher predictability.

DONNA AUSTIN: Right. Okay, so Ariel, can we go back to ... Hadia, go ahead.

HADIA ELMINIAWI: Thank you, Donna. Just a clarification question. When we say “primary plus all variants blocked and allocatable,” would the applicant in this case be required to apply for all variants—and this would include blocked and allocatable? Or does this mean that the applicant would have the choice to either apply for the primary and some of the variants, or apply for the primary and all variants? Would it be an obligation?

DONNA AUSTIN: No, it’s not an obligation to apply for all of the labels in the variant set. It would be discretionary on the applicant, is my understanding, Hadia. But I stand to be corrected on that. But there's no obligation. It's discretionary on the applicant.

Okay. So Ariel, can we pull up the original question that we're trying to answer here with ...? Okay, so it’s a bit hard to ... I guess to Jeff’s point about the recommendations and SubPro, I guess if SubPro was in an IRT process, maybe this question that we’re trying to answer could be a little simpler. But it’s not.

“What role, if any, do TLD labels ‘withheld for possible allocation’ or ‘withheld for the same entity’ play vis-a-vis String Similarity Review process?”

And then ... I’m getting myself tied up in knots here a little bit. So that's the question we're trying to answer. Isn't it, Ariel?

ARIEL LIANG: Sorry, Donna. I missed you. Do you mind repeating?

DONNA AUSTIN: Right. So the question we're trying to answer is E1 (Part 1).

ARIEL LIANG: Yes. Essentially, E1 (Part 1) is the part we need to figure out first. And also, it's not complete because we didn't talk about the role of blocked labels. Do they have a role to play in String Similarity Review? And then that's kind of implicitly covered in E3. The E3 is more like the overarching question, I guess, and E1 is the particular part of it. And then there's another part about blocked labels that's not explicitly asked, but we're also discussing that for Level 3 of that matrix. So, yes.

DONNA AUSTIN: Okay. Jeff.

JEFF NEUMAN: Yeah. So with consideration of the blocked string ... So the blocked ... Are we saying that we haven't addressed what happens if someone applies for a variant of a blocked string but that variant is not confusingly similar from a visual perspective? Or are we saying, what if a string that's being applied for is confusingly similar to a blocked string? If it's not confusingly similar visually, then I don't see why we need to address it. If it's confusingly similar to a blocked string, then obviously that needs to be blocked as well.

And then the third part is, are you asking, well, what if it's confusingly similar to a variant of a block string but it doesn't happen to be confusingly similar to the primary? In which case I would also say that it doesn't matter that it's confusingly similar to a variant of a block string because the variant of the block string could never be allocated.

DONNA AUSTIN: I think the concern that was raised last week with blocked—and it's identified as a con on some of Ariel's Level 1, 2, and 3—is that something that is confusingly similar to a blocked ... There could be a workaround to somebody getting a label that is similar to a blocked label. So I think that's what the issue is.

JEFF NEUMAN: Yeah, I guess.

DONNA AUSTIN: [inaudible].

JEFF NEUMAN: I mean, it's hard because we'd have to know why it's blocked. Right? If it's blocked because we've reserved all the IGO ... I mean, what do we mean by "blocked"? I guess is what I'm having I'm struggling with.

DONNA AUSTIN: So Ariel and then Sarmad, or Sarmad and Ariel—whichever way you want to go. Yeah, that's [inaudible].

ARIEL LIANG: [inaudible].

DONNA AUSTIN: Yeah [inaudible].

SARMAD HUSSAIN: [inaudible].

DONNA AUSTIN: Sorry, Ariel. Did you want to go? Or Sarmad? Sarmad, go ahead.

SARMAD HUSSAIN: Yeah, I think Ariel ... So, let me go. So I think, at least here, at least my understanding is that reserved and blocked are two different items. So I think if they're NGO/INGO names, I think them more as reserved. Blocked, at least my understanding, it means that these are those labels which are deemed as blocked through the Root Zone LGR against a label which is either delegated, allocated, or reserved. Thank you.

DONNA AUSTIN: Thanks, Sarmad. Old or new hand, Jeff?

JEFF NEUMAN: Well, it's new but it's related to that. Again, I guess kind of to ask ... I mean, I understand what you said, Sarmad. But I guess my question is, why would someone choose ... ? Why would the Label Generation Panel choose to block a particular string? And would that same rationale apply to a variant of the blocked string?

DONNA AUSTIN: Go ahead, Sarmad.

SARMAD HUSSAIN: Thank you, Donna. So, there are multiple motivations for blocking a string. The main motivation was that the Root Zone LGR procedure basically suggested that allocatable variants should be minimized and blocked variants should be maximized. And that's just to ensure the system remains secure. And obviously, the manageability of the allocatable string remains in control.

To look at specific examples, basically when a particular Generation Panel or script community was looking at making those decisions, when they make a decision about whether to make a variant allocatable or blocked, they would actually look at it from a usability perspective.

So if there is maybe visually almost identicalness between two characters, but those two characters are not usable versions of each other but they're just accidentally visually identical, for example—or technically identical for some reasons the Unicode actually is done there in coding—if there is no usability argument, they would make them blocked variants.

If there is a usability argument, then they would make it an allocatable variant. So the main, I guess, differentiation between allocatable and blocked variants is that things which the Generation Panels considered as usable variants of labels, they would try to make them allocatable. Thank you.

JEFF NEUMAN:

Thanks, Sarmad. So then, wouldn't it depend on the exact reason as to why something is blocked to figure out whether a string that's being applied for happens to be confusingly similar to that block string? Can we set a general rule that applies to all without knowing the exact reason why something's blocked?

Because if there's no harm to allowing that string to move forward other than the fact that it's confusingly similar to a blocked string but perhaps maybe the Label Generation Panel wouldn't have cared, I just think it's hard to set a general rule about whether something is confusingly similar to a blocked string. You know, setting the general rule to say, "No, they can't ever move forward." I think that that's sort of sending the wrong message. I don't know. It sounds like a real [edge case].

DONNA AUSTIN:

Right. So it's the role of a blocked label specifically and confusingly similar. Okay, so can we go back to Levels 1, 2, and 3? Have folks given some thought to this and what they lean toward?

Part of the challenge for us here is that we need to come up with a policy or recommendations that can be implemented. There will be

cost considerations, we know, for the Level 3. But, you know, Level 3 is the most conservative model and probably the one that will take a long time. May be the most prudent. And I say may. I don't know that it would.

Level 1 is maybe the easiest process to administer, but how does it stack up against ...? Does it compromise the Root Zone LGR process or does it ...? How does it work on this principle of keeping the variant label set together?

And then I guess Level 2 is somewhere in between in that it's not addressing the blocked issue which may overcome some of Jeff's questions.

So, I'm interested to hear folks' thoughts on which way they're leaning at this point in time. And I know it's hard because you may not have had time to go back and check with your respective groups that you represent. But if folks can give some indication of which way they're leaning at the moment, that will be helpful.

I see that Jeff is saying Level 1. Edmon is saying Level 3. I'm interested in [inaudible] from other folks. Satish is Level 3. Michael's going for the middle in Level 2. Okay, "Personally Level 1." Anil, Level 3. So we're not close on this.

I've been trying to think this through on the issue that Edmon raised about between rounds or whether rounds are finished, and whether rounds are not. And I have a suggestion that I don't know whether it's a valid one or acceptable in this context. But what if there was a rule here that if an applicant is applying for an IDN TLD, they know what the variant set looks like, but they make a

choice about which variants that they want to apply for. And this probably fits more into to Level 1.

So there's only ... You're only really given one opportunity to apply for the primary and whatever variant sets you're seeking to allocate. And I'm just wondering if we can strain that piece, would that make this easier or would it break some other principle down the road. So if we can strain that piece of ...

You get one opportunity to apply for the primary TLD and variant labels that you decide you wanted that time, and if they're still available in a couple of years' time, so be it. But if they're not, you've really had one chance at it. So I don't know if that overcomes some of the problem here, but maybe it does.

And Jeff, to your point about "Level 1 is consistent with the SSAC Conservatism Principle," I would say that maybe Level 3 is where that fits in. So that might be a source of contention. Yeah. I agree with Edmon. I think it's the other way around.

Jeff.

JEFF NEUMAN:

I actually disagree with that because I think what the SSAC said is that the number of strings that are actually delegated should be set to a limit. Level 3 is basically saying that the existing registry has the right to allocate not only that primary, but as many of the variants that it wants to and would block anyone else from applying for a string simply because a variant of that string happens to be a variant of an existing string.

And to me that basically, again, says that you are reserving the right for an unlimited amount of variants for the existing registry operator. So that's why I think it's more Level 1. I understand why some say it's Level 3 because, obviously, it would block more of them. But that's true, only until you get to the second part of what Level 3 is implying, which is that the existing registry has a right to all of those.

And that's where you break from what I believe is the SSAC conservatism because what the SSAC would say is, "No, we actually want to sort of set a limit so the registry would have a primary and may be allowed one or two variants. But that's it."

And so the fact that someone's applying for a string that happens to be confusingly similar to a variant that is above and beyond the one or two that the existing registry can have is irrelevant.

DONNA AUSTIN:

Obviously, we have different interpretations of what the SSAC principle is. And that is what it is.

If I did a count now, I think the group is more in favor of Level 3 than others. But I don't know that we're going to make any more progress on this tonight, particularly. We've only got eight minutes to go. I guess as a leadership team, we'll give some thought to the conversation that we've heard tonight and see if we can break this down further to get to an answer. But maybe this is one that we try and write up and give folks the opportunity to go back to their respective groups and see where things line up. But I don't think we're going to achieve much more by continuing to talk about this.

Maxim has to join for the Council Call that's coming up, and I know that many others do as well. So unless anyone has anything to add ...

Ariel, is that a hand? Yes, go ahead.

ARIEL LIANG:

Thanks, Donna. It's just an administrative matter. As a reminder, we have the poll sent to see whether folks are interested in going to ICANN74 in person or participating virtually. So the poll is still open, and we said the tentative deadline for closing is tomorrow. But I guess there is some flexibility with that. But as a reminder, please fill out that survey. It's on the mailing list and I just sent a reminder yesterday.

DONNA AUSTIN:

Thanks for that, Ariel. I know ICANN74 seems a long way away, but it's not. It would be great to be able to meet with this group in person, but I understand it's going to be challenging. It might personally be a challenge for me. But we really want to see your responses to the poll that Ariel has sent out so we can make some judgment calls on how best to run the sessions that we have for ICANN74.

All right. Thanks, everybody. I think we're going to leave this for a while. I don't think we'll come back to it next week. But we'll have an agenda out in the meantime.

So to those of you taking some time off for the Easter break, stay safe and enjoy the break. And we will see you back here next week. Thanks, folks.

JULIE BISLAND:

Thank you, Donna. Thanks, everyone, for joining. This meeting is adjourned. Have a good rest of your day.

[END OF TRANSCRIPTION]